



SUMMARY RECORD OF THE 45th MEETING

Chairman: Mr. PIRSON (Belgium)

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

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 98: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1980-1981 (continued)
(A/34/6, vols. I and II, and Add.1, A/34/7, A/34/38, sects. I-V; A/C.5/34/CRP.7)

First reading (continued)

Section 9. Transnational corporations (continued)

1. Mr. SADDLER (United States of America) said he wished to recall the salient features of the pronouncements of the General Assembly and the Fifth Committee on the subject of consultants. At its twenty-ninth session, the General Assembly had adopted the decision of the Fifth Committee contained in paragraph 30 of its report (A/9960) on the report of the Joint Inspection Unit concerning the use of experts and consultants in the United Nations. In that decision, the Fifth Committee had concurred in the recommendations of the Joint Inspection Unit, as modified by the Advisory Committee, and had decided to request the Secretary-General to take those recommendations fully into account in preparing and implementing a comprehensive system of policies, procedures and practices to be issued in the form of codified administrative instructions applicable to all departments and offices of the Secretariat. In that connexion, the Fifth Committee had pointed out that those instructions should include, in particular, the criterion that outside expertise should be resorted to primarily for specific assignments and only for the services for which provision could not be found within the established staff of the Secretariat for lack of specialized knowledge and/or expertise. The Fifth Committee had also stressed that the estimates under the heading of consultants in future biennial programme budgets should be prepared with determined restraint, with a view to achieving reductions in the funds requested for that field of activities. Finally, the Fifth Committee had noted the stated intention of the Secretary-General to present at the thirtieth session of the General Assembly a follow-up report on the implementation of the new system.

2. At the thirtieth session, at its 2,444th plenary meeting, the General Assembly had taken note of the Secretary-General's report on the use of experts and consultants in the United Nations and had reaffirmed its conviction that the decision it had adopted the preceding year should be implemented promptly, fully and effectively. That had apparently not been done, since the General Assembly had also decided to request the Secretary-General to submit to the thirty-first session, through the Advisory Committee, a report on the implementation of the decision in question.

3. At its thirty-first session, the General Assembly had adopted resolution 31/205 in which, after taking note of the report of the Secretary-General and reaffirming its previous decisions, it had requested the Secretary-General to submit to the thirty-second session a further report on the implementation of its previous decisions on the subject.

4. At its thirty-second session, the General Assembly had adopted a new resolution on the use of experts and consultants in the United Nations (resolution 32/203). In

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that resolution, it had recalled its decisions of 1974 and 1975 and resolution 31/205 and, after taking note of the report of the Secretary-General, had expressed the view that that report did not adequately respond to the requirements of the relevant decisions of the General Assembly and still reflected deficiencies in the implementation of the principles and guidelines governing the use of experts and consultants. The resolution had requested the Secretary-General to submit to the thirty-third session a full and comprehensive report containing detailed comparative data and a statement evaluating the status of implementation of the principles and guidelines laid down by the General Assembly.

5. If there had been any doubt about the intention of the General Assembly, resolution 32/209 on expenditure with respect to experts and consultants in the United Nations should have provided all the clarification needed. In that resolution, the General Assembly had noted with concern the level of appropriations for experts and consultants proposed by the Secretary-General for the biennium 1978-1979 as compared with the approved appropriations for 1974-1975. The General Assembly had also noted that the commendable reduction in proposed expenditure on consultant services envisaged in the estimates for the Department of Economic and Social Affairs in the proposed programme budget for the biennium 1978-1979 had not been reflected in the estimates for certain other budget sectors. Consequently, the General Assembly had requested the Secretary-General to re-examine proposed expenditure on experts and consultants with a view to achieving savings in the aggregate allocation for such activities and to report thereon to the thirty-third session.

6. At its thirty-third session, the General Assembly had adopted resolution 33/117 on the use of experts and consultants in the United Nations and, in section X of resolution 33/116 C, had authorized only five exceptions to the provisions of resolution 32/209.

