



## General Assembly

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GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE FORTY-FIRST MEETING

Held at Headquarters, New York,  
on Friday, 17 October 1986, at 10 a.m.

President: Mr. CHOUDHURY (Bangladesh)

later: Mr. HENAR (Suriname)  
(Vice-President)

- Co-operation between the United Nations and the League of Arab States [23]
  - (a) Report of the Secretary-General
  - (b) Draft resolution
  
- Co-operation between the United Nations and the Asian-African Legal Consultative Committee [30]:
  - (a) Report of the Secretary-General
  - (b) Draft resolution

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 23

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE LEAGUE OF ARAB STATES

- (a) REPORT OF THE SECRETARY-GENERAL (A/41/481)
- (b) DRAFT RESOLUTION (A/41/L.5)

The PRESIDENT: I call upon the representative of Oman, who will introduce draft resolution A/41/L.5.

Mr. AL-ANSI (Oman) (interpretation from Arabic): As my country assumes the chairmanship of the Group of Arab States for this month, it gives me great pleasure, on behalf of the Arab delegations to the United Nations, to express our sincere gratitude to the Secretary-General for the important and comprehensive report (A/41/481) which he has submitted to this session concerning agenda item 23, on co-operation between the United Nations and the League of Arab States. The report, which is dated 7 August 1986, is indeed a very comprehensive document.

I have pleasure now in introducing to the General Assembly draft resolution A/41/L.5, submitted by the Arab States Members of the United Nations in connection with this item. The draft resolution is sponsored by: Algeria, Bahrain, Democratic Yemen, Djibouti, Iraq, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen.

The draft resolution refers, in its preamble, to previous resolutions on the promotion of co-operation between the League of Arab States and the United Nations, in particular to resolution 40/5, of 25 October 1985, the report of the Secretary-General and the relevant articles of the Charter which encourage activities through regional arrangements for the promotion of the purposes and the principles of the United Nations. In the third preambular paragraph, the Assembly

(Mr. Al-Ansi, Oman)

would note with appreciation the desire of the League of Arab States to consolidate and develop co-operation with the United Nations in all areas relating to the maintenance of international peace and security, and to co-operate in every possible way with the United Nations in the implementation of United Nations resolutions relating to the question of Palestine and the situation in the Middle East.

The preamble goes on to refer to the vital importance for countries members of the League of Arab States, of achieving a just, comprehensive and durable solution to the Middle East conflict and the question of Palestine, the core of the conflict, and to the fact that the strengthening of international peace and security is directly related to disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination. It refers to the conviction that co-operation between the League and the United Nations will contribute to the promotion of the purposes and principles of the Charter, and to recognition of the need for closer co-operation with the competent agencies in furthering the various objectives approved by the Arab Summit Conference held in Amman in 1980.

The last preambular paragraph reads as follows:

(Mr. Al-Ansi, Oman)

"Having heard the statement of the Permanent Observer of the League of Arab States on co-operation between the United Nations and the League of Arab States and having noted the emphasis placed therein on follow-up actions and procedures on the recommendations in the political, economic, social and cultural fields adopted at the meeting between representatives of the General Secretariat of the League of Arab States and its specialized organizations and the secretariats of the United Nations and other organizations of the United Nations system, held at Tunis from 28 June to 1 July 1983, as well as on the recommendations relating to political matters contained in the relevant resolutions of the General Assembly".

In the operative part the draft resolution reads as follows:

- "1. Takes note with satisfaction of the report of the Secretary-General;
- "2. Expresses its appreciation to the Secretary-General for the follow-up action taken by him on the proposals adopted at the meeting between representatives of the General Secretariat of the League of Arab States and its specialized organizations and the secretariats of the United Nations system, held at Tunis, and the meeting on social development in the Arab region, held at Amman from 19 to 21 August 1985, as well as to the specialized agencies and other organizations of the United Nations system for their efforts to facilitate the implementation of the Tunis and Amman proposals;
- "3. Requests the Secretary-General to continue to strengthen co-operation with the General Secretariat of the League of Arab States for the purpose of implementing United Nations resolutions relating to the question of Palestine and the situation in the Middle East in order to achieve a just, comprehensive and durable solution to the Middle East conflict and the question of Palestine, the core of the conflict;

(Mr. Al-Ansi, Oman)

"4. Requests the Secretariat of the United Nations and the General Secretariat of the League of Arab States, within their respective fields of competence, further to intensify their co-operation towards the realization of the purposes and principles of the Charter of the United Nations, the strengthening of international peace and security, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination;

"5. Requests the Secretary-General to continue his efforts to strengthen co-operation and co-ordination between the United Nations and the organizations of the United Nations system and the League of Arab States and its specialized organizations in order to enhance their capacity to serve the mutual interests of the two organizations in the political, economic, social and cultural fields;

"6. Requests the Secretary-General to continue to co-ordinate the follow-up action to facilitate the implementation of the proposals of a multilateral nature adopted at the Tunis meeting in 1983, and take appropriate action regarding the multilateral proposals relating to social development adopted at the Amman meeting in 1985, including the following measures:

"(a) Promotion of contacts and consultations between the counterpart programmes, organizations and agencies concerned;

"(b) Setting up of joint sectoral inter-agency working groups;

"(c) Consultation with the Secretary-General of the League of Arab States regarding the convening in 1987 of the joint sectoral meeting on development of human resources in the Arab region;

"(d) Provision of necessary assistance from within the existing resources for the proposed meeting on the development of human resources in the Arab region;

(Mr. Al-Ansi, Oman)

"7. Calls upon the specialized agencies, and other organizations and programmes of the United Nations system:

"(a) To continue to co-operate with the Secretary-General and the programmes, organizations and agencies concerned within the United Nations system and the League of Arab States and its specialized organizations in the follow-up of multilateral proposals aimed at strengthening and expanding co-operation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

"(b) To maintain and increase contacts and consultations with the counterpart programmes, organizations and agencies concerned regarding projects of a bilateral nature in order to facilitate their implementation;

"(c) To inform the Secretary-General, not later than 15 May 1987, of the progress of their co-operation with the League of Arab States and its specialized organizations and, in particular, the follow-up action taken on the multilateral and bilateral proposals adopted at the Tunis and Amman meetings;

"8. Requests the Secretary-General, in close co-operation with the Secretary-General of the League of Arab States, to hold periodic consultations as and when appropriate between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States on follow-up policies, projects, actions and procedures;

"9. Further requests the Secretary-General to submit to the General Assembly at its forty-second session a progress report on the implementation of the present resolution;

"10. Decides to include in the provisional agenda of its forty-second session the item entitled 'Co-operation between the United Nations and the League of Arab States'."

