



THIRD COMMITTEE
49th meeting
held on
Monday, 22 November 1982
at 3 p.m.
New York

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SUMMARY RECORD OF THE 49th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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ORGANIZATION OF WORK

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A/C.3/37/SR.49
26 November 1982

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 94: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/37/L.31, L.41 and L.42)

1. Mrs. FLOREZ (Cuba), introducing draft resolution A/C.3/37/L.31, said that since 1977 the Organization had adopted a new focus on human rights as a result of General Assembly resolution 32/130; that resolution had introduced new ideas in the approach to human rights, ideas which were of interest to the developing countries. Those countries regarded the right to development as an inalienable right and for that reason, General Assembly resolutions 34/46, 35/174 and 36/133 had been adopted by large majorities. In that context the fifth preambular paragraph of that draft resolution reiterated that the establishment of the New International Economic Order was an essential element for the effective promotion and the full enjoyment of human rights and fundamental freedoms for all. Last, the draft included ideas that were of interest to some Western European countries. However, negotiations with interested delegations were still in progress and she hoped that a definitive position would be reached soon.

2. Mr. O'DONOVAN (Ireland), introducing draft resolution A/C.3/37/L.41 and draft decision A/C.3/37/L.42, said that Senegal had become a sponsor of the draft decision.

3. The sponsors of the draft resolution felt that the item had given the international community a dynamic approach to the concepts of human rights and the institutions for their promotion. Its purpose was to chart a general course for the United Nations in the promotion and protection of human rights. The sponsors felt that the draft was balanced and consistent with General Assembly resolution 32/130. He drew special attention to paragraphs 1 and 2, the latter of which stated that the mass and flagrant violations of human rights in one State might threaten the peace and development of neighbouring States, of a region or of the international community as a whole. That was particularly true in the case of South Africa.

4. The draft decision contained in document A/C.3/37/L.42 was self-explanatory.

AGENDA ITEM 91: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE (continued) (A/C.3/37/L.33, L.36/Rev.1 and L.40)

- (a) IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND HALF OF THE UNITED NATIONS DECADE FOR WOMEN: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/37/L.32, L.34 and L.37)
- (b) VOLUNTARY FUND FOR THE UNITED NATIONS DECADE FOR WOMEN: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/37/L.24)

- (c) DRAFT DECLARATION ON THE PARTICIPATION OF WOMEN IN THE STRUGGLE FOR THE STRENGTHENING OF INTERNATIONAL PEACE AND FOR THE SOLUTION OF OTHER VITAL NATIONAL AND INTERNATIONAL PROBLEMS: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/37/L.38)

AGENDA ITEM 92: STATUS OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/37/L.35)

5. Mr. CORTI (Argentina), introducing draft resolution A/C.3/37/L.33, said that the Congo, Greece, Guinea and Tunisia had become sponsors. The draft was a synthesis of General Assembly resolution 36/128 and the resolution adopted by the Economic and Social Council during the current year. Paragraph 3 reiterated the objectives of the International Research and Training Institute for the Advancement of Women; the list given was not exhaustive but merely covered the main guidelines established for the mandate of the Institute. Paragraph 6 referred, as in previous years, to the contributions of Member States to the Institute. The sponsors had believed it timely to redraft that paragraph in more detail in order to avoid misunderstandings. Of course, the mention of contributions suggested money; in actuality, although the Institute needed money to carry out its function, that was not its only need. It also needed technical co-operation, and that could be provided through scholarships, experts, missions, studies and the like. While the Institute had been established during the United Nations Decade for Women and represented one of the Decade's successes, its life was intended to extend beyond the Decade, in order to carry out its ideals and objectives through the years. The sponsors hoped that the draft resolution would be adopted unanimously.