7. Turning to the situation in the United Nations Centre on Transnational Corporations with respect to the use of experts and consultants, he referred to table 1.2 in document E/AC.51/98/Add.2 and noted that, while the Centre had spent a total of \$336,700 under the regular budget for consultants in the biennium 1976-1977, the revised appropriations for the biennium 1978-1979 had amounted to \$932,100. He believed that an increase of that magnitude was both unnecessary and unjustified. The argument that in 1976-1977 the Centre had barely begun its work was not a convincing justification for the increase. In fact, that argument would support a reduction in expenditure. It could be expected that, as time passed and the staff of the Centre grew and improved their competence and productivity, the expertise of the Centre would expand and improve in quality, thereby reducing the need to rely on the services of outside experts.

8. Another interesting phenomenon that came to light in document E/AC.51/98/Add.2 was that, although no consultants had been hired during the biennium 1976-1977 by the Centre/Regional Economic Commissions Joint Units, consultants had been hired in the following biennium (1978-1979), with all the funds coming from the regular budget. The distribution of those funds was also interesting: ECA, ECLA and ESCAP had received identical appropriations of \$49,500. That seemed to his delegation to

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be more like a distribution of patronage than a reflection of actual needs for the services of consultants in three regions where very different circumstances obtained.

9. In order to compare the use of consultants by the Centre on Transnational Corporations and other units of the Secretariat, he referred members to a note prepared for the resumed nineteenth session of CPC, which provided detailed budgetary information on expenditure for various purposes, including proposed expenditure on consultants. The Department of International Economic and Social Affairs had allocated only 1.9 per cent of its regular budget resources for consultant services. In that connexion, he recalled that, in resolution 32/209, the General Assembly had praised the restraint shown by the then Department of Economic and Social Affairs in the use of consultants. He further recalled that the General Assembly had not included the Centre on Transnational Corporations among the exceptions to the provisions of resolution 32/209 authorized in section X of its resolution 33/116 C.

10. With regard to the proposed programme budget for the biennium 1980-1981, he noted that, while the over-all use of consultants by the Department of International Economic and Social Affairs represented 1.9 per cent of the total regular budget funds requested for the Department, total expenditure on consultants by the Centre on Transnational Corporations represented more than 17.8 per cent of the regular budgetary funds requested for that programme. Accordingly, it was not surprising that the Advisory Committee had believed that the estimate might be reduced. He wondered whether the proposed reductions went far enough. With regard to consultant services in particular, after having analysed document A/C.5/34/CRP.7, his delegation was more than ever convinced that in many cases such services did not justify their cost.

11. It was stated in paragraph 9.10 of the proposed programme budget that the requirements for consultants under section 9 amounted to \$955,100. However, table 9.8 showed that that amount was merely the revaluation of the 1978-1979 resource base. The estimate for the biennium 1980-1981 was \$1,052,600. Moreover, since only \$740,000 had been spent during the biennium 1978-1979, the real increase in expenditure on consultants was 42 per cent.

12. Paragraph 9.11 of the proposed programme budget revealed that 81.8 per cent of the programme elements of subprogramme 1 (Policy analysis) would require consultants, because the majority of those programme elements presented unique research problems with few prior research efforts that could serve as models. Consultants would assist in project design and methodology. The over-all requirements in consultants' assistance were estimated as 60 work-months each for 1980 and 1981. The total of 120 work-months was equivalent to 12 work-years, or 6 in either year of the biennium. Of the 11 programme elements involved, four were of the lowest priority and none was of the highest priority. That meant that high-cost consultants were being engaged for work of low priority. Five of the programme elements called simply for reports to the Commission on Transnational Corporations, and one programme element consisted entirely of book reviews. Three of the four programme elements listed as being of lowest priority had a component of field study which, by comparison, was more justified since it involved the study of activities

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of transnational corporations in developing countries. Very few of the other activities absolutely required travel by consultants to developing countries. In some cases, travel from New York to Europe might be avoided by using existing links with the ECE joint unit.