(Mr. Al-Ansi, Oman)

Having presented this draft resolution, we are fully confident that, as in the case of similar draft resolutions in the past, it will receive the overwhelming support of the Assembly.

The PRESIDENT: I first call on the representative of the League of Arab States, in accordance with General Assembly resolution 477 (V), of 1 November 1950.

Mr. MANSOURI (League of Arab States) (interpretation from Arabic): I have pleasure in extending to you, Sir, on behalf of the League of Arab States, our warmest congratulations on your election to the presidency of the forty-first session of the General Assembly. This is recognition by the international community of your diplomatic skill and experience, which will help Members to deal with the problems of the Organization, particularly those relating to the need for trust and co-operation in international relations and to the future of those relations. The League of Arab States is fully aware of this need and the need to support and co-operate with you in your efforts to ensure the achievement of the noble aims and objectives of the Charter and the implementation of the Organization's resolutions.

I cannot fail to express our appreciation and thanks to your predecessor, Ambassador Jaime de Pinies, who presided over the work of the fortieth session of the Assembly with great skill.

I wish to pay a tribute also to the Secretary-General, Mr. Perez de Cuellar, and to express the League of Arab States' appreciation of his efforts to fulfil the mandate entrusted to him. We particularly appreciate his efforts in the area of co-operation between the world Organization and the League of Arab States. We congratulate the Secretary-General warmly on his election to a second five-year term. His re-election is recognition of his spirit of compromise, administrative skill, deep belief in the noble purposes and principles of the Charter and continuing efforts to contribute to the attainment of those aims and objectives

(Mr. Mansouri, League of Arab States)

during the past five years. The Arab States look forward to further positive co-operation with the Secretary-General in efforts to achieve a just and comprehensive peace in the Middle East, put an end to arbitrary Israeli practices in Palestinian and other occupied Arab territories, eliminate racial discrimination and apartheid in South Africa and settle other international issues and problems.

We in the Arab nation and the League of Arab States look forward to the fulfilment of the purposes and principles of the Charter. This is because of our profound belief in the principles on which this Organization is based and the need to respect them, to implement the resolutions of the Organization, face up to the problems of the Organization, to seek ways and means to recover the foundation on which this Organization was built - the collective security that we all desire.



(Mr. Mansouri, League of Arab States)

The League of Arab States fully appreciates the efforts and concerns formulated in the report of the Secretary-General on this item (A/41/481) and in his comments on the report of the Joint Inspection Unit (A/41/615/Add.1). In this context the League of Arab States wishes to express its conviction that co-operation between our two organizations must continue and that its scope must be enlarged to encompass all fields, particularly the economic, social, humanitarian, cultural and technical fields, in all their aspects. The League is very desirous of developing, promoting and maintaining links in all areas of endeavour with regard to international peace and security. It wishes also to develop and promote active co-operation, consultation and deliberations with a view to finding ways and means of implementing the resolutions of this Organization, not only on full-scale disarmament and the settlement of disputes by peaceful means, but also on the question of Palestine, the situation in the Middle East, the eradication of apartheid and all forms of discrimination, decolonization, the promotion of the right to self-determination, and respect for human rights and fundamental freedoms for all peoples of the world.

We wish to express our appreciation of the efforts made by the Joint Inspection Unit in the preparation of its report on co-operation between the United Nations and the League of Arab States. These observations and comments on it were concentrated more particularly on the various fields of technical co-operation, and on mechanisms for such co-operation.

The report is a good basis for the continuation of technical co-operation between the specialized organs in the future. However, we believe that the fact that the Joint Inspection Unit enlarged its study of the technical aspects has made it disregard the other aspects of co-operation between the League of Arab States and

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the United Nations, which go back to 1950, at which time there was no technical co-operation between the two organizations, as there is today.

The League of Arab States has always informed the Secretariat of the United Nations and its officials of its concerns and its priorities in the economic, social and political fields, and we have always found a very positive response in the understanding of these issues, particularly in the fields of co-operation and communication between the two organizations. It is our wish that this co-operation should continue and broaden.

We in the League of Arab States have always worked and shall continue to work for peace in the Middle East region, through our call and support for the holding of an international peace conference under the aegis of the United Nations, in pursuance of the resolutions adopted at the Arab summit conference held at Fez in 1982. The Arab States have expressed their commitment to peace initiatives and their conviction that the United Nations, which expresses the international consensus, is the framework and the Organization through which initiatives can be taken that would help to promote peace, not only in the Middle East but in the world as a whole.

The fact that we work through the United Nations in order to achieve the success of the peace initiatives is shown very clearly in the resolutions of the Fez summit, based on international legitimacy. We believe that the so-called obstacles in the way of holding the conference must be eliminated.

In this regard, we wish to stress the importance of the informational and political role undertaken by the United Nation with a view to convening that conference. At several of its sessions, the General Assembly of the United Nations has proclaimed the need to hold such an international forum in order to arrive at a comprehensive, just and lasting solution to the Arab-Israeli conflict and in order

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order to secure the right of the Palestinian people to self-determination and existence as an independent State. The role of the United Nations is very important in influencing international public opinion, particularly American public opinion, regarding various aspects of this international initiative and regarding the urgency of holding an international conference. Any delay in holding this conference would have very negative repercussions on international public opinion with regard to the United Nations, its role in international disputes and, indeed, its credibility. Accordingly, we believe it is time to move forward and to reactivate the role of the United Nations and reaffirm its effectiveness by holding an international peace conference. In view of the crises in the Middle East at the present time, it is imperative for the United Nations to intensify its efforts so that its resolutions may regain their effectiveness and credibility and so that the Organization may thereby maintain its prestige on the international scene as a body to which peoples and organizations may have recourse in times of crisis. For this, of course, it will be necessary to work out the means of implementing these resolutions so as to enable the international community to achieve what is needed: peace, security and the right of peoples to self-determination.

In the economic field we believe that the programmes for development, progress and stability, as part of the long-term development plan of the Arab people, are always open to fragmentation and obstacles. If these programmes and this plan do not have the necessary basis of political and security stability, we believe that these conditions must be satisfied through efforts to bring about the needed changes, so that Arab societies may be able to live in security and in dignity based on freedom and equality.

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Therefore, we can say that there is a need to plan, on the pan-Arab level, for the Arab economic future. This requires joint Arab programmes that would promote the aims of security and development and would close the development gap between the different countries and the Arab nation.

The League of Arab States looks forward to strong and fruitful co-operation with the organs of the United Nations in choosing those complementary projects that would link the Arab economies. The League of Arab States also looks forward to further co-operation between Arab experts and the experts of the United Nations in order to achieve many of the objectives of building infrastructure for the different organs and agencies of the League of Arab States, such as the convention drafted a few days ago, on 12 October 1986, between the Arab Labour Organization and the Economic and Social Commission for Western Asia, on co-operation and co-ordination between those two organizations in respect of internal migration, planning for the Arab labour force, the exchange of information on statistics for professional training, and the rationalization of the policies regarding the movements of Arab labour forces.

