



SUMMARY RECORD OF THE 48th MEETING

Chairman: Mr. VERCELES (Philippines)

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COMPLETION OF THE COMMITTEE'S WORK

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81-58721

Distr. GENERAL  
A/C.2/36/SR.48  
28 December 1981  
ENGLISH  
ORIGINAL: SPANISH

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The meeting was called to order at 11.35 a.m.

AGENDA ITEM 69: DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION (continued)

(c) TRADE AND DEVELOPMENT (continued) (A/36/536; A/C.2/36/L.65 and L.154)

Draft resolutions A/C.2/36/L.65 and L.154

1. The CHAIRMAN said that in view of the submission of draft resolution A/C.2/36/L.154, he assumed that draft resolution A/C.2/36/L.65 had been withdrawn by its sponsors. Separate votes had been requested on operative paragraph 9 and operative paragraph 11 of draft resolution A/C.2/36/L.154. He invited the Committee to vote on operative paragraph 9.

2. A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Japan, Luxembourg, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Greece, Italy, Netherlands, New Zealand, Norway, Portugal, Turkey.

3. Operative paragraph 9 was adopted by 100 votes to 17 with 7 abstentions.

4. The CHAIRMAN invited the Committee to vote on operative paragraph 11.

5. A recorded vote was taken.

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In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Egypt, Ethiopia, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: None.

6. Operative paragraph 11 was adopted by 123 votes to 1.

7. The CHAIRMAN invited the Committee to vote on draft resolution A/C.2/36/L.154 as a whole.

8. A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore,

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Somalia, Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

9. Draft resolution A/C.2/36/L.154 as a whole was adopted by 100 votes to none, with 23 abstentions.

10. Miss EVANS (United Kingdom), speaking on behalf of the ten member States of the European Community, welcomed the fact that it had been possible to reach agreement on the greater part of draft resolution A/C.2/36/L.154 and thanked the Group of 77 for the positive spirit they had demonstrated in making that outcome possible.

11. It was regrettable that the presence of operative paragraph 9 had prevented the achievement of consensus. The position of the member States of the European Community in that regard remained unchanged: those countries considered that within the context of its mandate UNCTAD could play a catalytic role in discussions on trade and related problems of economic development while fully respecting the competence of the relevant institutions. The position of the member States of the European Community on the Meeting of Governmental Experts referred to in the fourth preambular paragraph of the draft resolution had been made clear in connexion with the adoption of the calendar of conferences at the twenty-third session of the Trade and Development Board.

12. With regard to paragraph 7, the views of the member countries of the European Community on UNCTAD's role in the consideration of multilateral trade in general and in the formulation of principles and policies relating thereto remained as stated by Group B at the twenty-third session of the Trade and Development Board. The member countries of the European Community had voted in favour of paragraph 11 on the basis of the understanding reached in informal consultations, and particularly the interpretation of the first sentence of that paragraph given at the 47th meeting by the Vice-Chairman of the Committee Mr. ter Horst. She also recalled the Group B statement made in connexion with the adoption of Trade and Development Board resolution 232 (XXI).

13. With regard to paragraphs 2 and 3, the position of the member countries of the European Community remained the same as at the time of the adoption of Trade and Development Board resolutions 233 (XXIII) and 239 (XXIII). Furthermore, the reservations expressed previously by those countries with regard to the Conventions mentioned in paragraph 16 still stood.

14. Miss DALI (India) said that if her delegation had been present at the time of the vote on paragraphs 9 and 11 of the draft resolution, it would have voted in favour of both.

15. Mr. HOHWU-CHRISTENSEN (Sweden) said it was regrettable that it had been impossible to adopt draft resolution A/C.2/36/L.154 by consensus. At the fifth session of UNCTAD his delegation had voted against the resolution on monetary reform, and since its position in the matter had not changed, it had been obliged to vote against paragraph 9 today.

16. Referring to the fourth preambular paragraph, he said that although Sweden had repeatedly stated its support for economic co-operation among developing countries, it believed that before the rules for the launching of negotiations to establish the global system of trade preferences could be dealt with, the question should be considered by the Trade and Development Board and by its Commission on Economic Co-operation among Developing Countries.

17. Mr. TREHOLT (Norway) said that his delegation had abstained in the vote on draft resolution A/C.2/36/L.154. With regard to paragraphs 2 and 3, he said that Norway had already stated its position on the questions dealt with therein when the Trade and Development Board had adopted its resolutions 238 (XXIII) and 239 (XXIII). The position of Norway with regard to the need to solve the problems of the Palestinian people and with respect to Namibia and South Africa was well known; Norway's abstention in the vote on the draft resolution did not imply any position on the substance of the Trade and Development Board resolutions referred to.

18. With regard to paragraph 9, he recalled that at the fifth session of UNCTAD his country had supported the establishment of the Ad Hoc Intergovernmental Group of Experts; furthermore, Norway had already participated as an observer in the work of the first session of the Group and proposed to do the same at the second session.

19. Mr. FREYBERG (Poland), speaking on behalf of the delegations of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, said that those delegations had voted in favour of the draft resolution because they supported the efforts made by UNCTAD to restructure international trade relations on just bases and to combat protectionist tendencies.

