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ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ASIAN-AFRICAN LEGAL CONSULTATIVE COMMITTEE

Letter dated 25 June 1986 from the Permanent Representative
of the United Republic of Tanzania to the United Nations
addressed to the Secretary-General

As my country is the current President of the Asian-African Legal Consultative Committee, I have the honour to transmit to you the recommendations made by the Working Group of the Whole of the Asian-African Legal Consultative Committee on the improvement of the functioning of the General Assembly. The Working Group was constituted to give detailed consideration to the Asian-African Legal Consultative Committee study entitled "Strengthening the role of the United Nations through rationalization of functional modalities with special reference to the General Assembly" (A/40/726 and Corr.1), prepared on the occasion of the fortieth anniversary of the United Nations, and to formulate a set of recommendations for submission to the General Assembly at its forty-first session.

I should be grateful if the attached recommendations could be circulated as an official document of the General Assembly under items 8 and 30 of the preliminary list.

(Signed) Wilbert K. CHAGULA
Permanent Representative

* A/41/50/Rev.1.

ANNEX

Recommendations made on 13 June 1986 by the Working Group of the
Whole of the Asian-African Legal Consultative Committee on the
improvement of the functioning of the General Assembly

Introductory note

An open-ending Working Group composed of the participating States in the Asian-African Legal Consultative Committee (AALCC), including Permanent Observer States, was constituted to give detailed consideration to the AALCC study entitled "Strengthening the role of the United Nations through rationalization of functional modalities with special reference to the General Assembly" prepared on the occasion of the fortieth anniversary of the United Nations, and to formulate a set of recommendations on the improvement of the functioning of the General Assembly for submission to the Assembly at its forty-first session. The Working Group met on 3 and 4 April 1986 for an exchange of views on the proposals contained in the AALCC paper. It also took into account the recommendations made by the Presidents of the General Assembly concerning the rationalization of the procedures of the Assembly (A/40/377) and the statement made by the representative of Canada, on behalf of 11 Member States, at the General Assembly on 9 December 1985 (see A/40/PV.10). The recommendations formulated by a drafting group were considered and approved by the Working Group at its meetings on 12 and 13 June 1986. Brief explanatory notes on the recommendations are appended.

Recommendations

I. ELECTION OF OFFICERS

1. The President of the General Assembly, and as far as possible the chairmen of the Main Committees, should be agreed upon informally well in advance of the commencement of the session concerned, preferably before the conclusion of the work of the immediately preceding session in December, with a view to facilitating the efficient conduct of business during their term of office.

II. AGENDA

2. Every effort should be made to reduce the number of items on the agenda. To this end:

(a) The President of the General Assembly, before the conclusion of its work in December, should hold consultations with the sponsors and other States concerned;

(b) The General Committee should examine the agenda annually and make appropriate recommendations;

(c) The General Assembly, in adopting a resolution or decision on an agenda item, should give due consideration to the question of whether it would be necessary to include the item in the provisional agenda of its forthcoming session, as well as to the possibility of its deletion from the future agenda or postponement to a subsequent session.

3. The General Assembly should consider the possibility of staggering as many items as possible over two or more years.

4. States wishing to initiate General Assembly discussion on a question should make every effort to utilize existing agenda items, rather than to propose a new item for that purpose.

5. The General Committee should, upon consultations with the sponsors and other States concerned, recommend the grouping of related items under a common title.

III. GENERAL COMMITTEE

6. The General Committee should actively play the role of improving and rationalizing the work of the General Assembly in accordance with its rules of procedure, the annexes thereto and the recommendations contained in the present paper.

7. The General Committee should be invited to examine informally the provisional agenda of the subsequent session with a view to making recommendations to the General Committee on the subsequent session on specific ways of rationalizing the procedure with respect to the agenda in accordance with the rules of procedure, the annexes thereto and the recommendations contained in the present paper. If the President of the subsequent session and the chairmen of the Main Committees have been agreed upon in accordance with paragraph 1 above, they should be invited to participate in this examination.

IV. MAIN COMMITTEES

8. The General Committee should consider the reallocation of items to the Main Committees, taking into account their work-loads and the nature of the items, with the active involvement of the chairmen of the Committees concerned, with a view to rationalizing the work of each Committee and thereby ensuring adequate consideration of essential issues.

9. Each Main Committee should review, with a view to rationalizing the debate as much as possible, the extent to which the reports of its subsidiary bodies need to be discussed at a particular session.

10. The Main Committees concerned should review the method of considering the reports of the Economic and Social Council and other bodies in order to avoid repetition of debate on the same issues in different forums.

11. The chairmen of the Main Committees should promote consultations and negotiations among Member States by using the good offices of their own or other officers or by setting up other appropriate informal mechanisms.
12. The meetings of the Special Political Committee and the Fourth Committee should be scheduled consecutively to the extent possible.
13. The chairmen of the Main Committees should consult each other regarding the appropriate scheduling of debate on interrelated items.
14. Before a Main Committee adopts a decision recommending referral of an item to another Main Committee, the chairman of the former Committee should consult the chairman of the latter in order to facilitate its most appropriate and efficient consideration.

V. SUBSIDIARY ORGANS

15. The General Assembly should review periodically the usefulness of its subsidiary organs and, to the extent possible, should refrain from establishing a new organ, unless an existing one has been discontinued, in order to avoid overlapping and duplication of their work.
16. The General Assembly, in dealing with short-term issues, should be encouraged to establish temporary task forces or ad hoc groups, rather than to create or extend the mandate of permanent bodies.