The secretariat of the League of Arab States looks forward in the near future to completing the measures and the initiatives on the drafting of a convention with the United Nations Development Programme (UNDP) concerning the comprehensive, administrative development plan of the General Secretariat of the League of Arab States and its specialized bodies. We attach great importance to this plan because we would like to have the best possible organization in the administrative field and we would like to profit from the experience of UNDP in this field.

The League of Arab States is very desirous of extending the scope of the current conventions between the general secretariats of the League and the United Nations Fund for Population Activities. These programmes are of great benefit to

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the peoples of the region and play an important role in supporting development activities in the region. The League of Arab States fully appreciates the co-operation between itself and the United Nations Children's Fund (UNICEF), a very serious relationship, laid down through the implementation of many joint programmes and projects. The Arab Council of Ministers for Social Affairs has underlined the importance of this co-operation. The Council has called for further programmes in the Arab region, including joint programmes for mothers and children, as well as the implementation of the recommendations contained in the Charter of the Arab Child. The Council's concerns have underlined the importance of the UNICEF strategy for lowering child mortality in the world.

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The Arab conference on social welfare policies was held under the aegis of the League of Arab States. That conference is part of the preparatory work for regional consultations on policies and programmes for social welfare which will be held in the autumn of 1987, in accordance with relevant resolutions of the Economic and Social Council.

The League of Arab States warmly welcomes the measures taken by the parties concerned to prepare for the convening of a conference on the development of human resources to be held in 1987. The League is making every effort to ensure the success of that conference.

In concluding my statement, I wish to underline the importance of the co-operation between the League of Arab States and the United Nations. This is made very clear by the developments that have taken place in a number of areas, especially those relating to the maintenance of international peace and security - particularly peace in the Middle East. That co-operation undoubtedly contributes to the achievement of the noble ends of the United Nations Charter.

The PRESIDENT: I shall now call on those representatives who wish to explain their vote before the voting on draft resolution A/41/L.5. May I remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by representatives from their seats.

Mr. BEIN (Israel): Once again we are about to vote on a draft resolution in regarding the so-called "co-operation" between the League of Arab States and the United Nations. On the surface, this draft resolution seems routine. But is it really just routine? Supposedly, this co-operation furthers the realization of the purposes and principles of the Charter. But does it really do that? My delegation does not believe so. In fact, the Arab League's activities are in direct

(Mr. Bein, Israel)

contravention of the Charter. The draft resolution before us, with its call to promote closer co-operation between the United Nations and the Arab League, will only act to weaken the principles of the Charter. Before we vote, let me take a moment to remind the Assembly of some of the League's positions.

Since its inception in 1945, the Arab League has been dedicated to one central goal: the eradication of the State of Israel. It has consistently encouraged and directed an obsessive campaign of hatred against my country. It co-ordinates and disseminates anti-Israel propaganda. It objects to any movement leading to peace in our region. It incites the Arab world to wage war and to cause bloodshed. Peace with Israel is a forbidden phrase in the vocabulary of the Arab League - it is completely and totally rejected. Any Arab State that dares even to mention the possibility of peace with my country is considered an outcast by the Arab League and condemned as a traitor to the cause - the cause of waging war against Israel.

On 22 March 1986, the Secretary General of the Arab League reconfirmed this path of intransigence and rejection. In a statement in Tunis celebrating the League's forty-first anniversary, he said:

"It is necessary to intensify the struggle (against Israel) on all fronts and in every field ..."

Take, for example, the Arab League's policy towards the Egyptian-Israeli peace treaty. Just last month, the League reiterated its rejection of peace by calling the September Alexandria summit between President Mubarak and Prime Minister Peres "a regrettable event".

Regrettable to whom? Regrettable to those seeking peace in the Middle East? Definitely not. Regrettable to the forces of intransigence and rejection - that is, to the Arab League? Definitely, yes.

Not all Arab States are extremist, but when they meet in the framework of the League, only extreme positions are accepted as a common denominator.

(Mr. Bein, Israel)

In its ostensible role as over-all spokesman for all Arabs, the Arab League continues to suffocate any attempt that might lead to peace in our region. It openly sanctions terrorism against the civilian population of Israel: the Arab League defends the killing of civilians who happen to be Israelis. According to the League, this is never terrorism. The League offers its facilities to Arab terrorists - the very people who massacre innocents in houses of worship, in airplanes and on cruise ships. Indeed, in the words of its Secretary General, the League is "intensifying the struggle in every field, on all fronts". And we see the results of that incitement - on the fronts of London, Rome, Vienna, Paris and Karachi.

But the Arab League is not satisfied with waging war against Israel only on these levels. It tries to strangle Israel economically as well. Under the direct supervision of the Arab League, all of its members were urged to establish national boycott offices. In those offices, as many as 10,000 international companies are blacklisted simply because they have some sort of commercial affiliation with Israel. Happily, most of those companies are not intimidated by this blackmail. The League's boycott headquarters are stationed in Damascus, the very city from which another type of intimidation - international terrorism - is directed and manipulated.

The Arab League's economic and political warfare against a Member State flagrantly violates the most elementary principles of the United Nations Charter. How, then, can one justify the large United Nations expenditure to promote co-operation between that body and the United Nations? In fact, it cannot be justified, especially at a time when the United Nations is struggling financially for its very existence. Thousands of dollars are spent for the purpose of organizing seminars and conferences dedicated to anti-Israel propaganda. That money could surely be put to better use.



(Mr. Bein, Israel)

In view of the Arab League's complete and utter disregard of the fundamental principles of peace and security upon which this Organization is based, my delegation will of course vote against draft resolution A/41/L.5.

Mr. AOKI (Japan): My delegation is well aware of the benefits of co-operation between the United Nations and the various organizations having observer status in the Organization. We welcome and support United Nations co-operation with the League of Arab States. We will vote on draft resolution A/41/L.5 as we have done in past years on similar draft resolutions.

However, we should like to reserve our position concerning operative paragraph 3, which makes reference to those General Assembly resolutions that we did not support in the past.

The PRESIDENT: The General Assembly will now take a decision on draft resolution A/41/L.5.

In this connection, I should like to inform members that the Secretary-General does not foresee programme budget implications in the implementation of this draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Finland, France, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea-Bissau, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Cyprus.

Draft resolution A/41/L.5 was adopted by 106 votes to 2, with 1 abstention (resolution 41/4).\*

The PRESIDENT: I shall now call on representatives who have asked to be allowed to explain their votes after the voting on draft resolution A/41/L.5.