20. The socialist countries had participated in the meetings held thus far by the Ad Hoc Intergovernmental High-level Group of Experts on the Evolution of the International Monetary System and believed that the Group's activities were fully consistent with the mandate of UNCTAD. Consequently those countries had voted in favour of paragraph 9 of the draft resolution.

1. The socialist countries also supported those activities of UNCTAD which were aimed at gradually eliminating neo-colonialist practices, for example in the matter of transport, and to promote co-operation among developing countries. In any case,

(Mr. Freyberg, Poland)

it must be borne in mind that all UNCTAD activities should be carried out without violating the universality of that organization. The socialist countries wished to reaffirm their reservations made at the time of the adoption of other resolutions on the same subject.

22. Mr. PLECHKO (Union of Soviet Socialist Republics) said that owing to a technical defect, when his delegation had voted in favour of draft resolution A/C.2/36/L.154, its vote had not been reflected in the tabulation. He requested that the record should state that his delegation had voted in favour of the draft resolution in its entirety.

23. Mr. INOATA (Japan), referring to paragraph 9 of the draft resolution, said that his delegation's position with regard to UNCTAD resolution 128 (V) had not changed. With regard to paragraph 16, he recalled that when the Convention on Multimodal International Transport had been adopted, the Japanese delegation had stated that the signing of the final act relating to that Convention did not prejudge in any way the position which the Government of Japan would adopt with respect to its possible obligations in the matter, including the obligation to become a party to the Convention. The adoption of draft resolution A/C.2/36/L.154 left that position similarly unaffected.

24. He thanked Mr. ter Horst, Vice-Chairman of the Committee, for confirming the understanding arrived at with regard to paragraph 11 of the draft resolution and recalled that at the time of the adoption of Trade and Development Board resolution 221 (XXI) the countries of Group B had made clear their interpretation of that resolution the interpretation appeared in document A/35/15, volume II, paragraph 296.

25. Mr. CLARK (United States of America) said that his delegation had serious reservations concerning draft resolution A/C.2/36/L.154, for both procedural and substantive reasons. With regard to the procedural aspects, he expressed regret at the fact that the Group of 77 had pressed for a vote on questions on which no consensus had been reached, a practice which departed from the UNCTAD tradition of adopting decisions by consensus and therefore damaged the effectiveness of that organization. His delegation also believed that it was wrong to re-examine in the General Assembly questions which had already been dealt with in UNCTAD, and he felt deep concern at the fact that political questions were being introduced into UNCTAD's work: examples of those were the draft resolution's provisions relating to the furnishing of assistance to national liberation movements.

26. The United States believed that the meetings on economic co-operation among developing countries which were to be held under UNCTAD resolution 127 (V) had already been concluded, and furthermore, it was opposed to the provision of services to meetings with limited participation in the United Nations system because it considered those meetings contrary to the principles of universality and equality among States.

(Mr. Clark, United States)

27. With regard to substantive questions, he said that although the United States supported the general purpose of paragraph 7 of the draft resolution, it felt that the General Agreement on Tariffs and Trade should be the body which played a fundamental role in the formulation of trade principles and policies. With regard to paragraph 9, the United States believed that the monetary questions dealt with in UNCTAD should be resolved within that organization and should not be re-examined in the General Assembly. His delegation, for its part, had not attended and would not attend any meeting of the Ad Hoc Intergovernmental High Level Group of Experts on the Evolution of the International Monetary System.

28. Paragraph 11 of the draft resolution caused the United States grave concern because its purpose was that a subsidiary organ of the General Assembly should reconsider measures adopted outside the United Nations system. UNCTAD should not be entrusted with considering financial questions which should be dealt with only by the World Bank and the International Monetary Fund. Moreover, it should be made clear that the members of UNCTAD had not requested that organization's Secretary General to keep under close review the application of the detailed features set out in resolution 222 (XXI) and resolution 165 (IX), section B, of the Trade and Development Board. The United States wished to reaffirm its support for the statement made on behalf of Group B at the time of the adoption of Trade and Development Board resolution 222 (XXI) and felt that the consultations of the Secretary-General of UNCTAD with the World Bank and the International Monetary Fund had already been completed.

29. Mr. de SILVA (Sri Lanka) said that, had his delegation been present, it would have voted in favour of paragraphs 9 and 11 of draft resolution A/C.2/36/L.154, and of the draft as a whole.

30. Mr. LIPATOV (Ukrainian Soviet Socialist Republic) said that his delegation had voted in favour of draft resolution A/C.2/36/L.154, but its vote had not been recorded by the voting machine.

31. Mr. HILDELL (Israel) said that paragraph 3 of draft resolution A/C.2/36/L.154 concerned a matter that fell outside the mandate of UNCTAD. It was regrettable that UNCTAD was being urged to concern itself with political questions that were dealt with by other bodies. In view of its opposition to paragraph 3, his delegation had been obliged to abstain in the vote on the draft resolution, although recognizing that it contained many provisions of value to the developing countries. As to economic co-operation among developing countries, dealt with in the fourth preambular paragraph, his delegation had already outlined its position at the twenty-third session of the Trade and Development Board and on previous occasions.