13. With regard to subprogramme 2 (Formulation of a code of conduct and other international agreements or arrangements), both programme elements (code of conduct and corrupt practices) had been considered as highest priority. However, as indicated in paragraph 9.3, it was not yet known what specific output would be required. Paragraph 9.12 stated as justification for obtaining the services of consultants the fact that there was only a limited range of experts in theoretical and legal matters related to the code among the regular staff. The requirement for consultants for that subprogramme was 17 work-months a year in 1980 and 1981. It might be asked whether that meant that the regular staff was incapable of doing the necessary work on the highest priority programme elements of subprogramme 2.

14. Subprogramme 3 (Comprehensive information system) comprised 14 programme elements. The general consultancy requirement was estimated at 60 work-months a year for 1980 and 1981, or a total of 12 work-years. The appropriation requested would pay for outside expertise in the following subjects: international standards of accounting and reporting; information and industry analyses; information on financial practices and policies of transnational corporations; information on structural practices and policies of transnational corporations; transnational corporations and technology; and information on investment trends in transnational corporations. His delegation believed that those activities could be identified as corresponding to the following programme elements: programme element 3.2 (international standards of accounting and reporting) which was accorded highest priority; 3.8 (information on financial practices and policies of transnational corporations) of lowest priority; 3.9 (information on structural practices and policies of transnational corporations) also of lowest priority; 3.10 (information on transnational corporations and technology) and 3.11 (information on trends in investments by transnational corporations). In addition, a high degree of outside expertise was apparently needed for general information and industry analyses. However, elements 3.8 and 3.9 of subprogramme 3 had been assigned the lowest priority. Moreover, when the Committee for Programme and Co-ordination had made a study of the Centre on Transnational Corporations, CPC had been informed that much of the information that the Centre acquired for its comprehensive information system was obtained from commercial sources. Consequently, his delegation believed that in those circumstances the requirements for consultants were dubious and could not be justified.

15. In his delegation's view, the General Assembly in its resolutions on the use of consultants in the United Nations had clearly and unmistakably laid down the criteria that must guide programme managers in making recommendations and requests to use outside consultants. His delegation also believed that the good management of a programme must include suitable personnel policies that would facilitate the staffing of a unit by persons already qualified to carry out the normal work of that unit. The persons in question must also be able to expand their capacity over a

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period of time, so that they could take on more responsibilities in their field and expand the scope of their professional qualifications. Therefore he believed that the number of consultants in most Secretariat units should diminish rather than increase with the passage of time. Other substantive areas of the Secretariat had shown that they could perform complex functions and handle intricate and often specialized tasks with a minimal use of outside consultants.

16. To sum up, his delegation believed that the request for consultants in section 9 of the proposed programme budget was excessive. The use of outside consultants was justified only when they performed tasks that the regular staff of the Secretariat were not capable of carrying out because they lacked the specific expertise required. Setting aside the possibility that the regular staff of the Centre on Transnational Corporations were not competent to carry out nearly one fifth of the Centre's work programme, which would reflect a serious management problem, one could only conclude that the funds initially requested in the proposed programme budget for consultants under section 9 were too high and the reduction made by the Advisory Committee was justified. Therefore, his delegation considered that the only responsible course of action was to resist the excessively high level of funding requested for consultants, to endorse the recommendation of the Advisory Committee, and to urge other delegations to do likewise.

17. Mr. GARRIDO (Philippines) said that he agreed entirely with the United States representative regarding recourse to consultants under section 9 of the proposed programme budget and would fully support the reduction recommended by the Advisory Committee in its report (A/34/7).

18. With regard to the note by the Secretary-General on consultants (A/C.5/34/CRP.7), he would like to know what criteria had been employed for the evaluation and classification of the consultants' work. In his opinion, the note showed that there was some duplication of work regarding the implementation of a code of conduct. However, he had no objection since he understood that the implementation of a code of conduct involved various methodologies which must be studied carefully. That was not so with other branches, in which there did seem to be duplication of effort.

19. Mr. MAJOLI (Italy) said that the matter of consultants should be considered in the light of the relevant General Assembly resolutions to which the United States representative had referred in his statement.