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\*Subsequently the delegations of Cyprus, Lebanon, Mauritania, Nicaragua, Niger, Panama and Romania advised the Secretariat that they had intended to vote in favour.

(The President)

May I remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. BIRCH (United Kingdom): In order to make a few general comments, I have the honour to speak on behalf of the twelve States members of the European Community, which have voted in favour of the draft resolution just adopted.

Over the past few years the General Assembly has been asked to consider a number of resolutions relating to co-operation between the United Nations and various organizations holding observer status. The Twelve are well aware of the advantages of such co-operation and have been happy to join in expressions of support and encouragement for its development within the framework of the United Nations Charter. The Twelve would prefer, however, that such resolutions should deal with the question of co-operation in terms that avoid introducing contentious issues. Against the background of the financial crisis currently faced by the United Nations, the Twelve also urge that every effort should be made to minimize the number of meetings and of documents whose cost falls to the Organization, with the aim of contributing to an overall reduction in expenditure.

It is essential that the scarce resources of the United Nations which are made available for co-operation of this sort are applied to the best effect. In this connection we urge that due account be taken of the constructive recommendations contained in the report of the Joint Inspection Unit transmitted under a note by the Secretary-General on 16 September 1986 as document A/41/615.

With regard to paragraph 3 of the operative part of draft resolution A/41/L.5, relating to co-operation between the United Nations and the League of Arab States, the Twelve wish to draw the attention of the Assembly to the need to avoid prejudicing the rôle of the Secretary-General, and wish to record that they have not supported all the resolutions referred to in that paragraph.

Mrs. CLARK (United States of America): The United States voted against draft resolution A/41/L.5 because operative paragraph 3 requests the Secretary-General to attempt to implement previous General Assembly resolutions which the United States had voted against. The resolutions mentioned in that paragraph are contrary to the fundamental policies of the United States Government with regard to the Middle East.

Mr. BERGH JOHANSEN (Norway): I have the honour to speak on behalf of the five Nordic countries: Denmark, Finland, Iceland, Sweden and Norway.

The Nordic countries voted in favour of the draft resolution just adopted by the General Assembly, on the understanding that the elements with political implications, in particular operative paragraph 3, are not relevant to the issue and obviously cannot prejudice the positions of the Nordic countries on the substantive matter referred to.

Mrs. GERVAIS (Canada) (interpretation from French): As in the case of similar draft resolutions voted on in the past, Canada voted today in favour of draft resolution A/41/L.5. My delegation, however, has certain reservations about operative paragraph 3, since we did not support all the resolutions whose implementation is requested in that paragraph.

Mr. OKELY (Australia): Australia has been a consistently strong supporter of instruments of regional co-operation and of co-operation between such bodies and the United Nations. The Secretary-General's report before us in document A/41/481 is a source of satisfaction, and for that reason Australia has registered an affirmative note on draft resolution A/41/L.5.

My delegation does wish to place it on record, however, that, as it has done in the past in regard to similar draft resolutions, we encountered this year some difficulties with the wording of operative paragraph 3 of the draft resolution on which the Assembly has just voted.

Mr. ARMSTRONG (New Zealand): My delegation supports the promotion of co-operation between this Organization and the League of Arab States. We accordingly voted in favour of the draft resolution that has just been adopted.

We have reservations, however, about aspects of the resolution, in particular operative paragraph 3, and I wish to place it on record that our vote does not signify any change in our position on matters that are not relevant to this resolution.

The PRESIDENT: That concludes our consideration of agenda item 23.

## AGENDA ITEM 30

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

- (a) REPORT OF THE SECRETARY-GENERAL (A/41/653)
- (b) DRAFT RESOLUTION A/41/L.6

The PRESIDENT: The Assembly will now turn to agenda item 30 entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee". A draft resolution has been circulated (A/41/L.6).

In accordance with General Assembly resolution 35/2 of 13 October 1980, I now call on the Secretary-General of the Asian-African Legal Consultative Committee, Mr. B. Sen.

MR. SEN (Asian-African Legal Consultative Committee (AALCC)): On behalf of the Asian-African Legal Consultative Committee, I am privileged to offer our congratulations to you, Sir, on your unanimous election to the high office of President of the General Assembly. It is a matter of particular pleasure for us, since Bangladesh is an important member of our Organization and your Government has consistently taken a very keen interest in our activities over the years.

I should like also to convey our sincere congratulations to the Secretary-General on his appointment to a second term of office.

The Asian-African Legal Consultative Committee, which was established in 1956 as a tangible outcome of the historic Bandung Conference, will this year complete 30 years of work in the service of the Asian-African community. In this context we considered our regular session at the beginning of the year at Arusha to be particularly significant and as helping to promote a wider response to our work on the African continent.

On the occasion of the commemoration by the General Assembly of the twenty-fifth anniversary of our Committee in November 1981 I had the privilege of

(Mr. Sen, AALOC)

tracing the growth of our organization from a small seven-member body to a major international organization with a membership of 40 Governments. I also indicated the gradual expansion of our activities from that of an advisory role on international law to embracing such wider areas as international economic co-operation, the environment, humanitarian issues such as the problem of refugees and the promotion of inter-regional and international co-operation in support of the activities of the United Nations in various fields. Since that time two things of special significance for the growth of our organization have occurred.

The first was the decision of the Government of the People's Republic of China to participate in our work as a full member from the year 1984, which helped us to reach our goal of embracing all major nations in Asia and Africa within our membership. The second was the decision of the General Assembly, adopted in 1981 by resolution 36/38, to strengthen further the existing state of co-operation with our organization and extend it to wider areas. That resolution, which called for consultations by the Secretary-General of the United Nations with the Secretary-General of the Asian-African Legal Consultative Committee, has helped to place our relationship with the United Nations on a firmer and regular footing with a new orientation of the work programme on our activities to enhance our role in support of the United Nations. A great deal of progress has already been achieved in this area, as is borne out in the report of the Secretary-General of the United Nations to the General Assembly this year, as well as in his reports presented in 1983, 1984 and 1985.\*

In my statements before the General Assembly at earlier sessions I have had occasion to mention our role in the negotiations leading to the Convention on the Law of the Sea and our supportive efforts thereafter in promoting and encouraging

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\*Mr. Henar (Suriname), Vice-President, took the Chair.

(Mr. Sen, AALCC)

the ratification of that Convention. That was one of the major areas of our activities over a period of nearly 15 years. I also referred to a number of other areas where co-operation between the United Nations and the AALCC had been most productive. On this occasion I should therefore like to confine myself to two of the major initiatives in strengthening the role of the United Nations which we have undertaken since last year and to our ongoing efforts in the field of international economic co-operation.