32. Mr. MALATCHEV (Bulgaria) said that, had his delegation been present, it would have voted in favour of draft resolution A/C.2/36/L.154 as a whole.

33. Mr. ATTAF (Algeria) said that the Group of 77 regretted that a consensus had not been achieved on draft resolution A/C.2/36/L.154, despite the Group's efforts. The Group of 77 deplored the fact that several delegations had voted against

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(Mr. Attaf, Algeria)

paragraph 9, thereby opposing the meetings of a group of experts whose work was fully in keeping with the mandate of UNCTAD.

34. The Group of 77 also regretted that one delegation had voted against paragraph 11, on the debt problems of the developing countries. That negative vote was all the more regrettable since tangible progress had been made in recent years on that question. That vote was a retrograde step with regard to the agreements reached at the sessions of UNCTAD and of the Trade and Development Board respectively.

35. Mr. AL-ZAID (Kuwait) said that his delegation supported draft resolution A/C.2/36/L.154 as a whole.

36. Mr. DJERMAKOYE (Niger) said that, if his delegation had been present, it would have voted in favour of paragraphs 9 and 11 and of the draft resolution as a whole.

37. The CHAIRMAN said that the Committee had before it a note by the Secretary-General transmitting a note by the Secretary-General of UNCTAD concerning the world inflationary phenomenon (A/36/536). If he heard no objections, he would take it that the Committee took note of that document.

38. It was so decided.

AGENDA ITEM 7: SPECIAL ECONOMIC AND DISASTER RELIEF ASSISTANCE (continued)

(a) OFFICE OF THE UNITED NATIONS DISASTER RELIEF CO-ORDINATOR (continued)  
(A/C.2/36/L.117/Rev.3, L.149 and L.156)

39. The CHAIRMAN said that Burundi, Central African Republic, Chad, the Comoros, the Gambia, Liberia, Mali, Nigeria and Swaziland had joined the sponsors of draft resolution A/C.2/36/L.117/Rev.3, submitted and orally revised by the representative of Kenya at the 47th meeting.

40. Mr. ESAN (Nigeria) said that his delegation should not be included in the list of sponsors of draft resolution A/C.2/36/L.117/Rev.3, since at no time had it requested to be so included.

41. Mr. ZVEZDIN (Union of Soviet Socialist Republics) said he wished to point out that during the Committee's work, it had been agreed through procedural decisions to transmit to the thirty-seventh session the various draft resolutions on which no consensus had been achieved, in order to continue the search for mutually acceptable texts that would make a consensus possible. That was why his delegation had submitted the procedural draft decision A/C.2/36/L.156 under which draft resolution A/C.2/36/L.117/Rev.3 would be transmitted to the next session. Under rule 131 of the rules of procedure, he requested that draft decision A/C.2/36/L.156 should be put to the vote first.

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42. Mr. BIRIDO (Sudan) said that the sponsors of draft resolution A/C.2/36/L.117/Rev.3, in a spirit of co-operation, had agreed at the 47th meeting that consideration of the draft resolution should be postponed so that further consultations could be carried out. At the meeting with the USSR delegation, the latter had insisted on retaining the amendment in document A/C.2/36/L.149. He regretted that attitude and requested the Chairman to rule that draft resolution A/C.2/36/L.117/Rev.3, having been submitted much earlier than draft decision A/C.2/36/L.156, should have priority.

43. The CHAIRMAN said that draft resolution A/C.2/36/L.117/Rev.3 had clearly been submitted much earlier than draft decision A/C.2/36/L.156. On the other hand, the USSR delegation, in requesting that draft decision A/C.2/36/L.156 should be put to the vote first, was invoking the exception provided for in the phrase "unless [the Committee] decides otherwise" in rule 131 of the rules of procedure. Consequently, there was no alternative but to take a vote on the question of priority.

44. Mr. KHAN (Pakistan) requested that the Chairman should rule on the question of priority or, alternatively, that the Office of Legal Affairs should give a legal interpretation thereof.

45. The CHAIRMAN said that draft resolution A/C.2/36/L.117/Rev.3 had priority, but under rule 131, the Committee could reverse that priority. The USSR delegation had requested that priority should be given to draft decision A/C.2/36/L.156, and the Committee had to decide on that request.

46. Mr. BORG OLIVIER (Office of Legal Affairs) said that, although draft resolution A/C.2/36/L.117/Rev.3 had been submitted before draft decision A/C.2/36/L.156, the request by the USSR delegation that a vote should first be taken on the latter was a valid request in conformity with rule 131 of the rules of procedure, under which the Committee must vote on the proposals in the order in which they had been submitted "unless it decides otherwise".

47. Mr. KHAN (Pakistan) said that the Chairman's ruling and the opinion of the representative of the Office of Legal Affairs indicated quite clearly that the Committee must first vote on draft resolution A/C.2/36/L.117/Rev.3. If any delegation wished to appeal against the Chairman's ruling, that appeal would have to be put to the vote.

