

United Nations

**GENERAL
ASSEMBLY**

THIRTY-FOURTH SESSION

Official Records*



SIXTH COMMITTEE

55th meeting

held on

Thursday, 29 November 1979

at 10.30 a.m.

New York

SUMMARY RECORD OF THE 55th MEETING

Chairman: Mr. GUNA-KASEM (Thailand)

CONTENTS

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)

AGENDA ITEM 119: CONSOLIDATION AND PROGRESSIVE DEVELOPMENT OF THE PRINCIPLES AND NORMS OF INTERNATIONAL ECONOMIC LAW RELATING IN PARTICULAR TO THE LEGAL ASPECTS OF THE NEW INTERNATIONAL ECONOMIC ORDER (continued)

ORGANIZATION OF WORK

* This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room A-3550, 866 United Nations Plaza (Alcoa Building), and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL
A/C.6/34/SR.55
5 December 1979

ORIGINAL: ENGLISH

The meeting was called to order at 10.40 a.m.

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued) (A/34/33, A/34/409, A/34/357, A/34/389 and Corr.1; A/C.6/34/L.8/Rev.1)

1. Mr. WINKLER (Austria), speaking in explanation of vote before the vote, said that his delegation would vote against draft resolution A/C.6/34/L.8/Rev.1, in the light of the following considerations. The function of the Security Council as the main organ responsible for maintaining international peace and security within the framework of the Charter was undisputed. If the Security Council was to discharge its duties effectively, there must be a certain political environment, an essential element of which was a minimum - and, it has to be hoped, a maximum - degree of co-operation among its permanent members. The rule of veto applicable in the proceedings of the Security Council was a realistic expression of that situation. Although it could be argued that on occasion the veto had been detrimental to the work of the Council, the fact was that it had proved useful in the light of current realities. Public discussion of the unanimity rule could not be meaningful as long as the permanent members themselves indicated an unwillingness to enter into such a discussion. Any modification of the unanimity rule would require the consent of the permanent members.

2. In addition to the considerations he had just outlined, which were based on a realistic assessment of the existing situation, his delegation also had reasons of a more procedural nature for voting against the draft resolution. To begin with, paragraph 2 presented difficulties of the nature described at the previous meeting by the Legal Counsel. The study requested in that paragraph would impose an undue burden on the Secretary-General in the light of his status under the Charter. Furthermore, his delegation had always held that the organs of the United Nations themselves should, within their own field of competence, make efforts to find ways and means of rationalizing their work and enhancing their effectiveness. Many problems could be solved without a formal revision of the Charter.

3. Finally, the effect that adoption of the draft resolution would have on the work of the Special Committee should be considered. So far, the Special Committee had been able to work in a constructive and meaningful manner. The adoption of draft resolution A/C.6/34/L.8/Rev.1 would have a negative effect on its work.

4. Mr. KATEKA (United Republic of Tanzania) said his delegation would vote for the draft resolution because it contained provisions for which his delegation had long been struggling. The draft resolution was in keeping with the Charter and merely elaborated on the mandate of the Special Committee; it was not contrary to that mandate. It must be remembered that the non-aligned countries and the Organization of African Unity had advocated a review of the rule requiring the unanimity of the permanent members of the Security Council.

/...

5. Mr. ROSENSTOCK (United States of America) said that his delegation had sought to avoid a vote on draft resolution A/C.6/34/L.8/Rev.1 because it could have no other effect than to wreck the operation of the Special Committee. At the previous meeting, 98 delegations, including his own, had voted in favour of a draft resolution (A/C.6/34/L.10/Rev.1), which among other things noted that the Special Committee had made progress. In introducing that draft resolution Mr. Romulo, representative of the Philippines, had spoken of the progress made by the Special Committee. In view of Mr. Romulo's experience in the United Nations and his profound commitment to the Organization, it would seem odd to challenge his judgement. Draft resolution A/C.6/34/L.10/Rev.1 required the Special Committee to consider the proposals made concerning the maintenance of international peace and security, which included some that dealt with the unanimity rule in the Security Council. His delegation would not object to the discussion of those proposals in the Special Committee and would not support any objection to such a discussion. The question was not whether or not, in accordance with decisions of the non-aligned countries and the Organization of African Unity, it was a good idea to discuss the unanimity rule. The problem was that draft resolution A/C.6/34/L.8/Rev.1 did not merely tell the Special Committee to do what it would do anyway; it attempted to prejudice the Special Committee's examination of the question by telling it what it should take into account in that connexion. The vote of the draft resolution should not be perceived as a vote on whether the Special Committee should examine the question of the unanimity rule. What was at stake was whether there was any desire to allow the Special Committee to work on the basis of draft resolution A/C.6/34/L.10/Rev.1, which had been adopted with 98 affirmative votes.
6. If draft resolution A/C.6/34/L.8/Rev.1 was adopted, his delegation would be in a very difficult position. There was reason to believe that some delegations, including those of the Libyan Arab Jamahiriya, Guinea, India and Romania, did not care what happened to the Special Committee. Thus, perhaps not too many delegations would be disappointed if, in the event that draft resolution A/C.6/34/L.8/Rev.1 was adopted, his delegation withdrew from the Special Committee. It would do so with great reluctance, since it shared Mr. Romulo's view that some progress had been made. However, if the draft resolution was adopted, his delegation would have serious doubts about the usefulness of any of the Special Committee's decisions. His delegation did care about the future of the Special Committee and consequently would vote against draft resolution A/C.6/34/L.8/Rev.1.
7. Mr. de FARIA (Portugal) said that the decisive element in draft resolution A/C.6/34/L.8/Rev.1 was that what it proposed was open confrontation in the Special Committee. His delegation would therefore vote against it. Furthermore, if draft resolution A/C.6/34/L.8/Rev.1 was adopted, his delegation would not be able to support draft resolution A/C.6/34/L.10/Rev.1 in the plenary meeting.
8. Mr. FRANCIS (Jamaica) said that in voting on draft resolution A/C.6/34/L.8/Rev.1 his delegation would take into account four basic factors, two of which were cardinal to the existence of the United Nations and its proper functioning. Those two cardinal factors were the facts that the right of veto was embodied in the Charter and that the non-permanent members of the Security Council had the right to comment on and discuss any matter affecting the work of the United Nations system.