6. Ms. RITTERHOFF (United States of America), introducing draft resolution A/C.3/37/L.36/Rev.1, of which Indonesia had become a sponsor, said that the full integration of women in development was of interest to the sponsors, who hoped for progress in that field. They felt that the draft resolution would meet the needs of delegations' needs for answers concerning how the agencies working for women's rights had been implementing their mandate and it would help in the preparations for the 1985 World Conference. Lastly, the sponsors wished to express their appreciation to the Advancement of Women Branch of the Centre for Social Development and Humanitarian Affairs for the work it had done thus far.

7. Mr. AKHTAR (Bangladesh), introducing draft resolutions A/C.3/37/L.40 and A/C.3/37/L.34 on behalf of the Group of 77, said that the Group attached great importance to both draft resolutions and felt that the 1985 World Conference would be an opportunity to review the achievements of the Decade thus far. There had been a consensus on that matter in the Economic and Social Council, and the Group of 77 hoped for co-operation from the other members of the Committee to ensure that the Conference would be a success. Accordingly, the Group of 77 hoped that both draft resolutions would be adopted by consensus, particularly since it had done everything to accommodate the views of everyone.

8. Mrs. SARANGEREL (Mongolia), introducing draft resolution A/C.3/37/L.32, of which Viet Nam had become a sponsor, said that the Programme of Action for the Second Half of the United Nations Decade for Women had stressed the need to improve the situation of rural women and had pointed out the priority areas for action by Governments. Comprehensive measures were required to enhance and improve the status of rural women; in that respect, the study and exchange of experiences of different countries would be one way of implementing the Programme of Action. The draft resolution was self-explanatory and she hoped that it would receive broad support from members of the Committee.

9. She pointed out that after consultations, the sponsors had decided to amend the third line of paragraph 4 to refer to an "interregional" rather than an "international" seminar.

10. Mr. BELL (Canada), introducing draft resolution A/C.3/37/L.37 on behalf of the delegations of Canada, Chile, Denmark, France, the Federal Republic of Germany, Greece, Iceland, Japan, the Netherlands, New Zealand and the United States of America, said that much remained to be done if the themes of the United Nations Decade for Women were to be realized before the Decade came to an end in 1985. The sponsors of the draft resolution therefore hoped that it would accelerate the achievement of equality between women and men in all spheres of life. Many international instruments, including the Charter of the United Nations and the Convention on the Elimination of All Forms of Discrimination against Women, had acknowledged the importance of equality, including equality between the sexes. Nevertheless, the number of women in public life remained abysmally low throughout the world. An increase in that number was essential to the equal enjoyment of human rights by women and men. Governments had a decisive role to play in achieving that objective, since they were responsible for the appointment of individuals to public office. Thus, if Governments were truly committed to the principle of women's equality, they ought to redress the present imbalance by appointing competent women on an equal basis with men. In addition, Governments should not limit such appointments to posts which were perceived as being of special interest to women.

11. The sponsors of the draft resolution were well aware of the many resolutions aimed at improving the participation of women in decision-making at the highest levels that had been adopted by the General Assembly since the beginning of the United Nations Decade for Women. It was their hope that the present draft resolution would be more successful in stressing the need for equality than those earlier resolutions. The draft resolution represented an attempt to overcome traditional attitudes which had kept women from participating in public life; it encouraged all Member States and the United Nations system to make a special effort during the final three years of the Decade to increase the number of women in national and international public life, particularly as there were many qualified women able and willing to contribute their expertise to Governments and international organizations. Since the draft resolution reflected one of the fundamental objectives of the Decade, the sponsors felt that it would not be controversial and hoped that it would be adopted by consensus.

12. Mr. FURLAND (United Kingdom), introducing draft resolution A/C.3/37/L.24, said that, in doing so, he was pleased to act on behalf of the five regional groups represented in the Consultative Committee for the Voluntary Fund for the United Nations Decade for Women. Such joint sponsorship was intended to facilitate acceptance of the draft resolution by the Third Committee. The sponsors hoped that the draft resolution would be adopted without a vote, especially as it had no financial implications and did not call for the allocation of any extra resources from the regular budget of the United Nations.