At our Katmandu session, held in February last year, it was decided to prepare a study as part of our contribution on the occasion of the fortieth anniversary of the United Nations on strengthening the role of the Organization, with particular reference to the General Assembly. That study was aimed at an assessment of the work of the United Nations in various fields over a period of 39 years and it included certain suggestions for improvement. It was a matter of particular gratification for us when an open-ended meeting, held at the United Nations at the beginning of the General Assembly session in September 1985, considered that the study merited the serious consideration of the appropriate organs of the United Nations.

That was followed by a request by 52 delegations from all regional groups for circulation of that study as a document of the General Assembly. After further consultations on that paper at both formal and informal levels during the General Assembly session last year I mentioned in my statement on 9 December 1985 that we would consider the possibility of establishing an open-ended working group with a view to preparing concrete recommendations for submission to the General Assembly at the present session. That idea was welcomed by several delegations and an AALCC working group of the whole accordingly met in New York during April and June this year. The recommendations of the working group have already been circulated as a



(Mr. Sen, AALCC)

General Assembly document (A/41/437) and it has been a matter of encouragement that many delegations have found it possible to support them.

The approach of our working group was to confine itself for the present to areas on which there were good prospects of progress being made, rather than to embark on wider aspects of improvement of the functioning mechanism of the United Nations as a whole. The recommendations of the working group represent a compromise package which some delegations may not find fully in accord with their views but something which they might perhaps consider as a starting point in the negotiations for the improvement of the functioning of the General Assembly, which was long overdue. I should like also to emphasize that the recommendations of the working group demonstrate a degree of earnestness on the part of our membership and represent a positive approach to the deliberations of this Assembly.

Another initiative that we have taken concerns the role of the International Court of Justice for a better implementation of General Assembly resolution 37/10, adopted on 15 November 1982, and the earlier resolution 3283 (XXIX), of 12 December 1974, which called upon the Member States of the United Nations to consider the possibility of making wider use of the facilities and procedures under the revised rules of the Court. That was an item which was identified as falling within the extended areas of co-operation between the United Nations and the AALCC, as called for in General Assembly resolution 36/38.

In response to the recommendations of a meeting of the legal advisers of AALCC member States, held in November 1983, a study was prepared drawing attention to the advantages of resort to the Court in legal disputes under special agreements in preference to ad hoc arbitration, particularly in the context of procedures in chambers available under the revised rules. The AALCC study, which was circulated as a General Assembly document at the fortieth session (A/40/682) evoked wide interest and we accordingly followed up the matter by convening a colloquium earlier this month for a further exchange of views on the subject.

(Mr. Sen, AALCC)

It is a matter of gratification that the International Court of Justice was appreciative of our efforts and the President of the Court himself chaired the colloquium. In this connection, it may not be out of place to mention that in promoting the role of the Court we considered it expedient to confine ourselves to encouraging Governments to refer their disputes under special agreements since we feel that this is the area where future possibilities would lie as viewed from a practical angle. Having regard to the fact that relatively few States are now prepared to accept the compulsory jurisdiction of the Court in advance without wide reservations, and the recent trend noticeable in their reluctance to agree to the adjudication by the Court under the provisions of treaties and conventions, it would appear that the main area for widening the role of the Court would be in those cases where legal disputes are referred by means of a compromise. Indeed, we feel that there are great possibilities in this direction since at the request of the parties cases may now be heard by a sizeable forum through constitution of the Chambers whenever the parties may so request. We have also taken note of the fact that the occasional reference of disputes to the Court which are essentially of a political nature does not always help to ensure harmony or to enhance the acceptability of its procedures. The future of the Court, therefore, seems to lie in a regular flow of work of a legal nature which the States parties ought to be encouraged to refer to it under special agreements.

In regard to the promotion of economic co-operation, we began in a modest way with the adoption of the First United Nations Development Decade, in the preparation of model contracts relating to commodities which were of primary concern to the countries of our region. This initiative received a new impetus with the establishment of the United Nations Commission on International Trade Law (UNCITRAL) and our co-operation with that body. In the year 1976 we embarked

(Mr. Sen, AALCC)

on a new programme through preparation of a scheme for settlement of disputes in economic and commercial transactions with a view to creating stability and confidence in economic relations with and between the countries of our region. Two regional centres for arbitration were established under the scheme, one of which is located in Kuala Lumpur and the other in Cairo. Negotiations for the establishment of some other centres are also in progress.

Almost immediately after the eleventh special session of the General Assembly we geared ourselves to assist our member Governments in their participation in the proposed global negotiations through preparation of technical studies in the field of commodities and industrialization. Two ministerial meetings on economic co-operation were held under our auspices to facilitate that process, namely, one in Kuala Lumpur in December 1980 and the other in Istanbul in September 1981. To this end, we also participated closely in the sessions and meetings of the United Nations Conference on Trade and Development and the United Nations Industrial Development Organization. But with prospects receding for the launching of global negotiations, we directed our attention to practical ways of attracting capital and investments to our region to a greater extent. To facilitate this process we developed certain models for bilateral agreements on investment promotion and protection which were adopted at our Katmandu session last year. We also embarked upon sponsoring a series of meetings between countries interested in investments and prospective investors with the participation of United Nations agencies, the World Bank and representatives of Governments and trade. These meetings paved the ground for better understanding of the problems and issues on such matters as profitability, investment incentives, protection and guarantees for investment as well as the benefits that the developing countries could expect from foreign investments, particularly in sectors of national importance. Taking note of the United Nations Programme of Action for African Economic Recovery and Development

(Mr. Sen, AALCC)

1986-1990 and the deliberations at the thirteenth special session of the General Assembly this year, we have initiated steps to generate greater interest in the private sector in the more affluent countries within our membership to embark upon investments in Africa for their development. By way of further initiative we began a study of the problem of debt burden and have planned a working group meeting on this subject during this year. This matter is also of particular interest to Member States in Africa in the context of the United Nations Programme of Action. Although this subject is being reviewed in several forums it would be our endeavour to bring in certain legal concepts which could be blended with the economic norms and practices for a just and adequate solution of the matter.