(Mr. Francis, Jamaica)

9. The other two factors which his delegation had in mind concerned the working of the Special Committee itself. The first was that although the Special Committee had made only modest progress over the years, there was reason to be optimistic about its future work. In that connexion, the comments made by the representatives of the United Republic of Tanzania and Sierra Leone were relevant. The second factor was that a negotiating atmosphere in the Special Committee was essential if it was to advance in its work.

10. Turning to the actual text of draft resolution A/C.6/34/L.8/Rev.1, he said that consideration must be given to the possible courses of action that might be taken pursuant to the proposed study. There was definitely no possibility that any study or any discussion in the Special Committee could lead to elimination of the right of veto, which was so entrenched that it could not unilaterally be taken away from the permanent members, nor could any individual permanent member, if it so wished, surrender it. The Special Committee could however, make positive recommendations regarding the use of the veto. One possibility would be to recommend to the permanent members of the Security Council that they themselves should specify those issues on which the veto might not be used.

11. There were some basic deficiencies in draft resolution A/C.6/34/L.10/Rev.1 which his delegation had pointed out to the sponsors in informal consultations. The comments made by the Legal Counsel at the previous meeting were also relevant in that connexion. In particular, the relationship between paragraphs 1 and 2 should be better defined. The deficiencies in the text should be corrected in order that the draft resolution could be defended once adopted. His delegation was also concerned about the effect the draft resolution might have on the negotiating posture of the Special Committee. About 22 of the sponsors of draft resolution A/C.6/34/L.10/Rev.1 were members of the Special Committee, and the adoption of draft resolution A/C.6/34/L.8/Rev.1 would precipitate a division in that Committee, even to the point of moving some of its members to withdraw from it. The timing of draft resolution A/C.6/34/L.8/Rev.1 was therefore unfortunate. If the text had been more acceptable to members of the Special Committee who had demonstrated a willingness to negotiate, it would have been more useful.

12. Taking into account all the considerations he had mentioned, he could not vote against the draft resolution. However, because of the effect it would have on the work of the Special Committee, he would abstain from voting on it. It would be unfortunate if some of the permanent members of the Security Council were to withdraw from the Special Committee because the draft resolution had been adopted. He hoped the permanent members which had expressed such an intention would reconsider their position.

13. Mr. V. KOSTOV (Bulgaria) said his delegation had always held that the fundamental provisions of the Charter fully corresponded with the spirit of the times and objectively reflected reality. The more than 30 years' experience of the Organization showed that any attempt to amend the fundamental provisions of the Charter, far from strengthening the role of the United Nations, created a threat to its existence as an effective international organization. A key element in the functioning of the United Nations under the Charter was the rule requiring

/...

(Mr. V. Kostov, Bulgaria)

unanimity of the permanent members of the Security Council on non-procedural matters. That principle reflected the fact that those States had the main responsibility for the maintenance of international peace and security; it also guaranteed the equality within the United Nations of the two different social systems. That was essential to the proper functioning of the Organization and the development of détente. Any attempt to amend that principle would only serve to paralyse the work of the Special Committee and to hamper the effectiveness of the Organization by creating conditions in which the Security Council would not be able to fulfil its role in the maintenance of international peace and security. His delegation would therefore vote against the draft resolution.

14. Mr. PIRIS (France) said his delegation was categorically opposed to draft resolution A/C.6/34/L.8/Rev.1, which was contrary to the spirit which should prevail in the Special Committee and would be disastrous to the Organization itself. The rule of unanimity among the five permanent members of the Security Council on matters other than procedural matters, which was provided for in Article 27 of the Charter, was absolutely essential and could not be disputed. The Security Council was the only body empowered to take decisions binding on all member states in the sphere of international peace and security. Its decisions would be ineffective or could even threaten peace if they were not accepted by those States which had special responsibilities with regard to the maintenance of international peace and security in accordance with the Charter. It would be illusory to think that decisions could be imposed on them against their will.

15. His delegation continued to hold that the Charter could not and should not, be called in question. Political realism required recognition of the fact that the Security Council was not a supreme body of a supranational Government that could impose its views even if they went against those of the States having special responsibilities with regard to the maintenance of international peace and security.

16. He appealed to all delegations to bear in mind the considerations he had just mentioned, when they voted on draft resolution A/C.6/34/L.8/Rev.1. If it was adopted, his delegation, like the Soviet delegation, would withdraw from participation in the work of the Special Committee.

17. Mr. MEISSNER (German Democratic Republic) said that a key provision in the mandate of the Special Committee was that it should accord priority to the consideration of those areas on which general agreement was possible. It was quite clear that no general agreement was possible on the proposals set forth in draft resolution A/C.6/34/L.8/Rev.1, which consequently was contrary to the mandate of the Special Committee. The adoption of the draft resolution would seriously hinder the future work of the Special Committee and would cause his delegation to reconsider its future participation in that body's work. His delegation would therefore vote against the draft resolution.

18. Mr. ROSENNE (Israel) said that in his statement at the 34th meeting of the Sixth Committee, he had indicated a number of reasons why his delegation would vote against the original draft resolution A/C.6/34/L.8. He had carefully

/...

(Mr. Rosenne, Israel)

considered the revised version of the draft resolution and had listened very attentively to the important statement made at the previous meeting by the Legal Counsel and the unconvincing replies given by one of the sponsors of the draft resolution. Furthermore, he did not understand what was meant by the curious expression "right of veto" in a document emanating from the Legal Committee of the General Assembly. He wondered whether the sponsors were referring to the ability of one third of the members of the General Assembly to prevent the adoption of a decision desired by the majority in accordance with Article 18 of the Charter, or whether they were thinking of something else. He had searched in vain through the Charter and other relevant documents, and, apart from tendentious literary improvisations, had not been able to find that expression in any formal or responsible documentation of or relating to the United Nations. Most of the statements made gave the impression that the sponsors had in mind the voting requirements of Article 27 of the Charter, which established how a majority in the Security Council had to be composed. In that case, they should have said so and not used farcical, inaccurate and misleading circumlocutions.

19. His delegation would vote against the draft resolution because the changes introduced in the revised text and the explanation given by or on behalf of the sponsors did not warrant any change in the original position.

