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SPECIAL POLITICAL COMMITTEE
6th meeting
held on
Wednesday, 9 October 1985
at 10.30 a.m.
New York

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SUMMARY RECORD OF THE 6th MEETING

Chairman: Mr. KORHONEN (Finland)

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The meeting was called to order at 10.45 a.m.

AGENDA ITEM 77: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/SPC/40/L.5)

1. Mr. NOWAK (Poland) said that the international community had recognized over the years the importance and value of peace-keeping operations in the settlement of disputes in spite of the problems involved and the deadlock in the Special Committee on Peace-Keeping Operations.
2. A thorough examination of the relevant provisions of the Charter showed that the various aspects of peace-keeping operations, including their financing, were the exclusive responsibility of the Security Council. While not denying the importance of the General Assembly and its right to discuss any question relating to the maintenance of international peace and security and to make appropriate recommendations, the Security Council, whose responsibilities included, inter alia, deterring aggression, protecting the sovereignty of States, and creating favourable conditions for the peaceful settlement of disputes, was the only organ competent to conduct peace-keeping operations in accordance with the provisions of the Charter. The specific duties of the Security Council in that regard should be further formulated, particularly with respect to defining the mandates and purpose of peace-keeping operations, their duration and financing, the formation of a high command and the composition of troops.
3. Peace-keeping operations were not an end in themselves, but a means to achieve an end, namely, stopping the aggressor and, wherever possible, facilitating the peaceful settlement of disputes. The United Nations, however, could not remain "neutral" in the face of aggression.
4. History showed that departing from the relevant provisions of the Charter or contravening them had serious consequences for the Organization as a whole and for the cause of maintaining peace. It also showed that resorting to arrangements outside the framework of the United Nations was ineffective and sometimes only compounded the problem.
5. The adoption of agreed guidelines for conducting peace-keeping operations would be of great benefit to the Organization. Although the Special Committee on Peace-Keeping Operations had made some progress in that area until 1978, it had been deadlocked since then: it should be reactivated by considering all the interesting ideas and proposals put forward in the course of various debates in order to further, on the basis of consensus, the formulation of guidelines for peace-keeping operations and to discuss practical measures relating to them.
6. Poland had always supported United Nations peace-keeping operations and more than 17,000 Poles had loyally served the Organization in different operations. As a symbolic gesture demonstrating Poland's support for the United Nations and its efforts to maintain peace, on 17 September, the opening date of the fortieth session of the General Assembly, a special unit of the Polish Army wearing the blue helmets of the United Nations peace-keeping forces had stood guard at the Tomb of the Unknown Soldier in Warsaw. That ceremony would be repeated on 24 October, United Nations Day.

(Mr. Nowak, Poland)

7. The spirit of co-operation and dedication prevailing among the various troops from different regions and socio-political systems proved that there were vast opportunities for co-operation, if countries had the proper political will. At the individual, human level, Polish soldiers returning home were strong supporters of the United Nations and its cause.
8. Poland provided logistical support for peace-keeping operations and had acquired considerable experience in that field, particularly with regard to transport and communications, road building, the organization of field health-care units, clearing mines, and supplying drinking water: those were highly specialized tasks which required training. In that connection, it would be useful to consider in a comprehensive manner the experiences of all troop-contributing countries and arrive, if possible, at appropriate conclusions.
9. Mr. FALTZ (Luxembourg), speaking on behalf of the 10 States members of the European Economic Community and Spain and Portugal, said that United Nations peace-keeping operations, which were primarily the responsibility of the Security Council, were of fundamental importance for the effective implementation of the Charter. Peace-keeping operations were one of the most important innovations and at the same time one of the greatest successes of the Organization. The fortieth anniversary provided a special opportunity for reaffirming the commitment of the international community in that regard and for examining, on the basis of experience, possible ways of strengthening that essential activity.
10. The Ten plus Spain and Portugal were sincerely grateful to the Secretary-General for his apposite analysis of the problem in his last report on the work of the Organization, the conclusions which he had reached, particularly with regard to the role of the Secretary-General in that field, and the concrete suggestions which he had made to the Security Council. Those proposals constituted a very positive contribution to the efforts to strengthen peace-keeping activities. The Security Council itself had sought to underscore the importance of the peace-making role of the United Nations by holding a recent commemorative meeting at the foreign-minister level.
11. The States members of the Community, together with Spain and Portugal, had been particularly interested from the outset in United Nations peace-keeping operations conducted in accordance with the Charter and had participated in all but one of them. Peace-keeping operations and observer missions had effectively helped to limit conflicts and had furthered the search for peaceful solutions in various parts of the world. The fact that those operations had been successful in rather different regional and political contexts, in spite of the problems experienced by some individual operations, proved the value of peace-keeping operations.
12. It was essential to bear in mind that peace-keeping operations should not be confused with enforcement actions in order to avoid jeopardizing their chances of success and their credibility. Their objective was to maintain peace, not impose it. Peace-keeping operations could function only with the co-operation of the parties concerned on the basis of a mandate clearly defined by the Security Council and with its consistent support. They must enable a climate to develop conducive