Although the problem of debt burden of States in the international context is comparatively recent, the matter of debt burden of an individual has been a constant phenomenon over the years, particularly in feudal societies and in the colonial empires. In many of the common law countries, beginning with England in the nineteenth century, a great deal of jurisprudence evolved through legislation enacted to relieve the burden of debt. This was particularly noticeable in the efforts of the representative Governments on the Indian sub-continent during the early 1940s by the enactment of the Moneylenders Act and Debtor's Relief Act, which incorporated provisions for enquiries to be made into the circumstances of debts and fixation of ceilings on interest. These legislations, prompted by the induction of the principles of equity to smoothen the harshness of the common law, contained a number of principles which could perhaps be applied with suitable adaptation, even in situations relating to the debt burden of States. In this context, it may not be out of place to mention that the law of tort in the municipal legal systems relating to such matters as negligence or nuisance has been transplanted in the progressive development of international law on such concepts as State responsibility or international liability of States for injurious

(Mr. Sen, AALOC)

consequences arising out of acts not prohibited under international law. On the same analogy there seems to be no reason why the principles developed in the municipal legal systems for the relief of the debtor cannot also be extended as part of international law in relations between affluent and poor nations. Thus, we feel that there might be a good deal of scope for thinking in terms of preparation of a set of norms and principles which could be suited to meet the present situation through a judicious blending of legal principles and economic norms for the benefit of both the creditor and debtor nations.

I should like to avail myself on this occasion of the thirtieth anniversary of our Committee to express our sincere thanks to the Secretary-General for the keenness and personal interest he has taken in promoting closer co-operation between the two bodies. I should also like to place on record our deepest appreciation of the efforts of the Legal Counsel, Mr. Fleischhauer, and Mr. Roy Lee, of his office, to bring about the implementation of the General Assembly resolutions relating to co-operation with our Committee in tangible and practical terms.

The PRESIDENT: I call on the representative of the United Republic of Tanzania, to introduce the draft resolution (A/41/L.6).

Mr. CHAGULA (United Republic of Tanzania): As current Chairman of the Asian-African Legal Consultative Committee (AALCC), my delegation first would like sincerely to thank the United Nations Secretary-General for his report (A/41/653) entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee". Likewise, we should like to express our appreciation to Mr. Sen, Secretary-General of the AALCC, for his comprehensive introductory statement, after which and in the light of the report of the United Nations Secretary-General, it would be unnecessary for me to say much concerning the work programme of the AALCC since the last session of this Assembly, which was adopted by the Committee at its twenty-fifth session, held at Arusha, Tanzania, last February.

However, as this matter is very relevant to the report of the Group of 18, which is one of the most important issues before this session of the Assembly, my delegation would like to beg the indulgence of delegations by referring again to the AALCC study on strengthening the role of the United Nations through rationalization of functional modalities with reference to the General Assembly, which was issued last year as document A/40/726 for the consideration of the General Assembly. That AALCC study was very well received by a significant and widely representative proportion of the membership of the Assembly, which prompted the AALCC to establish an informal open-ended working group for in-depth consultations on the ideas and suggestions contained in the study. The Working Group completed its work last June, and I had the honour of transmitting its recommendations to the Secretary-General of the United Nations on 25 June 1986 with a formal request that they be circulated as a document of the General Assembly under items 8 and 30 of the provisional agenda of its forty-first session. It is

(Mr. Chagula, United Republic  
of Tanzania)

gratifying to note that those recommendations are now contained in document A/41/437 which is before this session of the Assembly for consideration under item 30. As current Chairman of the AALCC, to re-echo what several delegations at this session of the Assembly have already requested, I should like to urge the General Committee to consider proposing at this session of the General Assembly a draft resolution which would permit the early implementation of the AALCC Working Group recommendations on the improvement of the functioning of the General Assembly, which, it has become apparent, do have the support of a very wide spectrum of the membership of the Assembly and have also taken into account, inter alia, the recommendations of former Presidents of the General Assembly on the rationalization of the procedures of the Assembly in document A/40/377.

Tanzania attaches great importance to the work of the AALCC, which is now in the 30th year since its establishment. At this juncture it is fitting for my delegation to pay a tribute to the AALCC's Secretary-General, Mr. Sen, who, through his dedication, exceptional ability and devotion during the last 30 years, has built up the AALCC to the tower of strength it is today, particularly in its co-operation with the United Nations and as a service regional organization for the international community as a whole. Mr. Sen, I understand, has, regrettably, finally and definitely decided to end his services with the AALCC early next year and, as this will be the last General Assembly session he will be attending as Secretary-General of the AALCC, I should like to wish him every success in future. He will leave the AALCC with the satisfaction that he is leaving behind a very mature organization.

As the report of the United Nations Secretary-General clearly shows, since 1981 the formal co-operative framework between the United Nations and the AALCC has continued to be strengthened. The draft resolution that this Assembly has since

(Mr. Chagula, United Republic  
of Tanzania)

then been adopting at every regular session on co-operation between the United Nations and the AALCC is a measure of the mature relationship between these two bodies in their mutual interest. It is against this background that, with much pleasure, and on behalf of Canada, Cape Verde, Cyprus, Egypt, Indonesia, Japan, Jordan, New Zealand, the Philippines, Sudan, Sri Lanka, Thailand, the United States of America, Mongolia and my own country, the United Republic of Tanzania, I am presenting for the consideration of the General Assembly the draft resolution in document A/41/L.6 on co-operation between the United Nations and the Asian-African Legal Consultative Committee. In addition, the following Member States should be added to the list of sponsors of the draft resolution: Australia, China, the Islamic Republic of Iran, Iraq, Nepal, Oman and Uganda.

Regarding the draft resolution itself, I should like to make a few brief comments. All the preambular paragraphs and operative paragraph 1 are the same as in earlier resolutions. Operative paragraph 2 is almost identical with paragraph 1 of General Assembly resolution 36/38, which was adopted on the occasion of the twenty-fifth anniversary of the AALCC. Operative paragraph 3 refers to the work of the AALCC undertaken since 1983 for improvement of the functioning of the General Assembly, including the presentation in December 1983 of an informal paper on the working modalities of the Sixth Committee of the General Assembly, the preparation of the study for the fortieth anniversary of the United Nations (A/40/726), the recommendations of the AALCC Working Group in June 1986 (A/41/437), the preparation of a study on the World Court (A/40/682), and the organization of a colloquium on the role of the World Court, which was recently held here in New York. Operative paragraph 4 relates to the implementation of paragraph 2 of General Assembly resolution 36/38 during the past five years; and in operative paragraph 5 it is suggested that the item on co-operation between the United Nations and the AALCC



(Mr. Chagula, United Republic  
of Tanzania)

should now come up every two years in accordance with the general recommendations of the AALCC Working Group.

Finally, I should like to thank all those delegations that have found it possible to co-sponsor the draft resolution, which, in view of my belief that it does not contain any controversial elements, I sincerely hope will be adopted by consensus.

Sir John THOMSON (United Kingdom): I should like to begin by expressing my thanks to the delegation of India for making it possible for me to speak at this point in the debate.