20. Mr. MAKAREVITCH (Ukrainian Soviet Socialist Republic) said that his delegation held that the source of the deficiencies of the United Nations was not the Charter but rather the lack of political will on the part of certain Member States to seek solutions to the many problems facing the Organization and the failure of some States to fulfil the provisions of the Charter and comply with the useful decisions taken by the Organization. His delegation could not support draft resolution A/C.6/34/L.8/Rev.1 and would vote against it. In the view of his delegation, the draft resolution represented a definite step towards undermining the activities of the Security Council, one of the principal organs of the United Nations, which under the Charter had the main responsibility for maintaining international peace and security. The principle of unanimity among the permanent members of the Security Council, which was embodied in the Charter, took due account of the realities of the modern world and brought the principle of the sovereign equality of States into harmony with the real possibilities of individual States to maintain universal peace. Harmony and unity of action among the great Powers in the modern world, where there were hotbeds of tension and confrontation, were absolutely essential to the maintenance of international peace and security.

21. Paragraph 1 of draft resolution A/C.6/34/L.8/Rev.1 envisaged a review to the rule of unanimity among the permanent members of the Security Council and was aimed at revising Article 27 of the Charter through the adoption of a General Assembly resolution. Article 109 of the Charter laid down a completely different procedure for reviewing the Charter and the Special Committee could not overlook the provisions of that Article. The draft resolution was also contrary to the mandate of the Special Committee set forth in draft resolution A/C.6/34/L.10/Rev.1. Adoption of draft resolution A/C.6/34/L.8/Rev.1 would be tantamount to a revision of the approved mandate of the Special Committee.

/...

(Mr. Makarevitch, Ukrainian SSR)

22. Paragraph 2 of the draft resolution requested the Secretary-General to prepare a study which would require him to perform tasks that were beyond his competence and contrary to the Charter, as he would have to prepare material containing an evaluation of the activities of sovereign States. The adoption of the draft resolution would have serious and irreversible consequences for the activities of the United Nations, and if it was adopted his delegation would have to review its position with regard to draft resolution A/C.6/34/L.10/Rev.1.

23. Mr. JEŽIL (Czechoslovakia) said that his delegation's position with regard to draft resolution A/C.6/34/L.8/Rev.1 was based on the fundamental position of his Government with regard to the Charter of the United Nations. The principal and decisive role of the United Nations under the Charter was the maintenance of international peace and security and the principal organ responsible for that function was the Security Council. One of the main principles underlying the work of the Security Council was the right of veto of its permanent members, which represented the different political and social systems in the modern world. The draft resolution was aimed at revising the Charter in a manner that would affect the decisions of the Security Council and render the United Nations less capable of acting to maintain international peace and security. The draft resolution also represented an effort to change the mandate of the Special Committee, a mandate which was the result of sensitive compromises and of the balancing of the interests of the different groups of States that participated in its work. If draft resolution A/C.6/34/L.8/Rev.1 was adopted, his delegation would reconsider its future participation in the work of the Special Committee. For all the reasons he had mentioned, his delegation would vote against the draft resolution.

24. Mr. ENKHSAINKHAN (Mongolia) said his delegation firmly believed that the role of the United Nations could be strengthened through fuller use of the existing possibilities of the Organization. The work done to date by the Special Committee confirmed that view. The Charter had proved to be sufficiently flexible to accommodate the changes which had taken place in the world.

25. The principle of unanimity among the permanent members of the Security Council in taking decisions on important matters was vital for the attainment of the lofty purposes of the Organization and served as a guarantee against any attempt to use the Security Council for purposes detrimental to the basic aims of the Charter and the strengthening of international peace and security. Furthermore, the principle of unanimity guaranteed the equality of the two different social systems. Therefore, any attempt to revise that rule would threaten the very existence of the United Nations. By advocating the principle of unanimity, his delegation in no way wished to imply that it condoned these situations where the veto had been applied, or where an attempt had been made to apply it, for selfish reasons or to further unjust causes.

26. Although the political climate during the early sessions of the Special Committee had not allowed it to examine concrete proposals on the strengthening of the role of the Organization, a spirit of co-operation had finally prevailed, thus making it possible for the Special Committee to list the proposals which had

(Mr. Enkhsaikhan, Mongolia)

awakened special interest and to begin examining those on which general agreement seemed possible. His delegation was confident that successful examination of the question of the peaceful settlement of disputes would contribute greatly to enhancing the effectiveness and strengthening the role of the Organization. The Special Committee had also identified the question of the maintenance of international peace and security and of rationalization of existing procedures of the United Nations as possible areas on which general agreement might be possible. For those reasons, his delegation had not objected to the extension of the Special Committee's mandate.

27. His delegation was opposed to the adoption of draft resolution A/C.6/34/L.8/Rev.1, firstly, because the very approach of the sponsors was a priori biased, and secondly, because the draft resolution was not only unrealistic but would poison the atmosphere of co-operation in the Special Committee as well as in the United Nations as a whole. Moreover, it was clear from the debate in the Sixth Committee and the explanations of vote before the vote that the draft was very far from reflecting the general feeling of the Members of the Organization. Although his delegation understood that the noble aim of the draft was to strengthen the role of the Security Council in the maintenance of international peace and security, like many others, it could not agree that abolition of the unanimity rule in the Security Council would serve that end. For all those reasons, his delegation would vote against the draft resolution.

28. Mrs. KONRAD (Hungary) said that, for the reasons stated during the Sixth Committee's debate on the report of the Special Committee, her delegation had always been opposed to any modification of the rule laid down in the Charter requiring the unanimity of the permanent members of the Security Council for the adoption of decisions on non-procedural matters. Accordingly, it would vote against draft resolution A/C.6/34/L.8/Rev.1. The draft resolution was, moreover, in direct contradiction to resolution A/C.6/34/L.10/Rev.1 and would therefore prevent the Special Committee from carrying out its work effectively.

29. Mr. HUANG (China) said his delegation had consistently maintained that, in the interests of international peace and security, changes would have to be introduced in the United Nations with a view to strengthening its role. That was in keeping with the wishes of the majority of the smaller nations and the Special Committee had, moreover, been established for the purpose of discussing that very issue. In recent years, many of the smaller countries, particularly from the third world, had submitted a number of very valid proposals, some of which related to the revision of provisions in the Charter which had become obsolete. All of those proposals merited careful consideration. It was both the right and the duty of Member States to submit proposals, and the dogmatic assertion that any proposal concerning a revision of the Charter was not permissible ran counter to the just demands of the majority of smaller nations and to the provisions of the Charter itself. However, in view of the need for a full discussion of a matter of such complexity draft resolution A/C.6/34/L.8/Rev.1 could be improved in certain respects. At the same time, China regarded the examination and amendment of the Charter as a matter of the utmost concern: it therefore supported the draft resolution in principle and would vote in favour of it.

/...