48. Mr. BORG OLIVIER (Office of Legal Affairs) explained that the request that a vote should first be taken on draft decision A/C.2/36/L.156 was not equivalent to an appeal against the Chairman's ruling under rule 113 of the rules of procedure. That request was solely equivalent to utilizing the possibility provided for in rule 131.

49. Mr. OLZVOY (Mongolia) asked the representative of the Office of Legal Affairs whether the proposal in document A/C.2/36/L.156 was procedural or substantive.

50. Mr. BORG OLIVIER (Office of Legal Affairs) said that draft decision A/C.2/36/L.156 referred to a question of substance, not a procedural question,

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(Mr. Port Olivier)

since it called for action by the General Assembly and did not relate to a matter on which the Committee could make a final decision.

51. The CHAIRMAN said that draft decision A/C.2/36/L.156 was a separate proposal from draft resolution A/C.2/36/L.117/Rev.3. If the Committee adopted the draft decision, it could not thereafter vote on the draft resolution. He put to the vote the Soviet proposal that draft decision A/C.2/36/L.156 should be voted on first.

52. The proposal was rejected by 88 votes to 15, with 15 abstentions.

53. The CHAIRMAN said that the Committee's next step was to take a decision on draft resolution A/C.2/36/L.117/Rev.3, but it first had to consider the amendments in document A/C.2/36/L.149.

54. Mr. DIETZ (German Democratic Republic) said that in the course of informal consultations several delegations had asked a number of very important questions about draft resolution A/C.2/36/L.117/Rev.3. Neither the sponsors of the draft resolution nor the Secretariat had given satisfactory answers to those questions. The Committee therefore still needed certain clarifications. In order to obtain them, his delegation was asking once again what the financial implications of draft resolution A/C.2/36/L.117/Rev.3, and specifically of paragraphs 8 and 9, were. Since the question had already been asked at the previous meeting of the Committee, his delegation formally requested that representatives of the Budget Division should answer the question.

55. Secondly, in paragraph 10 of the draft resolution the Secretary-General was instructed to 'designate ... a lead entity ... appropriate ... to carry out relief operations'. His delegation believed that it was not for the Secretary-General to decide on the designation of a lead entity or entities. On the contrary, that decision could be made only by intergovernmental bodies.

56. Furthermore, his delegation wished to stress the fact that the new machinery mentioned in paragraphs 8 and 9 of the draft resolution amounted to interfering in matters that were within the province of the specialized agencies. It was therefore questionable that such machinery was compatible with the agreements concluded between the United Nations and the specialized agencies. His delegation asked the Office of Legal Affairs to clarify those doubtful points.

57. Mr. MULLER (Secretary of the Committee) said that the Budget Division had reported that the draft resolution had no financial implications.

58. Mr. BIRIDO (Sudan) proposed that the amendments in document A/C.2/36/L.149 should be voted on as a whole.

59. Mr. UY (Office of Financial Services) said that paragraphs 8 and 9 of draft resolution A/C.2/36/L.117/Rev.1 had no financial implications, since any costs occasioned by them would be financed from the extrabudgetary resources of the Office of the United Nations Disaster Relief Co-ordinator.

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60. Mr. LIPATOV (Ukrainian Soviet Socialist Republic) asked in accordance with rule 129 of the rules of procedure that a separate vote should be taken on paragraphs 12, 13 and 14 of the amendments proposed in document A/C.2/36/L.149.

61. The CHAIRMAN pointed out that the representative of the Sudan had asked that the amendments should be voted on as a whole. The Committee would therefore have to vote on the motion for division under rule 129 of the rules of procedure.

62. Mr. ZVEZDIN (Union of Soviet Socialist Republics) requested that recorded separate votes should be taken on paragraphs 12, 13 and 14 of document A/C.2/36/L.149.

63. Mr. BAKALOV (Bulgaria) said that he supported the motion for separate votes on paragraphs 12, 13 and 14.

64. Mr. KHAN (Pakistan) and Mr. BIRIDO (Sudan) said that they were opposed to separate votes on some paragraphs of document A/C.2/36/L.149.

65. The motion to vote on the amendments in document A/C.2/36/L.149 as a whole was adopted by 34 votes to 14, with 17 abstentions.

66. Mr. SEASE (Office of Legal Affairs) said that under paragraph 9 of draft resolution A/C.2/36/L.117/Rev.3 the Secretary-General would have to convene meetings of the concerned organizations of the United Nations system in order to co-ordinate relief activities. As far as the Secretary-General himself was concerned, that provision of paragraph 9 was in conformity with Article 98 of the Charter, which provided that the Secretary-General should perform functions entrusted to him by the General Assembly or one of the Councils. As far as the specialized agencies were concerned, Article 58 of the Charter applied, as it provided that the Organization should make recommendations to those agencies. Paragraph 9 of the draft resolution was, with respect to the specialized agencies, a recommendation within the meaning of Article 58 of the Charter.