13. The draft resolution was largely self-explanatory, with background information contained in document A/37/421 and in the report of the Consultative Committee. Its salient features included an acknowledgement of the Fund's unique contribution to the field of technical assistance, of the increase in Fund projects, and of the support of Member States and non-governmental organizations. It expressed concern at possible insufficiencies in the Fund and at problems relating to its administration. Paragraphs 11 and 12 were derived largely from the report of the Consultative Committee, and an attempt had been made in drafting to use formulas that would be acceptable to all members of the Third Committee.

14. Mr. SCHLEGEL (German Democratic Republic), introducing draft resolution A/C.3/37/L.38, said that the draft Declaration which it contained was among the most contested issues considered by the Committee in recent years. However, he reminded Committee members that the General Assembly had already decided in resolution 32/142 that such a declaration should be elaborated. The importance of the Declaration had also been stressed by the Commission on the Status of Women and the World Conference of the United Nations Decade for Women at Copenhagen.

15. The present form of the draft Declaration had been reached through patient negotiations conducted in a spirit of compromise, which was only fitting, since the Declaration was significant and required the endorsement of a large majority. Multilateral consultations with representatives of all regional groups, initiated during the thirty-sixth session of the General Assembly, had been continued during the present session. The discussions reinforced the belief of the sponsors that when all parties adopted a constructive approach, it was possible to find acceptable solutions to complicated questions.

15a. The draft Declaration reflected a legitimate and important concern and focused attention on practical steps to achieve better conditions for women's equal participation in the promotion of international peace and co-operation. It was also in line with decisions taken at Mexico City and Copenhagen. Its proclamation would encourage women's active participation in safeguarding the right to live in peace and would also contribute to the struggle against colonialism, racism and apartheid. The preambular section reaffirmed the fundamental political principles set forth in existing legal instruments relating to equal rights for women. Articles 1 to 5 of the draft Declaration were based on the importance of women's contribution to the promotion of international peace and co-operation. Part II dealt with concrete measures to promote the equal involvement of women in the struggle for peace at all levels. In view of the well-balanced nature of the text, the sponsors recommended that the draft resolution should be adopted by consensus.

16. Mr. NORDENFELT (Sweden), introducing draft resolution A/C.3/37/L.35, said that a major step towards the achievement of equal rights for women throughout the world had been the entry into force on 3 September 1981 of the Convention on the Elimination of All Forms of Discrimination against Women. It was encouraging to note that, as of 1 November 1982, the Convention had been signed by 88 States and ratified or acceded to by 45 countries. Draft resolution A/C.3/37/L.35 reflected the satisfaction of many delegations with the Convention, its entry into force, and the establishment of the Committee on the Elimination of Discrimination against Women. The draft resolution invited those States which had not yet done so to become parties to the Convention. The sponsors hoped that the Convention would become a truly universal instrument, that documents pertaining to the work of the Committee on the Elimination of Discrimination against Women would receive wide distribution and that the draft resolution itself could be adopted without a vote.

17. Mr. DYRLUND (Denmark), speaking on behalf of the 10 States members of the European Economic Community, said that those States had actively participated in the work of the United Nations Decade for Women and therefore regretted that the sponsors of the draft resolutions A/C.3/37/L.34 and A/C.3/37/L.40 had not given all regional groups an opportunity to co-operate in the elaboration of those draft resolutions and become co-sponsors. The work of the United Nations to achieve equality between women and men should be conducted in a spirit of co-operation; accordingly, he hoped that a constructive dialogue on the issue could be opened with the sponsors of those draft resolutions as soon as possible. He thanked the representative of Bangladesh for his offer on behalf of the Group of 77 in that respect.

AGENDA ITEM 78: WORLD SOCIAL SITUATION: REPORTS OF THE SECRETARY-GENERAL
(continued) (A/C.3/37/L.27 and L.28/Rev.1)

18. Mr. AKHTAR (Bangladesh), speaking on behalf of the Group of 77, said that the Group had considered on an informal basis a number of amendments to draft resolution A/C.3/37/L.27. The Group had held discussions in a spirit of flexibility and accommodation and expected to be given similar consideration in consultations by other groups. He drew the attention of Committee members to those amendments which the Group had found acceptable.