30. Mr. MAZILU (Romania) said his delegation considered that the right of veto should be retained for decisions by the Security Council on substantive matters. That right should not, however, be used to promote the interests of individual countries nor to harm the basic interests of peoples where international peace and security were concerned. It should be used only in exceptional cases, to defend international security and to safeguard peace and détente. Those were the considerations by which his delegation would be guided in voting on the draft resolution.

31. Mr. KIRSCH (Canada) said that his delegation would vote against the draft resolution primarily because of the adverse effect its adoption was likely to have on the Special Committee's future work. His delegation had been a little impatient at the Special Committee's slow progress, which seemed to be due not only to the vague and broad-ranging terms of its mandate but also to the creation of artificial obstacles and to the lack of realism reflected in some of the proposals submitted. But that Committee was now starting to produce results, particularly in the case of the peaceful settlement of disputes, and its discussions would gradually pave the way for all delegations to consider delicate matters in an atmosphere of relative calm, so that it would in the long run be possible to undertake any necessary reforms.

32. The draft resolution, which dealt in stark terms with a highly sensitive issue, would disturb that process and the immediate effect of its adoption would be a hardening of positions on the part of those whose collaboration was most necessary for the Special Committee's success; that would be particularly regrettable at a time when some of the States most directly affected had come to adopt a more flexible attitude. The whole international community, and not just a few States, would be prejudiced if a single act was to set to naught the progress achieved.

33. The draft resolution also contained some questionable propositions. It requested the Secretary-General to prepare a study, yet dictated its conclusions and, although the Libyan representative had explained that the views referred to in operative paragraph 2 were those of States and not of the Secretariat, those States did not represent the Organization as a whole. The draft resolution was unusual in that it chose to ignore States whose views differed from those of its sponsors; and it had also apparently placed the Secretary-General in a very difficult position. No service would be done either to the Organization or to its Members by attempting to influence the Secretariat in the performance of its tasks and to divest it of the objectivity which was its strength.

34. Mr. BUBEN (Byelorussian Soviet Socialist Republic) said his delegation considered that the draft resolution was devoid of any legal basis, since the question of the modification of the right of veto had not been discussed in any detail either by the Special Committee or by the Sixth Committee. The sponsors of the draft resolution had none the less seen fit to state, in the fifth preambular paragraph, that the right of veto had been abused in the past, in an obvious attempt to ensure that the Special Committee resigned itself to reviewing the unanimity rule, as provided for in operative paragraph 1.

(Mr. Buben, Byelorussian SSR)

35. He saw no reason whatsoever why the sponsors of the draft resolution should seek to impose their views on other delegations, particularly since many States whose opinions could not simply be ignored were opposed to any modification of the use of the right of veto. Moreover, given the terms of Article 108 of the Charter, any decision that did not take account of the views of all Member States, and in particular of the members of the Security Council, was doomed to failure.

36. Account should also be taken of the effect on the Special Committee's work if a number of its members left, which was what would happen if the draft resolution were adopted. The attempt to modify the use of the right of veto on the pretext that it would strengthen the role of the Security Council was clearly unjustified, and any such modification would only harm the cause of peace and security. The unanimity rule was the bedrock on which the whole edifice of the United Nations was founded. It had guaranteed a world without war for almost a third of a century. It served to promote peace and security, in deeds rather than words, and it was the instrument which created a balance between all States irrespective of their socio-economic systems and which guaranteed their legal equality. Without it, the United Nations would be unable to fulfil the functions vested in it under the Charter and would ultimately be destroyed.

37. His delegation would therefore always oppose any attempt to weaken that rule. The deficiencies in the Organization were caused not by the unanimity rule but by certain States which contravened the Charter, used pretexts to abolish the right of veto and placed their trust in some other magic formula, but no such formula exists. The implementation of the objectives of the Charter would not be furthered by any proposal that sought to undermine the right of veto but only by constant and implicit observance of its terms: only thus would the effectiveness of the United Nations be enhanced and peace and security guaranteed.

38. For those reasons, his delegation would vote against draft resolution A/C.6/34/L.8/Rev.1 and, if it were adopted, would review its position on draft resolution A/C.6/34/L.10/Rev.1.

39. Mr. HILGER (Federal Republic of Germany) said his delegation had long been of the view that the Special Committee should approach any proposal submitted to it with an open mind and in a spirit of compromise, which was why it had co-sponsored draft resolution A/C.6/34/L.10/Rev.1. Draft resolution A/C.6/34/L.8/Rev.1, would, however, if adopted, prejudice the outcome of the deliberations on a matter under consideration by that Committee. His delegation would therefore vote against it.

40. Mr. ANDERSON (United Kingdom) said that his delegation, too, would vote against the draft resolution which, if adopted, would alter the Special Committee's mandate as laid down in draft resolution A/C.6/34/L.10/Rev.1 and make its future work quite impossible. Moreover, far from strengthening the Organization, which his country had supported since its inception, it would severely weaken it, for the whole nature of the Organization and the basis on which international peace and security were maintained would be changed. In short, the proposal was ill-advised, unrealistic and totally unacceptable. If it were adopted, the

/...

(Mr. Anderson, United Kingdom)

United Kingdom would no longer take part in the Special Committee's work. If it were not, it would continue to do so in accordance with the Special Committee's mandate as laid down in draft resolution A/C.6/34/L.10/Rev.1, which included the question of the maintenance of international peace and security.

41. Mr. SHAIKH (Bahrain) said that, in his delegation's view, the draft resolution would serve to complement the Special Committee's mandate. The proposals that would be made following the study provided for under that resolution might perhaps advocate certain changes in the Security Council's decision-making process, but it might also transpire that no immediate change was required. In any event, the discussion and formulation of proposals on the unanimity rule would take a long time, and their implementation even longer, and no proposed amendments could be enforced without the approval of the five permanent members of the Security Council. In the light of those considerations, his delegation would vote in favour of the draft resolution.

42. Mr. SAEED (Pakistan) said his delegation had been assured by the sponsors of the draft resolution that it was not the intent to prejudge in any way the issue regarding the unanimity rule. Consequently, operative paragraph 1 merely called for a review of that rule, while operative paragraph 4 requested the Special Committee to report on possible alternatives to it. On that understanding, his delegation would vote in favour of the draft resolution. It believed that no attempt should be made to debar discussion on ways and means of strengthening the Organization's role merely because of the excessive sensitivity of some delegations on certain issues. The draft resolution was, moreover, of direct relevance to the maintenance of international peace and security, a matter which fell within the Special Committee's mandate as laid down in operative paragraph 3 (a) of draft resolution A/C.6/34/L.10/Rev.1; there could therefore be no objection in principle to referring the question of the Security Council's voting procedures to the Special Committee. If the draft resolution were adopted, his delegation would make every effort to ensure that the matter was treated with objectivity in the Special Committee.