20. In paragraph 9.4 of its report (A/34/7), the Advisory Committee had recommended a very slight reduction of barely \$102,600. As was stated in the same paragraph, the Committee was not convinced that the tasks of keeping the Centre up to date in the obtaining of information, and conducting new studies, required the large volume of resources requested.

21. The use of consultants in the United Nations should be the exception and not the rule. Therefore, he urged the delegations opposing the reduction recommended by the Advisory Committee to reconsider their views and to approve the appropriation of \$7,298,100 recommended by the Advisory Committee for that section.

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22. Mr. PEDERSEN (Canada) said that, although the Advisory Committee was not infallible, it was generally able to study the questions considered by the Fifth Committee in much greater depth than was possible for most delegations.

23. Nevertheless there was an increasing tendency for the Fifth Committee to reject too casually the Advisory Committee's recommendations, especially those involving budgetary reductions. After studying the information on consultants provided in document A/C.5/34/CRP.7, it was difficult to avoid the conclusion that the reduction recommended by the Advisory Committee was fully justified.

24. Moreover, he had reason to believe that some Member States had been lobbying for the restoration of cuts recommended by the Advisory Committee. If they succeeded, that would be tantamount to telling the Fifth Committee what decisions it should take.

25. If that tendency continued during the present session, the Secretary-General's efforts to hold budgetary growth to 0.8 per cent would be thwarted. Therefore, he wished to make it clear that Canada, as a major contributor, hoped that it would not be obliged to withdraw its support for the budget and vote against it.

26. Mr. MARTORELL (Peru) said that his delegation fully supported the Advisory Committee's recommendation regarding section 9 of the proposed programme budget.

27. The introduction to document A/C.5/34/CRP.7 stated that of all the consultants hired between January 1978 and October 1979, 60 had completed their task. Over half of those consultants (33) had been nationals of two countries. His delegation wished to know the criteria that had been used in selecting consultants.

28. With regard to the Centre's evaluation of the work carried out by the consultants, his delegation requested that the Committee be informed of the criteria used in grading that work as "excellent", "good" and "adequate or less than adequate", as indicated in the introduction to the note by the Secretary-General on consultants.

29. His delegation also requested information on the guidelines used to determine the salaries of the consultants, because in some cases there were wide discrepancies in the amounts of salaries received for the same length of service. For example, in one case the remuneration for 10 work-months had been \$9,000 and in another \$32,800.

30. Mr. PALAMARCHUK (Union of Soviet Socialist Republics) said that, generally speaking, his delegation attached great importance to section 9 of the proposed programme budget, for which the Secretary-General requested an extremely large appropriation.

31. Specifically with regard to the Advisory Committee's recommendation on expenditures for consultants, his delegation felt that if it erred it was on the side of conservatism.

32. It was clear from the note by the Secretary-General on consultants (A/C.5/34/CRP.7) that excessive spending on consultants, instead of assisting developing countries, was a waste of the funds provided by Member States.

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(Mr. Palamarchuk, USSR)

33. For example, the list of tasks carried out by external consultants contained in document A/C.5/34/CRP.7 mentioned work in such sectors as the pharmaceutical industry and non-alcoholic beverages. His delegation considered that sufficient material on those subjects was available and there had been no need to prepare documents entirely devoid of practical usefulness.

34. His delegation fully supported the recommendation of the Advisory Committee regarding section 9 of the proposed programme budget and would have wished for even greater rigour.

35. Mr. DENIS (France) shared the view of the representative of Peru that the vast differences in remuneration for consultants, varying from \$857 to \$4,267 a month, a ratio of nearly one to five, were inexplicable.

36. He likewise shared the surprise of the representative of the United States regarding the extremely general nature of the subjects of the studies carried out by consultants, as listed in document A/C.5/34/CRP.7. Such general studies were, for example, the "paper on the legal effects of transnational corporations" and the "report on methodologies on social, political and legal effects of transnational corporations". Of dubious value also were studies on extremely general subjects carried out over very short periods: for example, the two studies just mentioned had been completed in a month and a month and a half, respectively.