(Mr. Faltz, Luxembourg)

to a just and lasting solution. On the other hand, the presence of United Nations peace-keeping forces could not be a substitute for solving problems and must not be used to consolidate or perpetuate a fait accompli.

13. A further requirement for the success of peace-keeping operations was the freedom of movement which United Nations peace-keeping forces must have in the areas assigned to them. It was also necessary to ensure proper security conditions for their personnel. Lastly, peace-keeping operations must be established on a sound financial basis.

14. The argument that the aggressor must be held financially responsible and that troop-contributing countries must bear the costs of peace-keeping operations was untenable. The cost of such operations, which were established in accordance with the Charter, must be included in the expenses of the Organization and be borne by all Member States. He urged those States which, while professing support for the maintenance of peace and security, failed to meet their financial obligations, to assume a fair share of the cost of peace-keeping operations.

15. It was regrettable that the Special Committee on Peace-Keeping Operations had been unable to make headway in formulating guidelines that would govern the conduct of peace-keeping operations in accordance with the Charter and in considering practical measures for facilitating those operations. General Assembly resolution 38/81 of 15 December 1983, stressing the collective responsibility of Member States to share equitably the financial burden of such operations established by the Security Council, could constitute an excellent working basis for advancing the work of that Committee.

16. The countries of the European Economic Community, together with Spain and Portugal, wished to pay a tribute to the members of the United Nations Interim Force in Lebanon (UNIFIL) for the dedication which they had displayed in performing their duties. However, they were still concerned by the fact that UNIFIL had not been able fully to discharge its mandate. They appealed to all the parties involved in the conflict to give UNIFIL every possible assistance to enable it to carry out the tasks entrusted to it.

17. With regard to the Middle East conflict in the broadest sense of the term, the Ten plus Spain and Portugal recalled that they were ready to participate, within the framework of a comprehensive settlement, in a system of specific and binding international guarantees, including in the field. According to the Venice Declaration, the guarantees for a peaceful settlement should be provided by the United Nations by a decision of the Security Council and, if necessary, on the basis of other mutually agreed procedures.

18. The Ten, together with Spain and Portugal, reaffirmed their support of the proposal for a settlement of the Namibian situation, as approved in Security Council resolution 435 (1978), and they repeated their urgent appeal for the proposal to be implemented as quickly as possible.

19. With regard to the situation in Cyprus, he emphasized the key role played by the United Nations Peace-keeping Force in Cyprus in creating conditions conducive to seeking a peaceful solution. As the Secretary-General had stressed in his

(Mr. Faltz, Luxembourg)

report (S/17227), the continued presence of the Force remained indispensable in helping to maintain calm on the island and in creating the conditions in which the search for a peaceful settlement could best be pursued.

20. The Ten plus Spain and Portugal also took note of the contribution made to peace-keeping by other United Nations operations. They reaffirmed their confidence in the way in which the Secretary-General was conducting those operations on behalf of the United Nations. They also congratulated the Governments which had provided troops and equipment and they paid a tribute to the soldiers from many countries for the courage and dedication with which they were fulfilling their duty under the United Nations flag, and particularly to those who had been wounded or had given their lives in the cause of peace.