67. The General Assembly could not impose upon the specialized and related agencies an obligation to co-operate with the Secretary-General or with the United Nations Disaster Relief Co-ordinator, but, by virtue of Article 58, it was empowered to recommend such co-operation to the specialized agencies. In most cases the agencies were bound, under their agreements with the United Nations, to take into account the recommendations of the General Assembly, which were reviewed by the competent organs of the agencies, those organs took such decisions as they considered appropriate, in accordance with their own constitutional provisions.

68. Consequently, there seemed to be no legal objections to either paragraph 9 or paragraph 8 of the draft resolution, although their implementation would depend in part on the decisions taken by the specialized and related agencies in the light of the resolution and the steps taken by the Secretary-General in pursuant to it.

69. Mr. DIETZE (German Democratic Republic) said that he also wished to know whether the Secretary-General was empowered, as provided in paragraph 10 of draft resolution A/C.2/36/L.117/Rev.3, to designate a lead entity.

70. Mr. KHAN (Pakistan) said that he was opposed to a procedure which was being used to delay the adoption of decisions on the proposals before the Committee.

71. Mr. ZVEZDIN (Union of Soviet Socialist Republics) invoking rule 122 of the rules of procedure, stated that as sponsor of the amendments in document A/C.2/36/L.149 he was withdrawing all the amendments except those in paragraphs 12, 13 and 14.

72. Mr. DUCKINGHAM (Australia) said that rule 122 referred to motions and not to amendments so that the Committee would have to vote on the Soviet amendments as a whole.

73. The amendments in document A/C.2/36/L.149, as a whole, were rejected by 31 votes to 15, with 20 abstentions.

74. The CHAIRMAN invited the Committee to vote on draft resolution A/C.2/36/L.117/Rev.3 as revised at the 47th meeting.

75. A recorded vote was taken.

In favour: Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, Gambia, Germany, Federal Republic of Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Algeria, Argentina, Cuba, Lao People's Democratic Republic, Suriname.

76. Draft resolution A/C.2/36/L.117/Rev.3, as revised, was adopted by 109 votes to 11 with 5 abstentions.

77. Mr. de ALMEIDA (Angola) said that he had voted against the draft resolution by mistake and that his vote should be counted as a vote in favour.

78. Mr. SANTOS TARRAGO (Brazil) said that his delegation had always favoured consensus on the question, something which could only be attained, in his view, through the adoption of a procedural decision requesting additional elements of information. However, in view of the fact that a number of countries had felt that a substantive decision should be taken at the current session of the General Assembly, his delegation had concentrated, in the informal consultation on the draft resolution, only on the essential problems which it raised, those problems had been solved as a result of the oral amendments made to paragraphs 8 and 9 at the previous meeting. As a result, his delegation had abstained in the voting on procedural matters but had voted in favour of draft resolution A/C.2/36/L.117/Rev.3. That draft resolution, however, still contained provisions, which did not fully satisfy his delegation and which it might find it necessary to revert to in substance.

79. Mr. ISAN (Nigeria) said that his delegation had voted in favour of draft resolution A/C.2/36/L.117/Rev.3 because it regarded United Nations relief activities as indispensable and believed that it was desirable to consider all possible ways of improving the effectiveness of the system, so as to equip it to deal with disaster situations. His delegation interpreted the changes made orally by the sponsors to paragraphs 8 and 9 as meaning that the Governments of the countries concerned would have to give their consent to the convening of meetings by the United Nations Resident Co-ordinator and that any conclusions or recommendations resulting from those meetings would have to be approved by the Governments. The measures envisaged in the draft resolution would have to be kept under review, since some delegations might receive new instructions on the matter from their Governments.

80. Mrs. WALDER-BRUNDIN (Sweden) said that her delegation had voted in favour of draft resolution A/C.2/36/L.117/Rev.3 and hoped that the measures envisaged in that resolution would be conducive to a more effective response to disaster relief needs and better co-ordination within the United Nations system, and between the United Nations, the countries concerned and voluntary organizations. Her delegation placed great emphasis on prevention and preparedness and hoped that the draft resolution would increase awareness in disaster-prone countries and within the organizations of the United Nations, especially UNDP, of the urgent need for such measures. There was also a need to establish an efficient over-early warning system by co-ordinating all the existing systems.

81. However, the draft resolution had one limitation which caused her delegation deep concern. Disaster relief was by its very nature humanitarian, and there should be no restriction of any kind on the countries which were eligible to receive it. There were occasions when humanitarian assistance was needed even when the country affected was not in a position to ask for it: that principle formed the basis for the activities of other United Nations organizations, such as UNHCR and UNICEF.

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82. Mr. GOKCE (Turkey) said that his delegation had voted in favour of draft resolution A/C.2/36/L.117/Rev.3. With regard to paragraphs 8, 9 and 10, it took the view that all activities to be undertaken in Turkey under the terms of the resolution by the United Nations system, the Resident Co-ordinator and other appropriate entities could be carried out only at the request of the Turkish Government, with its prior consent and under its full control. Further, with respect to paragraph 10, the lead entity to be designated at the international level by the Secretary-General should normally be the Office of the United Nations Disaster Relief Co-ordinator, unless the specific requirements of a given situation warranted otherwise. His delegation also held that the concept of "affected country" should apply not only to those countries directly affected by a given disaster situation but, also to neighbouring countries which might also have suffered.