37. He wondered if the developing countries believed that operational conclusions could be drawn from such a heterogeneous collection of studies, numbering 87, which, as had been pointed out, cost an average of \$8,500. His delegation was opposed to paying for studies that could be carried out by qualified jurists whose services were provided for under the regular United Nations budget.

38. Mr. PAL (India) said that, although he shared the view that in general the Fifth Committee should not reject the recommendations of the Advisory Committee and that the use of consultants should be reduced to the minimum, those criteria should not be applied as uniform and strict rules without attention being given to the individual merits of each case. In that connexion, he noted that in the discussion on section 9, little attention had been paid to a characteristic peculiar to the United Nations Centre on Transnational Corporations, namely, that it had been created in accordance with the wishes of all developing countries, which were firmly convinced that transnational corporations had harmed their economies and that, unless the methods of operation of TNCs were studied closely and continuously, they would be without means of defence.

39. Referring to the statement by the representative of France, he said that the developing countries did indeed find the studies carried out by the Centre on Transnational Corporations useful, and it would be a mistake to think that those countries were not aware of their own needs.

40. With regard to the Soviet representative's reference to the studies on the pharmaceutical industry, he said that in that very field one of the studies carried out by the Centre had shown that some corporations in developed countries exported

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(Mr. Pal, India)

to developing countries drugs that were banned in those countries because they were hazardous to health. Until the study had been published, that extremely serious matter, which proved that transnational corporations were toying with the lives of millions of people in developing countries, had never been brought up.

41. The Fifth Committee should study proposals from the administrative and budgetary point of view, but it lacked the mandate and technical knowledge to consider substantive aspects of the work of the Centre on Transnational Corporations. Consequently, the Fifth Committee should not decide which studies should be carried out and which not, but should make proposals on the appropriations requested for implementing the studies. The figure of \$1 million, which some representatives felt was excessive, should not be viewed in absolute terms. It was indeed very high in relation, for example, to the food requirements of the poor countries, but it was trifling compared with the volume of business of the various transnational corporations, which operated in over 120 countries. With regard to the cost of the studies carried out by consultants, he said that a recent study in the United States to investigate malpractice charges against a physician had cost \$50,000.

42. With regard to document A/C.5/34/CRP.7, he said he did not share the view of previous speakers that many of the studies done by consultants could be carried out within the Secretariat. Many of the studies dealt with the activities of transnational corporations in specific countries, required the work of experts from those countries and could not be carried out by Secretariat staff members in New York, especially since transnational corporations withheld information on their activities.

43. It should not be forgotten that a political problem was involved. Member States had decided in another body that the studies should be carried out, and a reduction in the appropriation requested would make it difficult to do so. Consequently, he proposed that the Fifth Committee should approve the Secretary-General's estimate for section 9 of the proposed programme budget, without the reductions recommended by the Advisory Committee.

44. Mr. GARRIDO (Philippines), referring to the statement by the representative of India, said he did not feel that members of the Fifth Committee lacked sufficient knowledge of substantive matters. With the growth of the United Nations budget, the Fifth Committee had had to consider more and more appropriation requests to gain a thorough insight into each item of expenditure and accordingly had acquired considerable experience in that area.

45. Mr. PICO DE COAÑA (Spain) said that, in his delegation's view, the Centre on Transnational Corporations was useful. However, having studied document A/C.5/34/CRP.7, his delegation still felt that the use of funds for consultants was not in accord with the criteria set out in the relevant General Assembly resolutions, and that the reduction recommended by the Advisory Committee should have been greater.

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(Mr. Pico de Coaña, Spain)

46. Moreover, although his delegation agreed that the information requested by the representative of Peru was relevant and should be provided when possible, it thought that that should not prevent decisions being taken on section 9.

47. Similarly, his delegation noted that the preparation of a "case study on the role of transnational corporations in the tourism industry of Spain" had been entrusted to an expert from a country other than Spain; that was surprising in view of Spain's well-known experience with regard to tourism.

