



SUMMARY RECORD OF THE 49th MEETING

Chairman: Mr. DENG (Sudan)

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The meeting was called to order at 4.10 p.m.

AGENDA ITEM 133: REPORT OF THE AD HOC COMMITTEE ON THE DRAFTING OF AN INTERNATIONAL CONVENTION AGAINST THE RECRUITMENT, USE, FINANCING AND TRAINING OF MERCENARIES (continued)

1. Mr. BERGE (Nigeria), speaking on behalf of the sponsors, introduced draft resolution A/C.6/43/L.13, the preambular paragraphs of which recalled important decisions taken by organs of the United Nations condemning the use of mercenaries, particularly against developing countries and national liberation movements. In that connection, the draft mentioned the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples.
2. The operative paragraphs resembled those found in the relevant resolution adopted the previous year. Emphasis was placed on the need and desire to complete and adopt as soon as possible an international convention against the recruitment, use, financing and training of mercenaries. The basis for the Ad Hoc Committee's work and the renewal of its mandate were outlined clearly in the operative part. It was the hope of the sponsors, particularly in the light of the wide and positive participation by members during the debate in the Sixth Committee, that the draft resolution could be adopted without a vote.
3. Mr. AUST (United Kingdom) said that informal consultations had been held on the draft resolution with a view to achieving a concerted text such as those of previous years. An effort was being made to reach a consensus, but that would take time. He therefore proposed that consideration of the matter should be postponed until the afternoon of Monday, 28 November 1988.
4. Mr. KATEKA (United Republic of Tanzania) said he hoped that if it was decided to postpone the Committee's consideration of the matter until a later meeting, it would be possible to reach a consensus. Otherwise, his delegation was prepared to vote on the draft resolution at the current meeting.
5. Mr. TREVES (Italy) said that the United Kingdom proposal deserved serious consideration, since the draft resolution was being put forward at a crucial time in the life of the Ad Hoc Committee. He stressed the need for a consensus and said that it would be appropriate to postpone consideration of the matter in order to devise a generally acceptable text.
6. The CHAIRMAN said that if there was no objection, he would take it that the Committee decided to postpone consideration of draft resolution A/C.6/43/L.13 until Monday, 28 November 1988.
7. It was so decided.

AGENDA ITEM 136: DEVELOPMENT AND STRENGTHENING OF GOOD-NEIGHBORLIINESS BETWEEN STATES (continued)

8. The CHAIRMAN noted that the Committee had before it draft resolutions A/C.6/43/L.14/Rev.1 and A/C.6/43/L.20.

9. Mr. VOICU (Romania) noting that consultations had been held in connection with draft resolution A/C.6/43/L.14/Rev.1, said that, unfortunately, the formulation suggested by some delegations as a compromise text had not been acceptable to its sponsors. Consequently, his delegation had appealed at the previous meeting to the sponsors of the draft not to press it and to allow the Committee to adopt draft resolution A/C.6/43/L.20, which contained the main provisions of their text.

10. He suggested that draft resolution A/C.6/43/L.14/Rev.1 could be improved by the following amendments. He proposed that the third preambular paragraph of draft resolution A/C.6/43/L.20 should be inserted after the second preambular paragraph of draft resolution A/C.6/43/L.14/Rev.1. The existing third preambular paragraph of the latter document would then become the fourth preambular paragraph. The fifth, sixth and seventh preambular paragraphs of draft resolution A/C.6/43/L.20 should become the fifth, sixth and seventh preambular paragraphs of draft resolution A/C.6/43/L.14/Rev.1.

11. After an exchange of views in which Mr. KATRA (Lebanon) and Mr. ROSENSTOCK (United States of America) took part, the CHAIRMAN said that according to rule 130 of the rules of procedure, a motion was considered an amendment to a proposal if it merely added to, deleted from or revised part of the proposal.

12. Mr. VOICU (Romania), continuing his statement, said that paragraphs 1, 2 and 3 of draft resolution A/C.6/43/L.20 should be inserted before paragraph 1 of draft resolution A/C.6/43/L.14/Rev.1, which would then become paragraph 4. Paragraph 5 of draft resolution A/C.6/43/L.20 should become paragraph 5 of draft resolution A/C.6/43/L.14/Rev.1. The existing paragraph 2 of document A/C.6/43/L.14/Rev.1 would then become paragraph 6. In that way, the sponsors of draft resolution A/C.6/43/L.20 retained all the provisions of draft resolution A/C.6/43/L.14/Rev.1, which would make it possible for it to be adopted, as amended, without a vote.