19. In paragraph 5, the words "health for all by the year 2000," should be inserted after the words "achievement of full employment by the year 2000,". Paragraph 11 should be amended to read "Requests the Secretary-General to transmit the 1982 report to other United Nations bodies concerned with operational activities and to the regional economic commissions for their consideration;". The following words should be added to the end of paragraph 13: "as well as the observations made by the Commission on Social Development through the Economic and Social Council;".

20. Two new paragraphs had also been added after paragraph 13, to be numbered paragraphs 14 and 15, with the present paragraphs 14, 15 and 16 renumbered correspondingly. The new paragraph 14 should read as follows: "Requests also the Secretary-General in preparing the 1985 report on the world social situation to

(Mr. Akhtar, Bangladesh)

take into account the recommendations made in part II of General Assembly resolution 34/152 of 17 December 1979 and to report thereon periodically to the Economic and Social Council;". The new paragraph 15 would read as follows: "Requests the Secretary-General, when presenting his next report on the world social situation, to submit an analysis of the co-ordination between the United Nations and its specialized agencies in the collection of social statistics and preparation of reports on social issues;".

21. It was the expectation of the Group of 77 that, like General Assembly resolution 34/152, draft resolution A/C.3/L.27 would be adopted by consensus. If the amendments which he had just proposed were not acceptable to the Committee, the sponsors of the draft resolution wished to have the original text maintained.

22. Mr. O'DONOVAN (Ireland) said he felt that it would be appropriate to include a word of appreciation to the Secretary-General for his excellent report. That could be done in the last preambular paragraph by inserting the words "with appreciation" after the words "Having considered".

23. Mr. ZUCCONI (Italy) endorsed the suggestion made by the representative of Ireland. The Secretary-General's report was a very good one, and it would be appropriate to express appreciation in the draft resolution.

24. Mr. AKHTAR (Bangladesh) said that the question of specifically expressing appreciation to the Secretary-General had come up in the consultations on the draft resolution, but since no decision had been taken at the time in the Group of 77, he could not take it upon himself to decide now.

25. Ms. RADIC (Yugoslavia), referring to draft resolution A/C.3/37/L.28/Rev.1 on popular participation in its various forms as an important factor in development and in the realization of human rights, said that her delegation had been pleased by the broad interest the draft resolution had aroused. After an intensive exchange of views which had placed the question of popular participation in its proper perspective and given it the importance it deserved, it had been possible to reach general agreement on all points while maintaining the direction the sponsors had had in mind in proposing the draft resolution. She appreciated the contributions made by all the sponsors, by other delegations, such as those of the Federal Republic of Germany and the United States, which had made particularly useful suggestions, and especially by the United Kingdom delegation, whose efficient and timely co-operation had brought such positive results.

26. Mr. FURSLAND (United Kingdom) said that there had indeed been extensive consultations on draft resolution A/C.3/37/L.28/Rev.1; the amendments introduced as a result had enabled his delegation and a number of others to support it. He thanked the sponsors for meeting their concerns and hoped that the draft resolution would be adopted without a vote.

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27. Mr. O'DONOVAN (Ireland) said that his delegation would have preferred to see paragraph 5 of draft resolution A/C.3/37/L.28/Rev.1 refer the question of popular participation and the report on the International Seminar on Popular Participation to the Commission for Social Development rather than to the Commission on Human Rights, as it now did, since Ireland considered popular participation to be primarily a social question. It would, however, support the draft resolution. As a member of the Commission on Human Rights, Ireland would be glad to discuss the question there.

28. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation shared the concern of Ireland and felt that the matter of popular participation would be more appropriately addressed to the Commission for Social Development than to the Commission on Human Rights. The draft resolution itself, in the first preambular paragraph, specifically recalled the Declaration on Social Progress and Development, and the reference was relevant. The Commission for Social Development would be in a position to conduct a more detailed study of the report of the International Seminar, leaving the Commission on Human Rights which had a very heavy programme of work, freer to deal in the limited time available to it with matters relating exclusively to human rights and fundamental freedoms.

29. Mrs. WARZAZI (Morocco) suggested some minor changes in draft resolution A/C.3/37/L.28/Rev.1. In the fifth preambular paragraph, it would be more logical to speak of "participation of all sectors of the population" instead of "popular participation" since the text then went on to distinguish participation by one sector, that of the workers. In that same paragraph, the expression "workers' self-management" had been translated awkwardly in the French version as "auto-gestion des travailleurs", and it would make more sense if rendered simply as "auto-gestion". Lastly, the reference in paragraph 1 to both the report and the work of the International Seminar was redundant, and Morocco would opt for referring only to its work.

30. Ms. RADIC (Yugoslavia) said that if the sponsors did not object, she would be willing to amend paragraph 1 of draft resolution A/C.3/37/L.28/Rev.1 by deleting the phrase "and of the work carried out by" and inserting the word "on" before the words "the International Seminar".

31. With regard to the two amendments to the fifth preambular paragraph suggested by the representative of Morocco, she said that she would be reluctant at present to introduce either changes in English the term "workers' self-management" was the correct one, and the term "popular participation" as it appeared was consistent with the title of the draft resolution.

32. It should be noted that two typing errors in the draft resolution had to be corrected. In paragraph 6 the phrase "its report" should read "his report" and in paragraph 7 the words "World social situation:" should be inserted after the word "entitled".

33. Mrs. DOWNING (Secretary of the Committee) announced that Bangladesh, Benin and the Philippines had joined the sponsors of draft resolution A/C.3/37/L.28/Rev.1.

34. Ms. RADIC (Yugoslavia) said that Panama had also become a sponsor of draft resolution A/C.3/37/L.28/Rev.1.

35. Draft resolution A/C.3/37/L.27, as amended orally, was adopted without a vote.

36. Draft resolution A/C.3/37/L.28/Rev.1, as amended and corrected orally, was adopted without a vote.

37. Ms. GAUCH (Brazil), said that her delegation had joined in the consensus of draft resolution A/C.3/37/L.28/Rev.1, since it supported the main thrust of the draft. However, she regretted that, as the International Seminar's important conclusions had been circulated only recently and Brazil had not taken part in the Seminar, her delegation had not had a chance to study those conclusions as thoroughly as it would have wished.

38. Mr. DYRLUND (Denmark), speaking on behalf of the members of the European Economic Community, said that those countries had joined in the consensus on draft resolution A/C.3/37/L.27 and had welcomed its emphasis on social development. He reaffirmed those countries' appreciation of the report on the world social situation, which they had found useful and stimulating. While agreeing that the economic and social situation in the world was deteriorating as a result of economic recession, he felt that the draft resolution did not fully reflect the nuances of the situation. The members of the European Economic Community also had some difficulties with certain paragraphs and felt that the draft resolution tended to focus on economic issues, as distinct from social issues. They would also have liked the resolution to contain a reference to the promotion and protection of human rights, which were essential to social progress and development.

39. He thanked the sponsors of draft resolution A/C.3/37/L.28/Rev.1 for meeting the concerns expressed, thus enabling the countries of the European Economic Community to join in the consensus. While revisions of the text had brought it more into line with the mandate of the Commission on Human Rights, those countries still felt that it would be more appropriate to have the results of the Seminar considered by the Commission on Social Development, which had been dealing with the subject for some time.

40. Mr. FUJII (Japan) expressed his appreciation to the sponsors and all those who had participated in the informal consultations for making it possible to arrive at a compromise text on the two draft resolutions. His delegation had supported draft resolution A/C.3/37/L.27, since it understood the importance of social progress in development, although it could not agree with certain elements of the text.