83. Although his delegation would have had little difficulty in supporting the amendments in document A/C.2/36/L.149, since they contained many valid points, it had voted against them because they would have altered the main purpose of draft resolution A/C.2/36/L.117/Rev.3 by limiting its scope to natural disasters only, which would have been tantamount to changing the mandate of UNDRO as established by General Assembly resolution 2816 (XXVI).

84. Mr. EHRMAN (United Kingdom) said that the member States of the European Community had voted in favour of draft resolution A/C.2/36/L.117/Rev.3, as revised, because they wished to see improvements in the ability of the United Nations system to respond in a co-ordinated, speedy and efficient manner to natural disasters and other disaster situations. In fact, they would have preferred to have seen the adoption of stronger co-ordination measures, such as those envisaged in the draft resolution of the Economic and Social Council reproduced in document A/C.2/36/L.4. In any event, the draft resolution which had just been adopted was a start in that direction; they were looking forward to the reports requested in paragraphs 11 and 20 of the draft resolution.

85. The member States of the European Community supported all measures designed to improve the effectiveness of UNDRO, and it was in that sense that they interpreted the references in the resolution to strengthening the capacity of the Office. With regard to paragraph 9, they hoped that Governments would be kept fully informed of the co-ordination measures taken by the United Nations system, so that the international community could respond to disaster situations in a fully integrated manner. Lastly, the member States of the European Community appealed to those countries which did not provide relief assistance through multilateral channels to reconsider their position, as called for in paragraph 19 of the draft resolution.

86. Miss ZANABRIA (Peru) said that her delegation would have welcomed more consultations with Governments to enable the question of disaster relief to be studied in greater depth; however, her delegation had voted in favour of the draft resolution because there had been consultations with the sponsors and because some of its concerns had been taken into account by them. Ideally, however, some of the provisions of document A/C.2/36/L.149, especially the proposed new preambular paragraph, and the affirmation of the concept of natural disasters, would have been included in draft resolution A/C.2/36/L.117/Rev.3.

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87. Mr. BUCKINGHAM (Australia) said that his delegation had voted in favour of draft resolution A/C.2/36/L.117/Rev.3 and thanked the sponsors for their efforts to achieve consensus. His delegation believed that if the draft resolution was applied with common sense, it would make it possible for relief to be provided more promptly. The draft resolution provided a more precise definition of the significant role played by the United Nations in disaster relief operations. It was to be hoped that, given goodwill and co-operation, all the agencies of the United Nations system would make an outstanding contribution to providing international relief in future.

88. Ms. FORD (Canada) said that her delegation, which had voted in favour of draft resolution A/C.2/36/L.117/Rev.3, thanked the sponsors for their efforts to formulate the main ideas and to secure the widest possible consensus. Although the draft resolution did not reflect all her delegation's concerns, it was an important step in the collective effort to improve the speed and effectiveness of the United Nations system in responding to emergency situations; her delegation hoped that its provisions would be implemented in a pragmatic and flexible manner. Her delegation also looked forward to receiving the reports mentioned in paragraphs 11 and 20 of the draft resolution in order to make further studies on the subject.

89. Mr. ter HORST (Venezuela) said that his country shared the two-fold concern of many of the States represented on the Committee, namely, strengthening the capacity of the United Nations system to respond to disaster situations while at the same time safeguarding the principle of national sovereignty. The sponsors of the draft resolution had incorporated the elements required to satisfy, to a great extent, both aspects. In substance, his delegation agreed with some of the amendments proposed by the delegation of the Soviet Union to document A/C.2/36/L.149: they had helped to produce the revised text. His delegation therefore had voted in favour of draft resolution A/C.2/36/L.117/Rev.3, as orally revised, and abstained in the vote on document A/C.2/36/L.149.

90. Mrs. ZHANG (China) said that her delegation had voted in favour of draft resolution A/C.2/36/L.117/Rev.3 as revised, because it saw the need to strengthen the United Nations system in order to improve its capacity to respond to emergency situations. That was a desire shared by many Member States, especially in the cases of urgent requests from disaster-prone countries.

91. The question had been the subject of numerous debates and consultations in the General Assembly and the Economic and Social Council; her delegation found the draft resolution just adopted acceptable. The draft resolution provided for an approach to co-ordinating emergency assistance activities that respected the national sovereignty of States, the role to be played by the various agencies and the need to establish no new machinery. The draft resolution also took account of the interests of developing countries. On the basis of those considerations, her delegation had voted against draft decision A/C.2/36/L.156. With regard to document A/C.2/36/L.149, the amendments it contained limited the scope of the measures proposed to natural disasters alone, taking no account of other types of disasters and thereby substantially changing the nature of draft resolution A/C.2/36/L.117/Rev.3. Her delegation had therefore voted against those amendments.



92. Mr. NGUYEN QUOC DUNG (Viet Nam) said that his delegation would explain its vote on draft resolution A/C.2/36/L.117/Rev.3 when it was considered in plenary.