13. Mr. AUST (United Kingdom), speaking on behalf of the sponsors of draft resolution A/C.6/43/L.14/Rev.1, said they had not obstructed attempts to reach a consensus on the item. Indeed, it was the sponsors of draft resolution A/C.6/43/L.20 who had failed to respond positively. There was little point in debating the item in the Committee unless a consensus could be reached.

14. With respect to the Romanian proposal to merge the two draft resolutions, he had yet to see a more extraordinary procedure. The representative of Romania had been attempting to secure priority for his draft resolution by back-door means and was totally out of order. His delegation proposed that the debate on the item should be adjourned to allow the conclusion of informal consultations.

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15. Mr. KAKOLECKI (Poland) said that his delegation seconded the proposal to adjourn the debate on the item.
16. Mr. SCHARIOTH (Federal Republic of Germany) said that the representative of Romania had, in effect, replaced draft resolution A/C.6/43/L.14/Rev.1 by the other draft resolution under consideration. Delegations could not accept that ploy, which would make nonsense of rule 131 of the rules of procedure. The Committee should follow the procedure proposed by the representative of the United Kingdom.
17. The CHAIRMAN said that the representative of Romania had stated that he was proposing amendments to draft resolution A/C.6/43/L.14/Rev.1, and the Committee must accept that at face value. In any event the Committee now had before it a proposal to adjourn the debate on the item.
18. Mr. ZENENGA (Zimbabwe), speaking on behalf of the Movement of Non-Aligned Countries, said that the Committee was close to a consensus, in view of which it would be advantageous to defer consideration of the item until the Committee's next meeting.
19. Mr. VOICU (Romania) said that his delegation would have no objection to a short suspension of the meeting so that a consensus could be reached, provided that both drafts were taken into consideration.
20. The CHAIRMAN drew the Committee's attention to rule 119 of the rules of procedure.
21. Mr. OULD EL GAOUTHE (Mauritania), speaking on a point of order, said that the United Kingdom proposal under rule 116 had priority.
22. Mr. KATEKA (United Republic of Tanzania) said that his delegation was greatly displeased by the procedural wrangling taking place in the Committee. It would be more productive to defer consideration of the item until the Committee's next meeting.
23. Mr. ROSENSTOCK (United States of America) said that his delegation supported adjournment of the debate under rule 116.
24. Mr. BYKOV (Union of Soviet Socialist Republics) said that, in order to facilitate a decision, his delegation proposed the immediate suspension of the meeting under rule 118.
25. The CHAIRMAN said that, in accordance with rule 119 (a), the meeting would be suspended.

The meeting was suspended at 5.10 p.m. and resumed at 6.05 p.m.

26. Mr. AUST (United Kingdom) said that, unfortunately, no consensus had been reached on the draft resolutions during the period of the suspension, despite intensive consultations. He therefore formally proposed, on behalf of the sponsors

(Mr. Aust., United Kingdom)

of draft resolution A/C.6/43/L.14/Rev.1, that the debate on the item should be adjourned under rule 116 until the Committee's 50th meeting, to be held on 28 November.

27. Mr. VOICU (Romania) said that he would not oppose the proposal of the United Kingdom.

28. Mr. ROSENSTOCK (United States of America) said that in view of the lack of consensus the proposal to adjourn was appropriate. He pointed out that rule 116 stipulated that two representatives might speak in favour of, and two against, the motion, after which it should be immediately put to the vote.

29. Mr. BYKOV (Union of Soviet Socialist Republics) said that he agreed with the United Kingdom proposal.

30. Mr. GARVALOV (Bulgaria) formally proposed that the meeting itself, as distinct from the debate on the item under discussion, should be adjourned under rule 119 (b). He pointed out that such a motion took precedence over all other proposals or motions before the meeting.

31. Mr. ROSENSTOCK (United States of America) said that one of the many brilliant attributes of the proposal by the representative of Bulgaria was that it was not open to debate. Unless there was opposition to the proposal, the Committee must proceed forthwith to a vote.

32. The CHAIRMAN invited the Committee to vote on the Bulgarian proposal.

33. The proposal was adopted by 98 votes to none, with 12 abstentions.

The meeting rose at 6.25 p.m.