43. Mr. De Ceglie (Italy) said his delegation did not agree that the draft resolution would complement draft resolution A/C.6/34/L.10/Rev.1. The Special Committee's mandate, as laid down in the latter resolution, was the outcome of lengthy and laborious efforts on the part of all delegations to find an acceptable solution and to ensure that the Special Committee's work proceeded along positive lines. Draft resolution A/C.6/34/L.8/Rev.1 would introduce an imbalance into that mandate and would give rise to a number of difficulties to which the Legal Counsel and other delegations had already referred. For those reasons, his delegation would vote against it. Its negative vote was not, however, to be construed as opposition to the whole spirit of the draft resolution. All delegations had a right to submit proposals on the strengthening of the Organization, including proposals for the amendment of the Charter. His delegation had therefore been particularly gratified to note that, under the Special Committee's mandate, the proposals on the maintenance of international peace and security were to be treated as a matter of priority.

44. Mr. AL-KHASAWNEH (Jordan) said that his delegation would vote in favour of the draft resolution for the reasons stated by the representative of Pakistan.

45. The CHAIRMAN invited the Committee to vote on draft resolution A/C.6/34/L.8/Rev.1.

46. The draft resolution was adopted by 43 votes to 34 with 44 abstentions.

47. Mr. METALLINOS (Greece), speaking in explanation of vote, said his delegation had voted against the draft resolution because it felt that the proposal to replace the unanimity rule by another formula should be examined not as a matter of priority but within the context of the revision of the Charter as a whole. There were a number of other important and urgent matters requiring consideration and in particular the question of the measures to be taken with a view to implementing the decisions of the Security Council and General Assembly.

48. Miss OLIVEROS (Argentina) said that her delegation, which believed in the legal equality of States, considered that the right of veto was an irritant and an anachronistic vestige of the past. It also considered that the Charter should be strengthened and that the Security Council's method of work should be the subject of close consideration with a view to providing it with new impetus, failing which it might fall into disuse. It doubted, however, whether the methods envisaged under draft resolution A/C.6/34/L.8/Rev.1 would prove successful, particularly since the Special Committee was not empowered to undertake an analysis of such dimensions. For those reasons, her delegation had abstained from voting on the draft resolution.

49. Mr. BIN SAHL (Democratic Yemen) said that draft resolution A/C.6/34/L.8/Rev.1 reflected a genuine desire to strengthen the role of the Organization and to remedy the abuses of the right of veto. His delegation considered, however, that it would be preferable to concentrate at the current stage on the possibilities already afforded under the Charter for dealing with any failure to observe the spirit and the letter of its terms. It also considered that sufficient latitude should be allowed to enable all delegations to make an effective contribution to the Special Committee's work. His delegation had therefore abstained from voting on the resolution, although it was not out of sympathy with its aims.

50. Mr. NARAKOBI (Papua New Guinea) paid a tribute to the delegation of the Libyan Arab Jamahiriya for the bold move it had made in sponsoring draft resolution A/C.6/34/L.8/Rev.1. His delegation had voted against that draft resolution because it felt that the rule of unanimity in the Security Council was necessary at the current stage in international relations. The mandate of the Special Committee was sufficiently broad to cover the matters not specifically provided for in draft resolution A/C.6/34/L.10/Rev.1. Lastly, he expressed the support of his Government for any review of the Charter which it considered necessary to improve international relations.

51. Mr. EL-BANHAWI (Egypt) said that since the adoption of the Charter, Egypt had maintained its position of principle in opposition to the right of veto. As one of the founding members of the Organization of African Unity and the

(Mr. El-Banhawi, Egypt)

non-aligned movement, his country had taken part in the study of the right of veto and the efforts to improve the representation of third world countries in the various bodies of the United Nations, particularly the Security Council and the Economic and Social Council. It had taken part in the discussion of the draft resolution held within the Group of African States in order to clarify the scope of the principles involved without prejudging any result or conclusion. However, although a review of the Charter would be logical and natural, United Nations resolutions must reflect the realities of international politics. His delegation had therefore abstained from voting on draft resolution A/C.6/34/L.8/Rev.1 because the latter was not in accordance with the position it had taken in the discussions in the Group of African States and the non-aligned movement. His delegation would have supported the underlying principle of the draft resolution, if the latter had taken account of his delegation's position.

52. Mr. POTOCKI (Poland) said that his country, as a founding member of the Organization, had always supported the purposes and principles of the Charter and the efforts to strengthen the role of the Organization in a manner consistent with the Charter. However, in view of the circumstances arising from the adoption of draft resolution A/C.6/34/L.8/Rev.1, his delegation would have to give special consideration to its further participation in the work of the Special Committee.

53. Mr. DIAZ (Mexico) said that since the establishment of the United Nations, his Government had consistently maintained that the rule of unanimity embodied in Article 27 of the Charter was not in keeping with the principle of the sovereign equality of all Member States, and was used to obstruct important functions of the Security Council. On various occasions Mexico had expressed its concern about the abuse of the right of veto and had submitted concrete proposals aimed at limiting that abuse. Although draft resolution A/C.6/34/L.8/Rev.1 responded to a legitimate need to change an undesirable practice, it had several shortcomings. The preambular part of the draft resolution mentioned the abuse of the rule of unanimity, yet the operative part mentioned not the need to regulate the use of that rule, but rather the need for a different rule, without providing for prior consideration of the original one. The fifth preambular paragraph stated that the abuse of the rule of unanimity had weakened the status of United Nations resolutions relating to the inalienable rights of peoples, yet no mention was made of the fact that that rule had also been detrimental to resolutions on many other aspects of the maintenance of international peace and security. Furthermore, the draft resolution ignored the residual powers of the General Assembly with regard to the maintenance of international peace and security. Therefore, his delegation had abstained from voting on the draft resolution because of questions of method, not because of any consideration relating to the timeliness of the draft resolution or any belief that there were topics which must be regarded as untouchable when dealing with the question of improving the mechanism for the maintenance of international peace and security.

54. Mr. DANELIUS (Sweden) said that his delegation had voted against the draft resolution because it saw no reason to review the rule requiring the unanimity of the permanent members of the Security Council. That rule ensured that important

/...