93. Mr. KITTIKHOUN (Lao People's Democratic Republic) said that his country, which had experienced extremely serious natural disasters in recent years, understood perfectly well the seriousness and scope of the problem of emergency relief. His delegation had already had occasion to point out that the United Nations system had the capacity to respond to disaster situations in various parts of the world and to stress that UNDRO, despite the limited resources at its disposal, had amply demonstrated its ability to carry out the mandate entrusted to it by General Assembly resolution 2816 (XXVI). The Secretary-General himself in his report (A/36/259) clearly stated that the financial assistance provided by the Office through its emergency fund, which was limited to \$US 30,000 per disaster, was extremely useful.

94. On the basis of those considerations, his delegation had great difficulty in believing in the efficacy of the new machinery provided for in paragraphs 8, 9 and 10 of draft resolution A/C.2/36/L.117/Rev.3. Moreover, the fact that a mechanism that would become almost automatically operative in disaster situations was envisaged ran counter to the principle of inviolability of the independence of States. For all those reasons, his delegation had abstained in the vote on draft resolution A/C.2/36/L.117/Rev.3 as orally revised; however, if a separate vote had been taken on paragraphs 8, 9 and 10, his delegation would have voted against them.

95. Mr. KITTIKITI (Zimbabwe) said that his delegation, which was a sponsor of draft resolution A/C.2/36/L.117/Rev.3, attached extreme importance to strengthening the United Nations system to respond to natural disasters in a flexible, complete and satisfactory manner. In that context, it remained firm and resolute on the question of national sovereignty and the central role of Governments in disaster situations. Accordingly, in voting against the amendments proposed by the Soviet delegation (A/C.2/36/L.149), his delegation had not been repudiating the position of principle that those amendments represented. His delegation had voted against them because, in its opinion, they did not contribute to strengthening the United Nations system in disaster situations; the capacity of the United Nations system to respond to situations where humanitarian considerations were of the utmost importance should not be limited.

96. Mr. ZIMMERMAN (United States of America) said that the draft resolution which had just been adopted had been possible because a group of countries belonging to the Group of 77, led by Sudan, Kenya and Pakistan, had taken the initiative in finding a way to overcome the deadlock that had developed during the second session of the Economic and Social Council. His delegation commended the delegations of those countries for their efforts and for working with many of the donor countries which had sought for so long to develop a resolution that would be a step forward towards swift and efficient delivery of emergency assistance whenever and wherever it was needed.



(Mr. Zimmerman, United States)

97. His delegation was of the opinion that draft resolution A/C.2/36/L.117/Rev.3 had met that objective before it was amended. At the last minute some adjustments had been made in the wording of paragraphs 8 and 9. His delegation had been somewhat unprepared for those changes and remained concerned that they could prove to be an obstacle to the swift and effective response so often needed in emergency situations. Nevertheless, paragraphs 11 and 20 of the draft resolution provided for further review of the performance of the United Nations system in delivering disaster assistance. In addition, there would soon be a new Co-ordinator who would be responsible for implementing the provisions of the draft resolution. In the final analysis, only time and experience could show how effective that resolution would be. If experience showed that further improvements were needed, his delegation was confident that the reports called for in paragraphs 11 and 20 would provide guidance to that end. For all those reasons, and in order to retain the remarkable spirit of compromise and co-operation, his delegation had supported the draft resolution.

98. Mr. LUTFI (Jordan) said that his delegation had voted in favour of draft resolution A/C.2/36/L.117/Rev.3 as revised because it supported the principles and objectives embodied in it. With respect to paragraphs 8, 9 and 10, any measure or initiative taken by the Secretary-General or the executive head of any United Nations organization in response to a disaster situation in Jordan would have to be the result of a request made beforehand by his Government and to be subject to its full participation. Unless those requirements were met, the initiatives, plans or proposals of the United Nations system in Jordan would be rejected by his Government.

99. Mr. OLZVOY (Mongolia) said that he would like to hear the opinion of the Office of Legal Affairs concerning paragraph 10 of draft resolution A/C.2/36/L.117/Rev.3.

100. Mr. SZEREMETA (Poland), speaking also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, said that the socialist countries were moved by the fate of countries that had suffered natural disasters, to which they always extended bilateral assistance, and they appreciated the efforts to increase the effectiveness of the United Nations activities to eradicate the consequences of those disasters. He recalled that at the Economic and Social Council's second session of 1981 there had been submitted in a draft resolution concerning the activities of the Office of the United Nations Disaster Relief Co-ordinator which had given rise to objections from many countries, and the Council had been unable to take any agreed decisions on the question.

101. Draft resolution A/C.2/36/L.117/Rev.1 was full of ambiguities and unclear passages which might result in its use against the interests of those very developing countries which were affected by natural disasters. For example, in connexion with paragraphs 8 and 9, it must be pointed out that the proposed method of convening meetings of United Nations organs and bodies and the fact that assistance could be provided even when there had been no prior request from the

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(Mr. Szeremeta, Poland)

country concerned might constitute a violation of those countries' sovereignty. Furthermore, the draft resolution ignored the role that would necessarily have to be played by intergovernmental organs, and that was unacceptable.