48. In the light of his remarks, his delegation supported the modest reduction recommended by the Advisory Committee with regard to section 9 of the proposed programme budget.

49. Mr. KHAMIS (Algeria) said that his delegation considered that the Centre on Transnational Corporations was of great importance and should receive adequate appropriations to carry out its mandate properly. Without disregarding the decisions of the Fifth Committee and the General Assembly on the use of consultants, his delegation supported the hiring of consultants by the Centre since it was a newly established body which was still not able to perform its work solely with the personnel available to it. Accordingly, his delegation supported the proposal of the representative of India.

50. Mr. SAHLGREN (Assistant Secretary-General, Executive Director, Centre on Transnational Corporations), referring to the statement made by the representative of the United States, said he wished to state that during his long career he had never had the privilege of working with such a competent and dedicated staff as that of the Centre on Transnational Corporations.

51. In reply to the question put by the representative of the Philippines concerning the criteria used in evaluating or grading the work of consultants, he said that the only criterion used was the quality of the work done.

52. With regard to the question asked by the representative of Peru, he said that, as could be seen from the list appearing in document A/C.5/34/CRP.7, approximately 40 per cent of the consultants hired by the Centre were nationals of developing countries and that the Centre was endeavouring to use an even greater number of consultants from those countries. That was not always possible owing, on the one hand, to the non-availability of consultants when specialized knowledge was required in certain spheres, and, on the other, to the fact that certain aspects of the research being carried out at the current stage of the Centre's activities required a detailed analysis of information on transnational corporations which could only be obtained in developed countries.

53. The honoraria paid to consultants from developing countries had increased from 23 per cent of the total in 1978 to 40 per cent in 1979. There were no comparative figures for the United Nations system as a whole at the present stage, but he had been able to consult statistics relating to consultants from developing countries employed on activities financed by UNDP; the percentages for the years 1977 and 1978

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were, respectively, 28 per cent and 33 per cent. Despite the fact that the figure for the Centre on Transnational Corporations was slightly higher, he said that it was still not considered adequate and that efforts would continue to be made to improve it.

54. The CHAIRMAN suggested that a vote should be taken on the proposal submitted by the delegation of India, namely, that the Committee should approve in first reading the estimate of \$7,400,700 submitted by the Secretary-General under section 9 and that it should accordingly reject the reduction of \$102,600 in the estimates for consultants recommended by the Advisory Committee.

55. Mr. LAHLOU (Morocco), speaking in explanation of the vote before the vote, said that his delegation supported the proposal of India, since the Centre on Transnational Corporations needed the necessary resources and assistance in order to be able to carry out its functions and fulfil its mandate. The Centre did not at present have the staff to perform all the tasks entrusted to it and, as no appropriations had been included in the proposed programme budget for 1980-1981 for an increase in its staff, it would be obliged to continue to use the services of outside experts and consultants. The Centre should select those experts and consultants with the greatest care and it should continue to try to hire experts from the developing countries.

56. It should be pointed out that the Centre had carried out a series of technical co-operation activities which had been of great value to the developing countries. Its information services should be expanded in order to meet all the needs of the developing countries, particularly with regard to the negotiations with transnational corporations. Moreover, the Centre had carried out, and continued to carry out, extremely important research projects. For all those reasons, the Committee should provide the Centre with the resources which it needed.

57. Mr. KUYAMA (Japan) said that his delegation could not support the proposal of the delegation of India because it had doubts concerning the way in which the services of consultants were used in the Centre. In his view, the Advisory Committee should have recommended a more drastic reduction in the estimates.

58. Mr. WILLIAMS (Panama) said that his delegation would vote against the proposal of India because it appeared that at least five or six of the studies for which the Centre had hired consultants had already been carried out by the World Bank and the International Monetary Fund and were to be found in the libraries of those agencies. A more thorough examination would probably show that in other agencies, too, there were studies similar to those which had been carried out by consultants.