21. Mr. SCHLICKE (German Democratic Republic) stressed the importance of peace-keeping operations in the context of the measures which the United Nations was required to take to maintain peace and strengthen international security and, in particular, to settle dangerous conflicts. He noted, however, that such measures were far from being the only ones available to the United Nations and that, faced with the threat of a nuclear war, it was of vital importance to formulate the political and legal principles governing peaceful coexistence. The Soviet proposal concerning the conclusion of a treaty on the non-use of force in international relations and of a treaty on the mutual renunciation of the use of military force and on the maintenance of peaceful relations between the States members of the Warsaw Treaty and the States members of NATO remained useful and realistic initiatives for that purpose.

22. His country attached great importance to the work of the Special Committee on Peace-Keeping Operations and regretted that that Committee had failed to submit a report. The practical experience gained so far in the conduct of those operations demonstrated the urgent need to have general guidelines which might serve as the basis for formulating practical measures. In order to break the deadlock in the Committee, all its members should approach the problems in a constructive and realistic spirit.

23. Only the provisions of the Charter could form the basis of the general guidelines governing peace-keeping operations and their implementation. With regard to the conduct of peace-keeping operations, only the Security Council was competent to decide on the composition, strength, mandate, command and financing of the United Nations forces. Finally, in accordance with the principle of international law that the aggressor was responsible for his action, the aggressor was also responsible for financing peace-keeping operations.

24. On the occasion of the fortieth anniversary of the United Nations the international community should make every effort to enhance the effectiveness of the Security Council in the maintenance of international peace and security and to make substantial and balanced progress in formulating the general guidelines and practical measures for effective peace-keeping operations.

25. Mr. POTTS (Australia) stressed his country's continuing interest in peace-keeping operations under the Charter, which deserved the unstinted support of all Member States. His Government expressed its appreciation to the countries which contributed troops to the various United Nations forces, to whom the whole world owed a debt of gratitude. His Government had played its part in the peace-keeping burden by making a substantial commitment of personnel to the United Nations Military Observer Group in India and Pakistan, UNTSO, and the United Nations Peace-keeping Force in Cyprus, to which it had also contributed financially. It had also indicated its willingness to contribute a contingent of engineers to the United Nations Transition Assistance Group in Namibia.

26. Despite the valuable role which peace-keeping operations had often performed, they had not all enjoyed the same success, owing to the very varied conditions in which they had been carried out. It was none the less possible to examine the means for enhancing their effectiveness, an issue from which the United Nations should not stand back, notwithstanding the difficulties and differences of opinion involved in such operations. The Special Political Committee had been set up 20 years before to carry out that role but it had little to show for its existence. Rather than dwelling on the reasons for that inactivity his delegation expressed the hope that the Committee would turn its attention to the issues which it should be addressing, including the status of forces agreements between the United Nations and the host countries and the disproportionate burden incurred by the troop-contributing countries, especially the developing countries, of which Fiji was a noteworthy example.

27. His delegation would do what it could to assist the Special Committee in its work. It supported draft resolution A/SPC/40/L.5 and ventured to hope that the draft resolution submitted to the next session under the same agenda item would be a substantive document rather than a simple procedural device.

28. Mr. ADEYEMI (Nigeria) recalled that Chapters VI and VII of the Charter made provision for the pacific settlement of disputes and for the adoption and implementation of effective measures with respect to threats to the peace, breaches of the peace and acts of aggression. Unfortunately, those provisions had not actually been carried out because of the inability of Member States to rise above their narrow national interests in an age that called for a wider horizon of internationalism. Faced with the impossibility of applying the provisions of the Charter in practice, the United Nations had developed the concept of peace-keeping and had gained considerable experience in conducting operations in that field. Such operations had turned out to be the only means of real action the Organization could take.