102. At present there was no definition of the concept of "complex disasters and emergencies of exceptional magnitude" referred to in paragraph 9, and it was not known who would decide in the future whether or not such a situation existed. In reality, what was apparently being sought was an arbitrary expansion of the function of the United Nations system set up to eliminate the consequences of natural disasters, empowering it to deal with ill-defined situations which lurked behind the above-mentioned formulation of the draft resolution.

103. Problems which did not arise out of natural disasters were evidently due to causes of a different nature, and machinery for solving them already existed but was not within the competence of the Second Committee. In that connexion, it should be borne in mind that, on the other hand, attempts had already been made to make certain United Nations programmes and funds stop giving assistance to certain developing countries for political reasons. The existing machinery for solving problems which arose out of disaster situations were adequate; all that was needed was to improve their effectiveness.

104. The socialist States feared that the developing countries' just desire to improve the effectiveness of relief operations was not adequately reflected in draft resolution A/C.2/36/L.117/Rev.3, which could produce an effect contrary to the one those countries sought. For that reason, the socialist States had voted against the draft resolution, and in the future, in all relief measures to be adopted, they would conform to the provisions of the United Nations Charter. It was to be hoped that the developing countries would understand that the position taken by the socialist States was dictated by their desire to defend the legitimate rights of the developing countries.

105. Mr. DE LA TORRE (Argentina) said that his delegation had abstained in the vote on draft resolution A/C.2/36/L.117/Rev.3 because it believed that the function of the Office of the United Nations Disaster Relief Co-ordinator was limited to assistance in cases of natural disaster.

106. The CHAIRMAN said that if there was no objection, he would take it that the Committee did not wish to take any action with regard to draft decision A/C.2/36/L.156.

107. It was so decided.

108. Mr. SZASZ (Office of Legal Affairs), replying to a question from the representative of the German Democratic Republic concerning whether, as indicated in paragraph 10 of the draft resolution A/C.2/36/L.117/Rev.3, the Secretary-General was in fact empowered to designate a lead entity from among the organizations of the United Nations system to carry out the relief operations or whether that designation could be made only by an intergovernmental agency, said it appeared

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(Mr. Szasz, Office of Legal Affairs)

from Article 55 b and Article 60 of the Charter that the General Assembly was the intergovernmental organ competent to take the steps aimed at solving economic, social, health and other problems which arose out of natural disasters. However, the General Assembly could, in turn, indicate what organ should take action in such matters, and if the draft resolution was adopted by the General Assembly, it would be the Secretary-General who was responsible for naming the lead entity, an arrangement which was consistent with Article 98 of the Charter.

109. With regard to co-operation with the measures adopted by the General Assembly, he said that such co-operation was mentioned in various articles of the Charter. Article 22 was applicable to the subsidiary agencies of the General Assembly, such as UNCTAD and UNIDO, whose obligation to co-operate was evident and arose out of their very status as subsidiary organs. Article 60 related to the situation of the Economic and Social Council and its subsidiary organs, such as the regional commissions, which also had the obligation to perform the functions assigned to them by the General Assembly, to whose authority they were subject. On the other hand, Article 58 stated that the United Nations could only make recommendations to the specialized agencies, although the latter must take account of those recommendations in conformity with the respective agreements linking them with the United Nations. Similarly, under Article 10 of the Charter, the General Assembly could make recommendations to Member States, and the latter, in accordance with Article 56, had undertaken to co-operate with the Organization "for the achievement of the purposes set forth in Article 55".

110. To sum up, therefore, all organs of the United Nations would be bound by the resolution if the draft resolution was adopted by the General Assembly, while for the specialized agencies and related organizations and for Member States, the resolution would be a recommendation which they could not be forced to comply with but which would be persuasive, since it had been adopted by the intergovernmental organ that had the greatest competence in the matter.

#### COMPLETION OF THE COMMITTEE'S WORK

111. The CHAIRMAN said that during the session there had emerged in the Second Committee a new spirit of co-operation which had enabled it to respond admirably to many of the challenges posed by the world economic crisis and to adopt, after a prolonged process of informal consultations, a considerable number of resolutions and decisions. What was needed now was that all the measures adopted by the Committee should actually be put into practice, and each member of the Commission should urge his Government to take the actions agreed upon.

112. The experience of the Second Committee indicated that there was an urgent need to streamline its proceedings further. The Committee must concentrate on fewer areas at each session in order to allow for more thorough discussion, which would also enable the Secretariat to issue the needed documentation in good time. There was no doubt that the work of the Committee had been damaged by the large volume of documentation its members had had to examine and that such documentation had not always been available when needed. Perhaps it would also be necessary to categorize the type of resolution which the Committee should consider from year to year.

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113. Mr. ZVEZDIN (Union of Soviet Socialist Republics) said that the Chairman had rightly pointed out the problems faced by the Committee as a result of the unavailability of the documentation in all languages when needed, and he requested the Secretariat to take action to prevent the recurrence of such a situation in future.

114. After the usual exchange of courtesies, the CHAIRMAN declared that the Committee had completed its work for the thirty-sixth session.

The meeting rose at 2.25 p.m.