59. Mr. MARTORELL (Peru) said that his delegation would vote against the proposal of the delegation of India because it shared the view expressed by the Advisory Committee in paragraph 9.4 of its report that the Centre should by now have been able to show that it could operate by itself and should not rely excessively on outside consultants as it had done so far, as had been shown by the debate.

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60. Miss ZONICLE (Bahamas) said that in view of the openness of the economy of the Bahamas and the concentration of transnational corporations in that country, her delegation in no way wished to impede the work of the Centre on Transnational Corporations. However, the debate on section 9 had brought to the fore and called in question the very *raison d'être* of the Fifth Committee and the Advisory Committee, which was to ensure that United Nations programmes were implemented in the most efficient and cost-effective way possible. Moreover, her delegation was convinced that the reduction recommended by the Advisory Committee would not affect the work of the Centre, since that was not the objective, but would ensure that the expertise currently available in the Centre itself or in other units of the Secretariat was utilized. For those reasons, her delegation could not support the proposal of the delegation of India.

61. A vote was taken on the proposal submitted by the delegation of India.

62. The proposal of India was rejected by 45 votes to 35, with 23 abstentions.

63. Mr. BRODODININGRAT (Indonesia), speaking in explanation of the vote after the vote, said that, although his delegation was not opposed to the proposal of India because of the importance it attached to the Centre's programme, it recognized the value of the Advisory Committee's recommendation from the budgetary standpoint and, despite the explanations of the representatives of the Secretary-General, it was convinced that the Centre would be able to carry out its work properly even if the funds for consultants were reduced. Guided by those considerations, his delegation had abstained in the vote.

64. Mr. BUJ FLORES (Mexico) said that his delegation had supported the proposal of India, but that that in no way diminished its confidence in the capacity, integrity and efficiency of the Advisory Committee. Its affirmative vote was due to the importance which it attached to the work of the Centre, in the continued effectiveness of which the group of developing countries placed great hopes.

65. Mr. AYADHI (Tunisia) said that his delegation regarded the work of the Centre as extremely important and had expressed the view that it needed and would continue to need resources to hire the services of competent consultants who would contribute to the achievement of its goals. However, it had already expressed its support for the recommendation of the Advisory Committee and, regretfully, it had maintained that position.

66. Mr. LÖSCHNER (Federal Republic of Germany) said his delegation had voted against the Indian proposal because it still believed that the reduction recommended by the Advisory Committee was justified and even too modest. His delegation would have supported the budget proposal under section 9 if the Committee had accepted the reduction. However, he wanted to make it quite clear that his negative vote should not be interpreted as indicating a lack of confidence in the work of the Centre in general.

67. Mr. SERBANESCU (Romania) said his delegation considered that the activities of the Centre were very important and that the latter should have the funds it needed

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(Mr. Serbanescu, Romania)

to carry them out, but in the course of the debate basic needs had been confused with the policy used to meet them. His delegation was not entirely satisfied with the way in which experts and consultants had been recruited for the Centre, namely on a relatively limited geographical basis, or with the criteria for remuneration, which in some cases seemed to be doubtful or arbitrary. For those reasons he had abstained from voting.

68. Mr. BLACKMAN (Barbados) said that his delegation had abstained from voting because, although it considered the work of the Centre very important, it felt that the need for savings should not be overlooked, irrespective of where the work was done or who it benefited. Furthermore, it was not convinced that the reduction recommended by the Advisory Committee would hamper the work of the Centre in any way.

69. Miss GUIMARAES (Brazil) said that her delegation recognized the importance of the work of the Centre, but felt that the latter should use the staff resources of the Secretariat to better effect. For that reason she had abstained from voting.

70. The CHAIRMAN suggested that the Fifth Committee should approve in first reading the appropriation recommended by the Advisory Committee under section 9.

71. The recommendation of the Advisory Committee for an appropriation of \$7,298,100 under section 9 was approved in first reading.