I have the honour to speak on behalf of the twelve Member States of the European Community. The Twelve have long admired the work of the Asian-African Legal Consultative Committee (AALCC). We have lent support to many of the initiatives it has taken over the thirty years of its life and we admire the legal and diplomatic skills displayed by its long-standing Secretary-General, Mr. Barry Sen.

We listened carefully to Mr. Sen's statement this morning about the work of the Consultative Committee during the last twelve months. We should like, if we may, to single out one particular project undertaken in that period, namely, the Committee's recommendations for improving and rationalizing the work of the General Assembly which was circulated to the membership of the United Nations in the annex to document A/41/437 of 1 July 1986.

Much work has, of course, been done over the years to improve the way in which we handle our business in the Assembly, in particular in its main committees. But a good deal remains to be done if we are to carry out our work in the most effective way and be seen to be doing so. It is in this respect that the AALCC's recommendations would, if suitably adopted, make a most useful contribution. Some of the Consultative Committee's suggestions were made also by the past Presidents of the Assembly and recorded in a United Nations Institute for Training and Research (UNITAR) study circulated as General Assembly document A/40/377. These in turn received the support of the representative of Canada and the representatives of many other countries, including some of the Twelve, during the 40th session of the General Assembly. We believe that the recommendations have very wide support.

(Sir John Thomson, United Kingdom)

Lastly, the Twelve believe that the AALCC's recommendations should be useful to assist in taking forward in this respect consideration of the work of the Group of High-level Intergovernmental Experts. It is significant to note that their implementation would not entail amending the General Assembly's rules of procedure. The Twelve applaud this useful initiative taken by the AALCC and wish it well in its work in the years ahead.

Mr. BADAWI (Egypt) (interpretation from Arabic): It gives me pleasure to be among the first speakers today while the General Assembly is considering item 30 entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee (AALCC)." The delegation of Egypt attaches special importance to this item in view of its clear impact on the development and codification of international legal norms through the establishment of a wider base of understanding of and appreciation for the important role played by international law in all areas with a view to improving the international climate and the creation of a better world for all people.

Egypt's concern for the promotion of co-operation between the United Nations and the Consultative Committee arises from our deep belief in the mission of both organizations on the regional and international level. This noble mission was the reason for our participation in the establishment of the United Nations, and for our support for the establishment of the Consultative Committee as an interregional institution that works for the achievement of the same lofty goals of the United Nations. The United Nations, as we have come to expect from it, has played a leading role in the recognition of that Committee when it decided at the thirty-fifth session to grant the status of permanent observer to the AALCC. The United Nations invited the Committee to participate as an observer in the sessions and the deliberations of the General Assembly.

(Mr. Badawi, Egypt)

In the thirty-sixth session, which coincided with the 25th anniversary of the establishment of the Committee, the United Nations decided to include the item under consideration on its agenda as an expression of the United Nation's appreciation for the important role played by the Consultative Committee in the promotion of the efforts of the Organization both at the interregional and international levels. Therefore the Consultative Committee intensified its efforts and activities so as to be worthy of the confidence of the Organization. It expanded its areas of work to encompass co-operation in humanitarian and economic fields in addition to its co-operation in the progressive development and codification of international law. The Committee did not confine its efforts and activities to its Member States; rather it expanded them to include all States Members of the United Nations.

We have listened with great care to the comprehensive statement made by Mr. Sen, the Secretary-General of the AALCC, as well as to the statement made by the permanent representative of Tanzania in his capacity as current Chairman of this Committee. It gives us pleasure to extend our congratulations to both of them for their excellent presentation of the efforts of the Consultative Committee and the results of those efforts made over 30 years of hard work. This year we mark the thirtieth anniversary of the establishment of this Committee.

We were pleased to receive the report of the United Nations Secretary-General about the co-operation between the United Nations and the Consultative Committee. The report clearly reflects the progress made in all matters of mutual concern. In this regard we would like to emphasize the efforts made and the initiatives taken by the Consultative Committee in three main areas: the encouragement of increased recourse to the International Court of Justice; the efforts made to strengthen the role of the United Nations through the rationalization of its functional modalities; and international economic co-operation for development.

(Mr. Badawi, Egypt)

The International Court of Justice is the main judicial organ of the United Nations. All Member States are ipso facto parties to the Statute of the Court. Yet, many States are reluctant to accept its mandate and to refer their disputes to the Court under special agreement, preferring to refer their disputes to ad hoc tribunals. That was one of the important matters that commanded the attention of the Meeting of the Legal Advisers of the Member States and the Consultative Committee in 1983. During that meeting it was decided that the Consultative Committee would make efforts to encourage States to resort to the International Court of Justice or its special chambers, should the parties agree, instead of resorting to ad hoc tribunals.

(Mr. Badawi, Egypt)

On that basis the Asian-African Legal Consultative Committee (AALCC) prepared a study on the question that was discussed during its twenty-fourth session, held in Katmandu in February 1985. It was distributed as an official document of the United Nations under item 31 of the General Assembly's agenda at its fortieth session. This study received close attention from all States.

To complement its leading role in this regard, the Committee held a colloquium at the beginning of the month. The colloquium had the honour of being presided over by the President of the International Court of Justice. During the colloquium a valuable exchange of views took place in which some of the members of the Court, the current Chairman of the AALCC and its Secretary-General, the Chairman of the Sixth Committee, the Legal Counsel of the United Nations and the legal advisers of Member States of the United Nations all took part. The effect of this was to increase the importance attached to that matter at all regional and international levels.

Similarly, in pursuance of its work in relation to the strengthening of the role of the United Nations through rationalization of functional modalities, the Committee took the opportunity of the commemoration of the fortieth anniversary of the United Nations to submit a study entitled "Strengthening the role of the United Nations through rationalization of functional modalities with special reference to the General Assembly". This study was distributed as an official document of the United Nations at the request of 53 delegations, from all regional groups. It received widespread support while this item was under consideration in the General Assembly last year. This is in addition to the fact that many States referred to it while discussing the other relevant questions, as the study contained realistic, practical arrangements to ensure improved operation of the General Assembly and of its subsidiary organs.

(Mr. Badawi, Egypt)

With the encouragement of many States, the AALCC established an open-ended working group that held a series of meetings in New York during April and June of 1986. My delegation had the honour to participate in that work. The working group, after its review of the AALCC study and the other relevant studies, agreed on a set of recommendations to improve the work of the General Assembly. The recommendations were made available to the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations. It was also distributed as an official document at the forty-first session.