(Mr. Danelius, Sweden)

decisions on matters relating to international peace and security could only be taken if they were generally supported by the States representing the major political and economic systems of the world.

55. Mr. HAMMAD (United Arab Emirates) said that the draft resolution would not modify in any way the current status of the right of veto. The study to be prepared by the Secretary-General would be used at a later stage when circumstances necessitated amending the Charter and modifying the right of veto. The circumstances which had led to the adoption of the right of veto had changed and would continue to change. His delegation felt that the study should deal with the abuse of the right of veto, especially with regard to foreign occupation, national liberation movements, and situations pertaining to Palestine and South Africa. Furthermore, the study might help to encourage countries which abused the right of veto to discontinue that practice in the Security Council when considering matters concerning the liberation movements in Palestine and South Africa. For those reasons, his delegation had voted in favour of the draft resolution.

56. Mr. JASUDASEN (Singapore) said that his delegation had supported in the past and would continue to support the decisions of the non-aligned movement on the issue under consideration. His delegation had, however, abstained from voting on draft resolution A/C.6/34/L.3/Rev.1 because it felt that the draft was somewhat premature. New ideas needed time to take root in the international community and his delegation was willing to wait for the opportune moment. Furthermore, his delegation wished to preserve the working integrity of the Special Committee and as a sponsor of draft resolution A/C.6/34/L.10/Rev.1 did not want the Special Committee's good work to be impeded, even if only for imaginary reasons. Lastly, his delegation associated itself with the other delegations which had urged the permanent members of the Security Council which had threatened to leave the Special Committee, to remain and continue to work within that body.

57. Mrs. MUTUKIA (Zambia) expressed regret that her delegation had had to abstain from voting on the draft resolution. Although her delegation had always felt that the right of veto was incompatible with the principle of the sovereign equality of all Member States and shared the sentiments and supported the views incorporated in the draft resolution, it was not convinced that the approach proposed therein would produce better results than consideration of the subject in the Special Committee under the item on maintenance of international peace and security. Indeed that approach was likely to prove counterproductive. Her delegation's abstention should not be regarded as change of position, since it still wanted the unanimity rule to be reviewed and altered. Zambia had fully supported the resolutions of the Organization of African Unity and the non-aligned movement on that issue and still believed that all States were concerned in the maintenance of international peace and security and must have equitable rights to determine the role of the United Nations. The disparity in both number and nature between the resolutions adopted by the General Assembly, in which all States participated equally, and those adopted by the Security Council on the issues of peace and security in southern Africa showed clearly that the threat of and actual use of the right of veto had frustrated the needs and aspirations of the majority.

58. Mr. KOTEVSKI (Yugoslavia) said that despite its short-comings the Charter was still valid and useful. However, that did not mean that it could not be improved to respond better to contemporary relationships and needs. A number of significant declarations adopted by the General Assembly complemented the Charter and accommodated it to changes in international relations. With regard to the right of veto, the status of the permanent members of the Security Council reflected the objective circumstances which had existed at the time of the establishment of the Organization and which, for the most part, still existed. Although the right of veto constituted a departure from the democratic principle of the sovereign equality of all Member States, in current world conditions the right of veto was still vital to the functioning of the United Nations as a whole. Therefore, his delegation felt that efforts should be made to democratize the work of the Organization and strengthen its effectiveness without the formal abolition of the right of veto at the current stage. Yugoslavia advocated the strengthening of the role of the General Assembly, in which all States were represented on a basis of equality. The Security Council, as the organ having primary responsibility for the maintenance of international peace and security, should act more effectively and responsibly. At the same time, his delegation welcomed and strongly supported serious political discussion on the use of the right of veto with a view to finding ways to prevent its misuse and avoiding impediments to the functioning of the Organization, particularly when there was a direct threat to international peace and security. For those reasons, his delegation had abstained from voting on the draft resolution.

59. Mr. OKWONGA (Uganda) said that his delegation had abstained from voting because it felt that the question of the right of veto should be explored fully within the framework of the mandate of the Special Committee contained in draft resolution A/C.6/34/L.10/Rev.1. Uganda's position with regard to the question of the revision of the Charter and, in particular, the abolition of the rule of unanimity in the Security Council had not changed in any way.

60. Mr. MARDAN (Iraq) said that his delegation had voted in favour of the draft resolution because it believed it was necessary to observe the principle of the sovereign equality of all Member States on the basis of the provisions of the Charter and felt that no privileges should be given to any States in an international organization. The right of veto had often been abused to promote selfish interests and to obstruct the legitimate aspirations of peoples struggling for their independence and national sovereignty. His delegation was fully aware that the agreement of those States which enjoyed the right of veto was necessary to change the current situation. As a member of the Special Committee, his delegation did not feel that draft resolution A/C.6/34/L.8/Rev.1 conflicted in any way with draft resolution A/C.6/34/L.10/Rev.1.

61. Mr. KPOTSRA (Togo) said that one of the purposes of the United Nations was to guarantee justice and peace for all States, especially small countries which otherwise would find themselves without recourse in a world ruled by power politics. In the current political circumstances the Organization had no means of implementing its decisions when faced with strong opposition. That tended to detract from the prestige and effectiveness of the Organization and weakened its fundamental role

(Mr. Kpotsra, Togo)

with the result that certain small States no longer applied to the Organization in order to seek protection for their sovereign rights. Although his delegation had voted in favour of draft resolution A/C.6/L.10/Rev.1, it expressed the strongest possible reservations with regard to operative paragraphs 3 (b), 4 and 5. The Special Committee should no longer consider the question of rationalization of existing procedures and should complete its work on the question of the peaceful settlement of disputes at its next session. His delegation expressed concern at the frequent abuse of the principle of general agreement in the work of the Special Committee. It would have welcomed the adoption of the proposal by the representative of Sierra Leone calling for the establishment of a permanent bureau of the Special Committee to co-ordinate its work throughout the year.

62. He had voted in favour of draft resolution A/C.6/34/L.8/Rev.1 despite its shortcomings. He felt that its approach to the question of the right of veto merely complemented the mandate of the Special Committee, and drew the attention of the members of that body to the unique nature of the rule of unanimity and the need to review it.