29. Moreover, problems did arise with respect to the peace-keeping operations. Nigeria, which had considerable experience of such operations, believed that the problems should be comprehensively reviewed. First of all, it seemed that peace-keeping operations had not often been supported by the parties concerned. Peace-keeping forces could not, however, be expected perpetually to act as a buffer between the combatants. Ideally, the presence of a United Nations force should contribute towards creating a climate in which the root causes of the conflict could be attacked and should be a catalyst for peace-making. Unfortunately, very often the peace-keeping efforts had led to a deadlock rather than a resolution of the conflict. That trend must be corrected, for it was a cause of frustration for

(Mr. Adeyemi, Nigeria)

all the parties and was likely to expose United Nations forces to unnecessary danger. Moreover, the relative permanency of a peace-keeping force affected the zeal of the countries which contributed troops and services and their ability to continue participating in the operations.

30. A second major problem was the financing of operations, which placed a heavy burden on countries providing contingents and for which no satisfactory solution had been found since the early 1960s. His delegation believed that peace was indivisible and that United Nations peace-keeping operations should be seen as the responsibility of all members of the international community. Consequently, ways must be found to make it possible, and indeed obligatory, for all Members of the Organization to contribute their prescribed quotas to peace-keeping operations.

31. It should not be forgotten, however, that the Charter of the United Nations placed primary responsibility for the maintenance of international peace and security on certain Members of the Organization, namely, the five permanent members of the Security Council, who enjoyed special powers under the Charter. His delegation believed, furthermore, that when the United Nations was unable to mobilize enough funds for its peace-keeping operations, the permanent members of the Security Council should consider it their duty to provide the necessary additional funds to ensure the practical implementation and effectiveness of such operations.

32. The third problem concerned the mandate given to peace-keeping forces by the responsible bodies of the Organization. In some cases, that mandate was ambiguous and was bound to create problems for the commanders on the ground. While such ambiguity at times enabled the conflicting parties and their allies to accept the idea of peace-keeping and the emplacement of third-party personnel, the chances of success were nevertheless much greater when the mandate was specific and clear. In the absence of a precise mandate from the United Nations, a protocol agreement setting out in detail what the force was expected to do on the ground was a sine qua non for successful operations. Experience thus far had shown that mandates accompanied by a detailed protocol had contributed significantly to the operational viability of peace-keeping forces.

33. Lastly, there were other problems concerning command and control, the relationship of the United Nations force to host countries and the local population, and the question of the duration of each peace-keeping operation.

34. The commemoration of the fortieth anniversary of the United Nations should be an occasion for making rapid strides in the completion of agreed guidelines and for taking practical measures regarding peace-keeping operations. The major Powers assumed the greatest responsibility in that regard since, even if for no other reason than to justify their privileged status in the Security Council, they must demonstrate the requisite political will for early implementation of the General Assembly resolutions on that subject.

35. His delegation strongly supported draft resolution A/SPC/40/L.5 concerning the renewal of the mandate of the Special Committee on Peace-Keeping Operations.

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36. Mr. LIANG Yufan (China) said that while there had been no world war in the last 40 years, regional conflicts had never ceased to threaten peace. It was therefore necessary to enhance peace-keeping operations which, in order to be effective, must be conducted in strict conformity with the purposes and principles of the United Nations Charter. In that regard, his delegation wished to make a number of observations.

37. For peace-keeping operations to be successful, they must be conducted in accordance with an explicit mandate of the Security Council, and the parties concerned should strictly comply with their obligations under the Charter in accepting such operations. That was not always the case, however, as demonstrated by the example of UNIFIL. During its massive invasion of Lebanon in 1982, Israel had completely disregarded the Interim Force, thus damaging the credibility both of peace-keeping operations and of the United Nations. Because of Israel's obstruction, the Interim Force had thus far been unable to carry out the task entrusted to it by the Security Council. That body should take the necessary steps to ensure that its decisions on peace-keeping operations were respected and implemented.

38. It was important to remember that such operations were only a temporary measure and could not be a substitute for a genuine settlement of conflicts. They afforded opportunities which the parties concerned should utilize for seeking a political settlement through peaceful negotiations. However, the mandate of some operations had been extended time and again, while few efforts had been made in the search for a political settlement of the conflict. It had been suggested that, in deciding on peace-keeping operations, the Security Council should demand a commitment from the conflicting parties to the prompt commencement of peaceful negotiations. That suggestion deserved to be given careful consideration.