Section 26. Legal activities

72. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had recommended a reduction of \$265,800 under that section but that in fact the real reduction was only \$67,100, since three reductions totalling \$198,700 were for requirements which depended on the adoption of certain decisions. The three reductions in question were: an amount of \$109,300 related to the publication of the Treaty Series. The Advisory Committee was recommending that that amount should be considered in the context of the plan of action to be proposed by the Secretary-General to deal with the backlog in the publication of the Treaty Series; an amount of \$42,600 for travel of staff of the Codification Division to service meetings, which had been deleted pending a decision on where the meetings would be held, as indicated in paragraph 26.11 of the report; and a reduction of \$46,800 resulting from a reduction in the percentage used for purposes of calculating common staff costs at Vienna, as recommended in paragraph 26.17.

73. The remaining reductions, totalling \$67,100, related to the estimate for travel of representatives (para. 26.3), travel of staff to service meetings of the International Law Commission (para. 26.4), redeployment of posts in the Office of the Legal Counsel in order to avoid creating a new post (para. 26.6) and deletion of an estimate for miscellaneous services for 1980-1981 (para. 26.12).

74. Mr. SERBANESCU (Romania) praised the work done by the Advisory Committee with regard to section 26 and expressed the hope that all its recommendations would be adopted.

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75. Mr. SADDLER (United States of America) drew the attention of the Committee to paragraphs 26.13 to 26.16 of the report of the Advisory Committee and said his delegation agreed with that Committee's recommendation that the posts mentioned in those paragraphs should not be filled until financing for them had been assured.

76. Furthermore, he had been very surprised by the fact that in the section under consideration no justification had been given for the resources requested. In general, his delegation considered that the information provided was totally inadequate.

77. In future, the proposed budget should provide more justification for estimates, so that the Fifth Committee could take a decision with a fuller knowledge of the facts.

78. His delegation would support the recommendations of the Advisory Committee relating to section 26 of the proposed budget.

79. Mr. MAJOLI (Italy) said his delegation would support the appropriation recommended by the Advisory Committee under section 26 of the proposed budget. However, it would like to have more information about the recommendation of the Advisory Committee contained in paragraph 26.9 of its report (A/34/7). In that paragraph it was recommended that action on the Secretary-General's proposals for resource requirements for the Treaty Section should be deferred until the Assembly had considered the report he was to submit to it at its thirty-fourth session on the plan of action to eliminate the backlog in the publication of the Treaty Series. The Advisory Committee's recommendation would entail a reduction of the estimate by \$109,300. Since the Treaty Series constituted a fundamental element of the work of the United Nations, his delegation hoped that all necessary precautions would be taken to eliminate the backlog in that regard as soon as possible.

80. Mr. AYADHI (Tunisia) said he fully supported the comments by the representative of Italy and did not understand the reduction recommended by the Advisory Committee with regard to the section under consideration.

81. The CHAIRMAN said that paragraph 26.37 of the proposed budget indicated that the Secretary-General would submit a separate report to the General Assembly at its thirty-fourth session. The list of documents to be considered by the Fifth Committee referred to a document of the Secretary-General concerning his depository functions which was to be issued in mid-November.

82. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that paragraph 26.9 of the Advisory Committee's report (A/34/7) was perfectly clear: in connexion with paragraph 26.37 of the proposed programme budget (A/34/6, vol. II), that paragraph stated that "The Committee notes that the Secretary-General will submit a separate report to the General Assembly at its thirty-fourth session on his proposed plan of action to eliminate the backlog in the publication of the Treaty Series". Thus the position of the Advisory Committee was clear: it considered that the Secretary-General's initial request for additional resources should be studied in the light of the report which he would be submitting. To accept the estimate of \$109,300 would be to adopt a fragmentary approach to the question.

(Mr. Mselle)

83. That was not a new attitude; it had already been adopted in connexion with subsection 28M, for which the Advisory Committee had recommended that consideration of an estimate of \$17,880,300 be postponed until the Secretary-General submitted the relevant report; the same attitude had been adopted with regard to subsection 28C, for which it had been recommended that consideration of an amount of \$412,500 be postponed until the Advisory Committee was able to study the reclassification programme.

The meeting rose at 1.05 p.m.