41. Although it had joined in the consensus on draft resolution A/C.3/37/L.28/Rev.1, his delegation was not convinced that popular participation should be regarded as a human right and felt that it would be more appropriate if the Commission on Social Development dealt with the issue.

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42. Mr. NORDENFELT (Sweden) said that he appreciated the compromise reached on draft resolution A/C.3/37/L.28/Rev.1, which had enabled his delegation to join in the consensus. However, since the Seminar dealt almost exclusively with workers' self-management and participation in management, which were connected with the general issue of labour-management relations, the subject seemed to be more relevant to the work of the International Labour Organisation. He therefore hoped that the organizers of the Seminar would forward the report to ILO, as the most appropriate United Nations agency to deal with the matter.

43. Ms. RITTERHOFF (United States of America) said that her delegation had joined in the consensus on draft resolution A/C.3/37/L.27, since it supported its general aims and felt that the report on the world social situation was a useful document which deserved analysis. It therefore strongly supported paragraph 10 of the draft resolution. It did, however, have reservations about the references to the Charter of Economic Rights and Duties of States, the New International Economic Order, and portions of the International Development Strategy for the Third United Nations Development Decade. It also assumed that the resolution contained no financial implications.

44. Turning to draft resolution A/C.3/37/L.28/Rev.1, she thanked the sponsors for making it possible to reach a consensus. However, she reaffirmed her delegation's belief that human rights were those rights set forth in the appropriate human rights instruments, including the Universal Declaration of Human Rights and the International Covenants, and that popular participation, a term as yet ill-defined, was not a human right but a social concept. Accordingly, the Commission on Social Development was the most appropriate forum to discuss the question. Her delegation did, however, believe that effective popular participation in a free society which provided for workers' participation, including the right to form free and independent trade unions, was a useful element in contributing to social development and economic and social progress, as were other forms of popular participation.

45. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 78.

ORGANIZATION OF WORK

46. The CHAIRMAN reminded members of the Committee that the deadline for the submission of draft resolutions on all remaining items was Friday, 26 November.

47. Mr. BELL (Canada) said he was concerned at the fact that the deadline for the submission of draft resolutions was being set before the beginning of the debate on agenda item 12, which was one of the most important on the Committee's agenda and generally yielded many resolutions, and before the receipt of many important documents, particularly documents relating to human rights. Although he was well aware that the Secretariat was under pressure to identify the texts with financial implications, he felt that it was not a good precedent to submit important draft resolutions without having listened to the debate on the subject or having received the relevant documentation. He therefore wondered whether the deadline might be reconsidered, with delegations being given the responsibility of ensuring that texts submitted after 26 November would have no financial implications.

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48. The CHAIRMAN said that, given the deadline for the submission of draft resolutions with financial implications set by the General Assembly, it was inevitable that certain texts would have to be submitted before the debate. As far as documents were concerned, it was his understanding that all those relevant to the items to be considered would be available before the deadline. He assured members of the Committee that he did not wish to prevent delegations from submitting draft resolutions even after the deadline if it was clear that they had no financial implications. However, it was often difficult to determine whether or not a draft resolution did have such implications, and it would be very unfortunate if a draft resolution could not be considered because it had been submitted after the deadline under the mistaken impression that it had no financial implications. He therefore hoped that all delegations would work on their drafts as soon as possible and submit them by Friday, 26 November.

49. Mr. WALKATE (Netherlands) endorsed the remarks made by the representative of Canada and said that he had been encouraged by the Chairman's words concerning the deadline. It was inappropriate to draft resolutions without the relevant documents or a debate on the item. While he sympathized with the Secretariat, he felt that policy-making must be put before technical support.

50. The CHAIRMAN said that it was difficult to separate the effects of the two elements referred to by the representative of the Netherlands. Furthermore, there was no practical value in arguing that it was necessary to conduct a debate on the items before submitting draft resolutions. He hoped that delegations would agree that he could exercise a certain measure of flexibility and would take account of the interests of the Committee as a whole.

The meeting rose at 5.45 p.m.