VI. RESOLUTIONS AND DECISIONS

17. Every effort should be made to reach general agreement on resolutions in order to facilitate their implementation.
18. Every effort should be made to reduce the number of resolutions to be adopted at each session by, inter alia, avoiding repetitive resolutions as much as possible.
19. Every effort should be made to shorten resolutions by, inter alia, eliminating or condensing as much as possible preambular material or by simply recalling earlier resolutions instead of quoting them extensively.
20. The General Assembly, in dealing with the following matters, should as far as possible consider resorting to decisions rather than resolutions:
 - (a) All procedural and routine matters, as well as elections and appointments
 - (b) Taking note of reports of various bodies, unless some action is required on the part of Governments in connection with those reports;
 - (c) All matters to be postponed without discussion or to be discussed further at subsequent sessions, unless some action is required by Governments.

VII. REPORTS AND DOCUMENTATION

21. The General Assembly should bear in mind the advisability of limiting as much as possible its requests in resolutions and decisions for reports and other documents from the Secretary-General.

22. Every effort should be made by the Secretariat, in preparing reports and other documents, to be as concise as possible and to avoid duplication of material that is otherwise available.

Explanatory notes

Paragraph 1 is based on paragraph 1 of the recommendations of the Presidents of the General Assembly (A/40/377). A similar idea was expressed by the representative of Canada (A/40/PV.108, p. 31).

Paragraphs 2 to 5 are aimed at reducing the number of items to be included in the agenda of a session. While it is the sovereign right of each Member State to request inscription of an item on the agenda, the truth remains that the list of such items has become longer almost every year. There is a definite need to shorten the agenda as much as possible in order to secure its adequate and efficient consideration within a limited period of time. Some of these recommendations have already been incorporated in the annexes to the rules of procedure of the General Assembly (annex V, paras. 19-20; and annex VII, para. 1), but they may be worth repeating because of the lack of, or only partial implementation and in view of their particular urgency (see the AALCC study (A/40/726 and Corr.1), pp. 17, 18, 72-75 and 80; and the recommendations of the Presidents of the General Assembly (A/40/377), paras. 5-7).

Paragraphs 6 and 7 invite, in general terms, the General Committee to play a more active role in improving and rationalizing the work of the General Assembly both formally and informally. Some specific measures to be taken by the General Committee are mentioned elsewhere in the present paper (see A/40/726 and Corr.1, pp. 75 and 80; A/40/377, para. 3; and A/40/PV.108, pp. 29-30).

Paragraph 8 is based on the consideration that, because of a stereotyped pattern of work allocation among the Main Committees, some are overburdened, while others have comparatively light work-loads (see A/40/726 and Corr.1, pp. 45, 76-77 and 80; rules of procedure of the General Assembly, annex V, para. 25).

Paragraph 9 invites each of the Main Committees to review its own method of considering the reports that it receives from its subsidiary bodies. Consideration may be given to the desirability of taking up some of these reports after the conclusion of their work, except when new instructions are needed from the Committee or when Member States wish to raise specific matters relating to their work (see A/40/726 and Corr.1, pp. 79 and 81). In a somewhat related recommendation, the Presidents of the General Assembly suggested that once an item has been fully debated in a subsidiary organ, delegations should refrain from holding a comprehensive debate on that item in the Assembly (see A/40/377, para. 11).

Paragraph 10, containing a similar idea to that in paragraph 9, is specifically addressed to the Second Committee, which holds in extenso debates on the issues covered by the reports of the Economic and Social Council and the United Nations Conference on Trade and Development (see A/40/726 and Corr.1, pp. 49, 77-79 and 81). If the General Assembly wishes to continue to have full debates on those issues, then the scope and conduct of debates of the Economic and Social Council and the United Nations Conference on Trade and Development should be reconsidered.

Paragraph 11 is included in order to encourage wider use of the practice followed by some Committees.

Paragraph 12 is based on an apparently widely acceptable suggestion made in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization at its 1983 session, and subsequently repeated by the representative of Canada (A/40/PV.108, p. 31). This recommendation is made in order to facilitate attendance in both Committees by small delegations. It should be implemented without prejudice to the due consideration of important issues by the two Committees.

Paragraph 13, reflecting particularly the wish of relatively small delegations, is based on a proposal made at the Working Group meeting.

Paragraph 14 is aimed at facilitating better co-ordination between Main Committees when the transfer of an item is being contemplated. This is a follow-up to a similar suggestion that the Legal Advisers of the AALCC Member States made to the Sixth Committee in December 1983 (see A/C.6/38/8, p. 5).

Paragraph 15 is based on paragraph 21 of the recommendations of the Presidents of the General Assembly. Similar ideas are also found in annex VII (para. 11) to the General Assembly rules of procedure.

Paragraph 16 is based on the suggestion made by the representative of Canada (A/40/PV.108, p. 31).

Paragraphs 17 to 20 set out recommendations intended to rationalize the forms and modalities of Assembly resolutions and thereby to render them more effective. Extensive discussion of this and related matters is found in the AALCC study (A/40/726 and Corr.1, pp. 34, 35, 69-76 and 80-81). The Presidents of the General Assembly also stressed the necessity of significantly reducing the number of resolutions and shortening them (A/40/377, paras. 17-18).

Paragraph 21 is based on paragraph 14 of the recommendations of the Presidents of the General Assembly.

Paragraph 22 reproduces the appeal made by the General Assembly on a number of occasions. A similar plea was also included in the recommendations of the Presidents of the General Assembly (ibid., para. 12).