63. Mr. EL-BANHAWI (Egypt) recalled that at the 54th meeting the Legal Counsel had referred to paragraph 8 of draft resolution A/C.6/34/L.10/Rev.1, requesting the Secretary-General to render all assistance to the Special Committee, including the preparation of summary records of all its meetings, and had said that in view of the adoption by the General Assembly of resolution 34/50 the Secretariat would be unable to provide those summary records. His delegation wished to reiterate its view that summary records were particularly important for subgroups or special committees attached to the Sixth Committee, which, because of the legal nature of its work, needed a source of reference for its reports. Consequently, Egypt had asked the Chairman of the Sixth Committee to refer, in the letter he had addressed to the President of the General Assembly when resolution 34/50 had been submitted to the Assembly, to General Assembly resolution 33/56, section I, paragraph 2, which made it plain that the question of meeting records would be studied at the thirty-fifth session, and that General Assembly resolution 34/50 was therefore merely a temporary measure. That being so, paragraph 8 of draft resolution A/C.6/34/L.10/Rev.1 would constitute an exception to the rule adopted in General Assembly resolution 34/50, particularly since draft resolution A/C.6/34/L.10/Rev.1 was to be adopted by the General Assembly, and could this be regarded as amending resolution 34/50. His delegation believed that that should be made clear, and wished to stress the importance to developing countries of the summary records of the Special Committee. Those records were also of great interest to universities and research institutes all over the world, which used them as research material.

64. Mr. ROSENSTOCK (United States of America) said that the Fifth Committee had already taken a decision on the question of meeting records. There had been several objections to resolution 34/50, and as a result of very careful negotiations conducted by the Chairman of the Sixth Committee, who had been able to resolve the issue on an amicable basis, an exception had been made for the records of the International Law Commission and the United Nations Commission on International Trade Law (UNCITRAL). Those were regarded as limited exceptions,

/...

(Mr. Rosenstock, United States)

to which the records of the Committee of the Whole had subsequently been added. The Sixth Committee had been clearly told, before draft resolution A/C.6/34/L.10/Rev.1 had been adopted, that paragraph 8 on the summary records must be regarded as null and void in view of the adoption of resolution 34/50. He had voted for draft resolution A/C.6/34/L.10/Rev.1 on the understanding that all the members of the Sixth Committee had heard the statement by the Legal Counsel and had raised no objection in that regard. It was not possible to raise objections at the current stage. That would make nonsense of the agreement reached between all parties on the limited exception that were to be allowed. The documentation situation in the United Nations was currently so bad that no one could obtain the necessary documents in good time, and no one's ends were being served.

65. Mr. ROMANOV (Secretary of the Committee) said that the decision referred to by the representatives of Egypt and the United States had been taken at the 76th plenary meeting of the General Assembly. After the decision had been taken the President of the General Assembly had stated that it concerned consideration of agenda item 102, and had been taken under that item. The Secretary was reluctant to make any statement on that item, as that would be tantamount to reopening an issue already decided by the General Assembly. At the 54th meeting the Legal Counsel had made a statement before the Sixth Committee had voted on draft resolution A/C.4/34/L.10/Rev.1, in which he had said that the competent Secretariat services had informed him that if the draft resolution was adopted with the inclusion of operative paragraph 8, they would not be in a position to provide summary records for the Special Committee, in the light of the adoption of resolution 34/50.

AGENDA ITEM 119: CONSOLIDATION AND PROGRESSIVE DEVELOPMENT OF THE PRINCIPLES AND NORMS OF INTERNATIONAL ECONOMIC LAW RELATING IN PARTICULAR TO THE LEGAL ASPECTS OF THE NEW INTERNATIONAL ECONOMIC ORDER (A/34/172; A/C.6/34/L.7)

66. Mr. VERCELES (Philippines) said that the purposes and principles of the United Nations as embodied in its Charter were high ideals worthy of unceasing endeavours, and required a continuing commitment if they were to be attained, for they did not invite easy solutions.

67. The Philippines, as one of the founding Members of the United Nations, felt it had a continuing obligation to help realize some of the bright promises of the Charter for social progress and better standards of life in larger freedom (the Preamble), the achievement of international co-operation in solving problems of an economic, social, cultural or humanitarian character (Article I, para. 3), and the promotion of higher standards of living, full employment, and conditions of economic and social progress and development (Article 55).

68. Those principles and objectives had remained largely unfulfilled; that had prompted his delegation to propose agenda item 119, and a working paper had been prepared on the subject (A/C.6/34/L.7).

69. International economic law was the branch of public international law governing the economic relations of States, particularly relations between States

/...

(Mr. Verceles, Philippines)

with different levels of development and different economic systems. In his book Law in a changing society, Friedman had defined international economic law as the most important new field of international law that had emerged in the post-war world, comprising the complex of international economic transactions in which Governments, public international organizations and private organizations participated, as parties to bilateral or multilateral transactions designed to promote the economic and general development of the less developed countries. The expansion in the scope of international law was due largely to the growing number of fields in which all or part of the family of nations co-operated for the purposes of international welfare.

70. Modern international law included many principles and norms relating to international economic relations, and there was an increasingly urgent need for a systematic effort to consolidate them into an appropriate instrument that would govern the economic behaviour of States, international organizations, transnational enterprises and other subjects of international law.

71. Thus far at least 100 countries, formerly colonies or dependencies, had become Members of the United Nations. But while they had gained political independence, they were still struggling for economic decolonization. For most of them unequal and dependent relations with the former colonial Powers had remained the dominant feature of international economic relations since the Second World War. Within those countries basic economic and social inequalities persisted, and key sectors of their economies were strongly influenced by the former colonial Powers. That situation had affected the drafting of the United Nations Charter at San Francisco, which explained the references in the Charter to international economic and social co-operation as "necessary for peaceful and friendly relations among nations".

72. But 34 years after the signing of the Charter, when two United Nations Development Decades had elapsed, and economic disparities between the former colonial Powers, now the developed countries, and the former colonies, now the developing countries, were as wide as ever. In the mid-1960s about 85 per cent of total world income was accounted for by the developed market economy countries, which had an average per capita income of \$1,843, as against only \$156 for the developing countries. Real per capita income in the developing countries had been only about 9 per cent of that in the developed market economy countries in 1952, and 8 per cent in 1972. It was estimated that by the end of the 1970s the average annual per capita income in the developed countries would be \$3,600, as against \$265 in the developing countries. In 1967 the exports of the developed market economy countries had totalled \$149.3 billion, 70 per cent of total world exports, while the exports of the developing countries had amounted to no more than \$40 billion, about 18 per cent of the total. That situation would not have changed by the end of the 1970s. Thus the developing world, with 70 per cent of the world's population, was living on less than 30 per cent of total world income, and of the 2.6 billion inhabitants of the developing world, almost 1 billion were suffering from malnutrition or hunger, and 900 million had a daily income of only \$0.30.