39. The financing of peace-keeping operations continued to be an issue that caused concern. In order to avoid any recurrence of the crisis in the Organization which that problem had already provoked, all parties concerned must assume their responsibilities.

40. Lastly, with regard to the work of the Special Committee on Peace-Keeping Operations, his delegation deplored the fact that that body had been inactive for nearly two years. The Special Committee should be accountable to all Member States since its mandate had been entrusted to it by the General Assembly, and the only basis for its work should be the principles and purposes of the Charter. The Committee's task was collective in nature, and it could be successful only if all its members, in a spirit of co-operation, sought consensus and common ground and set aside their differences. His delegation hoped that the Special Committee would live up to its responsibilities and resume its work.

41. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the world was now faced with decisive choices on which the success of collective efforts to eliminate the risk of war and confine local conflicts would depend. The Soviet Union was convinced that the United Nations, which held a particular responsibility in that regard, had considerable potential for effectively improving international relations and strengthening world security. It was more important than ever to use all the resources of the Charter to suppress any act of aggression and safeguard

(Mr. Smirnov, USSR)

the sovereignty of States, and especially to use the machinery of recourse to armed force as envisaged in Chapter VII, for which the idea of collective security was crucial.

42. For 40 years the USSR had consistently advocated the employment of that machinery in strict observance of the provisions of the Charter, namely, in the common interest and not with the inadmissible purpose of serving unilateral action.

43. Many Member States had recently urged the strengthening of the role which the Organization played in the maintenance of international peace and security, and in particular the enhancing of the effectiveness of the Security Council with regard to peace-keeping operations. For the majority of Member States, United Nations forces could be employed only on a solid and co-ordinated basis, without which, as experience had shown, such operations could not be successful. The Charter set out clearly the modalities for such operations. Compliance with them, for Member States, was therefore not only a duty but also the expression of political will to work towards the objectives of the United Nations.

44. Under one of the fundamental provisions of the Charter, only the Security Council was entitled to take measures to maintain or restore international peace and security through the employment of contingents of armed forces and personnel of Member States. The Security Council was therefore responsible for all decisions regarding the establishment, setting of tasks, composition and personnel, duration of activities, command and financing of such forces. An important role also belonged to the Secretary-General of the United Nations, who should contribute by every possible means to the implementation of the Security Council resolutions regarding peace-keeping operations.

45. Revision or disregard of those fundamental principles of the Charter not only damaged the prestige of the United Nations but could also present serious risks for States which requested assistance from the Organization, as had been shown by the operations carried out in the Congo. It was of the utmost importance, therefore, to draft guidelines to govern peace-keeping operations and establish the solid foundation required in conformity with the Charter. The decision to draft such principles had been based on consensus and reaffirmed by the General Assembly in several of its resolutions. The agreement and active participation of the majority of countries had enabled the Special Committee to make progress in its work and to adopt at the first reading draft articles concerning virtually all issues related to the deployment of peace-keeping operations, and had made it possible for the Security Council in the 1970s to take useful decisions on such operations. It was therefore surprising that some representatives, who, it should be recalled, had joined in that consensus, too, were trying to cast a shadow over the results achieved and above all to dissociate themselves from the constructive joint efforts which had been made.

46. His delegation observed that drafting work had been at a standstill since 1978 and that the climate of understanding within the Committee had been poisoned by artificial obstacles, especially by the attempts of some delegations to ignore the Committee's mandate and highlight secondary measures which distracted attention

(Mr. Smirnov, USSR)

from the fundamental problems. His delegation, which had consistently deplored such a change of attitude, was for its part ready to pursue the work in the same spirit of co-operation as before.

47. Apart from disputes over the interpretation of various provisions of the Charter, the essential point was to know how and for whose benefit United Nations forces would be used. It was the view of the USSR that such forces could only be used "in the common interest", as set forth in the Charter.