(Mr. Verceles, Philippines)

73. Thus there was an imperative need to redress the economic imbalance between the developed and developing countries. In recognition of that imbalance the General Assembly at its sixth special session had decided to work urgently for the establishment of a new international economic order based on equity, sovereign equality, interdependence, common interest and co-operation among all States irrespective of their economic and social systems. The developing countries saw the new international economic order as the main instrument for raising their economic and social levels and liberating their peoples from hunger, poverty, disease and deprivations. The new international economic order was not just a catch-phrase, it represented an urgent appeal to developed countries to right the wrongs of centuries and the negative legacies of colonialism in economic relations. The foundations for the new order had already been laid. In addition to the United Nations Charter, which devoted part of its Preamble and Chapters IX and X to international economic relations, the main foundations for the new international economic order were: the International Development Strategy for the Second United Nations Development Decade; the Declaration on Social Progress and Development; the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations; the Declaration of Principles and Programme of Action on the Establishment of a New International Economic Order; the Charter of Economic Rights and Duties of States; the Lima Declaration and Plan of Action on Industrial Development and Co-operation, and the Final Acts of the five sessions of the United Nations Conference on Trade and Development. Those documents embodied a number of principles and norms which, when consolidated, would constitute international economic law, in other words, the law of the new international economic order. In addition, the General Assembly, the Economic and Social Council, the specialized agencies and other bodies within the United Nations system, as well as special United Nations conferences, had adopted many resolutions and decisions relating to the legal aspects of the new international economic order. In particular, the United Nations Institute for Training and Research (UNITAR), in its publication The Objectives of the New International Economic Order, had identified 25 key issues of the world economy relating to the establishment of the new economic order. Those issues had been grouped into the following categories: aid and development assistance, international trade, financial and monetary matters, industrialization, technology transfer and restrictive business practices, and political, economic, social and institutional questions. All those issues had international legal dimensions.

74. The emergence of the principles and norms of international economic law could not be instantaneous, or represent a complete break from the law of the former world economic order. In past decades those principles and norms had emerged through a process of evolution, and had now matured into a relatively new feature of international relations. They constituted a stage in the progressive development of the fundamental purposes and principles set forth in the Charter, and the orientation of the general principles of law to the economic relations of States at different levels of development.

75. His delegation firmly believed that the time had come to undertake the task of consolidation and progressive unification of the principles and norms of

/...

(Mr. Vercelles, Philippines)

international economic law relating to the new international economic order. In 1976 the non-aligned countries, at their Fifth Summit Conference, in Colombo, had declared that the fundamental objective of the new international economic order was to bring about in international economic relations an equilibrium based on justice through co-operation and human dignity, and that without the appropriate legal instruments, the Programme of Action on the New International Economic Order could not be applied in practice. Mr. Jan Tinbergen and his collaborators had stated, in a report entitled "Reshaping the International Order", that the aims, means and institutions of the new international economic order should eventually be laid down in legal rules and standards governing the behaviour of States, international organizations, transnational corporations and other subjects of law, and that the law should also provide legal remedies and effective sanctions in case of transgressions of those rules and standards.

76. His delegation was aware that the United Nations Commission on International Trade Law (UNCITRAL) had established a Working Group on the New International Economic Order. At its twelfth session UNCITRAL had begun its preliminary consideration of the question in full awareness of its limited mandate, which was to consider only subject-matters relating to the new international economic order that would be suitable for its consideration. Under its terms of reference UNCITRAL dealt only with private international trade or commercial transactions, and questions relating to economic relations among States were beyond its ambit. Consequently at its twelfth session UNCITRAL, in paragraph 8 of its work programme on the new international economic order (A/CN.9/171) had taken into account the Philippine proposal which had become agenda item 119.

77. In the annex to its working paper (A/C.6/34/L.7) his delegation had suggested an outline for the work programme. He suggested that an ad hoc body, or a working group of experts, or the Secretary-General, should study the proposal using the Philippine paper as one of the working documents. The Sixth Committee could decide on one of the three options for the preliminary work, but his delegation would prefer a working group of experts of not less than nine and not more than 15 for that purpose. His delegation requested that a preliminary paper be submitted to the General Assembly at its thirty-fifth session.

78. For the past two sessions the Sixth Committee had not been able to give proper consideration to the item for lack of time, and his delegation strongly felt that action on its proposal should not be delayed any longer. It was a matter of special importance to developing countries.

79. International economic law, like municipal laws of similar nature, had a genuine contribution to make in bettering the human condition. There were authentic principles and norms of conduct by which all men and nations could live together in peace, justice, equality and prosperity, and such norms and principles could successfully be applied to relations among States. The early establishment of the new international economic order on the basis of such principles and norms would represent a giant step towards the ideal of one world as envisaged in the United Nations Charter.

ORGANIZATION OF WORK

80. The CHAIRMAN said that the Sixth Committee must conclude its work not later than 7 December 1979; no extension of time would be possible. It therefore had only one week left. Of the 12 items allocated to the Committee, it had concluded its consideration of only four: agenda items 110, 114, 116 and 117. It had not yet begun to consider agenda items 111 or 115, and had only just begun consideration of agenda item 119. It was to be hoped that agenda item 113 on the drafting of an international Convention on the taking of hostages might be disposed of in the very near future.

81. A serious problem was that although the Committee had concluded its debate on four items, no draft resolutions had yet been submitted on those items, namely agenda items 108, 109, 112 and 118. He hoped that all delegations interested in seeing draft resolutions adopted on those items, or on any other items not yet disposed of by the Sixth Committee, would expedite their consultations so that the draft resolutions could be taken up as soon as possible.

82. On 21 September 1979 the General Assembly had adopted a mandatory deadline of 1 December for the submission to the Fifth Committee of all draft resolutions with financial implications, and all such resolutions must therefore be voted upon on 30 November. Even draft resolutions with no financial implications could not, for technical reasons of translation and reproduction, be received by the Secretariat later than 4 p.m. on 5 December. If no draft resolution had been submitted by 5 December it would be necessary to consider that the Sixth Committee recommended deferment of the item until the next session of the General Assembly. He would be explaining the situation in the Sixth Committee to the President of the General Assembly at a meeting with the Chairmen of the other Main Committees on 30 November.

The meeting rose at 1.30 p.m.