48. The deliberate hampering of efforts to work out guidelines and to implement the principle of collective security caused States to be deprived of United Nations protection and left the way open for acts of intervention, as evidenced by the attacks carried out against sovereign States with ever-increasing audacity by South Africa and Israel, which were raising so-called "multinational forces" and pursuing a policy of State terrorism.

49. It was therefore particularly urgent that the Special Committee on Peace-Keeping Operations should contribute to the implementation of the principle of collective security, as defined in the Charter, by finalizing the guidelines which would be of benefit to all States. The Soviet delegation hoped that all States Members would adopt a constructive approach. It was prepared to join in collective efforts with a view to reaching agreement on that complex question.

50. Mr. TEWARI (India) said it was regrettable that, despite the best efforts of all concerned, the Special Committee on Peace-Keeping Operations had failed to finalize agreed guidelines which would govern the conduct of peace-keeping operations in accordance with the Charter of the United Nations. At its thirty-fourth session, the General Assembly had once again expressed its concern at the lack of progress made in that area. No substantive documentation had subsequently been presented to the General Assembly on the issue, and the Special Committee had unfortunately achieved only few positive results. It was a matter of deep regret that, even after two decades, the Special Committee had not yet reached agreement on how to carry out its mandate.

51. Peace-keeping operations could function properly only with the co-operation of the parties involved and by means of a clearly defined mandate from the Security Council. In order to achieve a concrete and lasting solution to the important problem of peace-keeping, the permanent members of the Security Council would have to display the necessary political will.

52. Peace-keeping operations would have to comply with certain general principles. They should not be considered as a substitute for the search for solutions to conflicts, nor should they be extended on a routine and automatic basis. Consent should be obtained from the host country and due respect shown for the sovereignty and territorial integrity of that country. In accordance with the Charter, the Security Council must have primary responsibility for peace-keeping operations, but the Secretary-General should retain a certain degree of flexibility in order to implement Security Council decisions effectively. The Indian delegation wished to pay tribute to the Secretary-General for the manner in which he had carried out that task.

(Mr. Tewari, India)

53. India was prepared to support any specific proposal designed to increase the efficiency of the national contingents which served under the United Nations flag but believed that, in the absence of agreement on general guidelines, the decision to support a particular peace-keeping operation remained a sovereign right of each Member State.
54. Mr. LAGORIO (Argentina) recalled that one of the principles which had inspired the establishment of the United Nations 40 years ago was that of collective security. However, since differences between nations had proved to be stronger than common interests, it had become necessary to reinterpret the Charter and to formulate the concept of peace-keeping.
55. The Argentinian delegation paid tribute to former Secretary-General Dag Hammarskjöld, who had been the originator of the initiative and had laid down, in his report of 9 October 1958 (A/3943), the reasonable definition of the legitimate right of self-defence that could be exercised by a United Nations force.
56. Argentina was aware of the primary role that must be played by the Security Council in all matters relating to the maintenance of international peace and security. But that should not absolve the Special Committee for Peace-Keeping Operations of its responsibility to carry out the mandate entrusted to it by the General Assembly under resolution 2006 (XIX), as that mandate was not confined only to financial aspects of the question. The work of the Special Committee had been beset by inertia in recent years, due to a lack of the necessary political will. That situation had led to questions as to whether it would be useful to renew its mandate.
57. In spite of the existing difficulties and of questions concerning the jurisdiction of the Committee, it was the view of the Argentinian delegation that the Committee could contribute to the formulation of concrete measures designed to improve the efficiency of peace-keeping operations, in accordance with the terms of reference laid down by the Security Council (S/11052/Rev.1) and those already worked out in that Committee. Argentina, which had been a member of the Committee since its establishment, therefore believed that its mandate should be extended, in accordance with draft resolution A/SPC/40/L.5.

AGENDA ITEM 35: POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

58. The CHAIRMAN proposed that the Special Political Committee should devote two meetings on 25 October to hearings on agenda item 35, "Policies of apartheid of the Government of South Africa", and hold a brief meeting on the morning of 28 October to hear an address by Bishop Desmond Tutu.
59. It was so decided.

The meeting rose at 12.15 p.m.