We were pleased to see a clear reference to that set of recommendations in the recommendation 3 of the High-level Group of Experts. That recommendation was the one that dealt with the procedures and methods of work of the General Assembly and its subsidiary organs. The recommendation reaffirmed a number of points, most of which were identical to the recommendations of the AALCC in that regard. We were particularly pleased to see that the recommendations of the Committee were welcomed by many delegations from all regional groups. This reflects its representation of a wide spectrum of views of the Member States of the United Nations. The prospects of reaching an agreement on most of these recommendations seem promising, if the General Assembly, and in particular the General Committee, accord it the special importance it deserves.

With respect to economic affairs, the Consultative Committee demonstrated the importance it attaches to the question of international co-operation for development by its implementation of a pioneer project for the settlement of disputes in economic and commercial transactions. In the framework of that project it decided to establish five regional centres for trade arbitration, two of which

(Mr. Badawi, Egypt)

were established at Kuala Lumpur and Cairo. They are currently performing their function of helping in the promotion and implementation of the rules of arbitration established by the United Nations Commission on International Trade Law (UNCITRAL). Through a variety of activities, including colloquiums and meetings, the last of which was the colloquium held by the regional centre for international trade arbitration in Cairo at the beginning of this year under the aegis of the Consultative Committee. Representatives of States from different regional groups attended the colloquium with a view to the promotion and implementation of these rules.

The Consultative Committee continues to play a role in increasing capital flows and transfers of technology to developing countries in the Asian-African regions through its preparation of model bilateral agreements for promoting and protecting investments, and its legal framework for joint ventures in the industrial sector.

The Secretary-General of the United Nations was right in what he said about multilateralism in his annual report about the work of the Organization:

"[Its] champions are to be found not only amongst the Governments of Member States. They exist in all walks of life, including academic institutions and the world media. I wish, in this connection, to refer specifically to the many non-governmental organizations which share the goals and, in many instances, the work of the United Nations. I am convinced that, in the coming years, the United Nations will need to place even greater emphasis on close communication and co-operation with these organizations. They constitute an essential extension of the capacity of the United Nations to reach its global constituency." (A/41/1, p. 17)



(Mr. Badawi, Egypt)

With this quotation, I come to the conclusion of my statement. I should like to add only that the delegation of Egypt looks forward to continued close contact and co-operation between the United Nations and the Consultative Committee.

I should like to express our full support for the draft resolution that has been distributed.

Mr. JOSSE (Nepal): As a member of the Asian-African Legal Consultative Committee (AALCC), my delegation has the honour to express its appreciation to the Secretary-General for his report on co-operation between the United Nations and the Asian-African Legal Consultative Committee, circulated in document A/41/653. Similarly, we are also grateful to Mr. B. Sen, the Secretary-General of the AALCC, for his introductory statement detailing the genesis, nature and scope of the co-operative relations between the United Nations and the AALCC.

The AALCC, which has been enjoying permanent observer status with the United Nations since 1975, has completed 30 eventful years of existence. Emerging, as Mr. Sen has said as a "tangible outcome" of the historic first Asian-African Conference at Bandung in 1956, it has become one of the most representative intergovernmental regional bodies dealing with international law.

(Mr. Josse, Nepal)

As has been described in detail in the Secretary-General's report, the co-operative relationship between the United Nations and the AALCC has blossomed considerably since it was first initiated in 1981. Indeed, in the five years since then the AALCC has played a very active role in the progressive codification and development of international law, including in such new areas as international economic co-operation and the environment. As the Secretary-General of the AALCC has stated, it has also consciously sought to promote inter-regional and international co-operation supportive of the broad initiatives of the United Nations.

Nepal has been observing the increasing role of the AALCC in the progressive codification and development of international law with great interest and admiration. In particular, we recall with appreciation AALCC's efforts in promoting the ratification and implementation of the United Nations Convention on the Law of the Sea, including the question of the right of access for land-locked States to the living resources of the exclusive economic zone and the question of transit through coastal States. Nepal noted the praiseworthy efforts of AALCC in preparing a study on the strengthening of the United Nations through a rationalization of functional modalities, as part of its contribution to the fortieth anniversary of the United Nations. My delegation was pleased to have participated in the deliberations of the AALCC Working Group to prepare some concrete recommendations for submission to the General Assembly at the present session, which have been distributed in document A/41/437. We believe this could mark a beginning of negotiations leading to overdue reforms in the functioning of the General Assembly.

We highly commend the efforts of the AALCC in promoting the wider use of the International Court of Justice, as detailed in document A/40/682. We are convinced that the possible wider use of the Court by agreement of States parties would contribute to the enhancement of the pacific settlement of disputes between States,

(Mr. Josse, Nepal)

a concept that is entirely in keeping with the principles of the Charter of the United Nations.

We also take favourable note of AALCC's efforts in the promotion of international economic co-operation and its recent initiatives on the problem of debt burden. We believe both are areas of considerable interest and concern to the United Nations and have more than a passing relevance to international peace and harmony.

In this International Year of Peace my delegation takes special pleasure in commending the efforts and imagination of the AALCC in promoting the progressive codification and development of international law as it relates to the question of refugees and the concept of zones of peace. In particular, I wish to recall that a preliminary study on the concept of peace zone in international law was prepared by AALCC for consideration at its Katmandu session last year, on which occasion it generated considerable interest. The same was true of its session in Arusha in February of this year, leading to a decision by the AALCC to constitute an expert group to consider the content and implications of various proposals, including Nepal's, for the establishment of peace zones made within and outside the United Nations.

Against this background, my delegation is delighted to record its appreciation of AALCC's highly commendable commitment and contributions to the progressive codification and development of international law, in keeping with its co-operative relationship with the United Nations. We therefore take pleasure in sponsoring draft resolution A/41/L.6, on co-operation between the United Nations and AALCC, and appeal for its adoption by consensus.

Mr. LABERGE (Canada) (interpretation from French): It is my privilege today to address the General Assembly, under agenda item 30, on behalf of my delegation and the delegations of Australia, Austria, Denmark, Finland, Italy, Japan, the Netherlands, Norway, Spain and Sweden. Since the beginning of 1985,

(Mr. Laberge, Canada)

these delegations have consulted informally on matters of procedural reform in the United Nations. We did so, first, in the context of the fortieth anniversary, and have done so since more broadly, with a large majority of the member delegations of the General Assembly as well as with the Secretariat. These consultations continue, and we remain open to the views of all delegations. We continue to adjust our approach, in general and specific terms, to take account of the whole spectrum of opinions represented in the General Assembly, but our central preoccupation remains the same: to improve the operations of the Organization for the common good.

Our informal reform group has been greatly impressed by the labours of the Working Group of the Asian-African Legal Consultative Committee (AALCC), whose efforts culminated in April and June of this year with a series of recommendations, which have been circulated in General Assembly document A/41/437. The proposals introduced by the AALCC Working Group are consistent with the process of reflection and consultation that our group has gone through to identify practical steps to improve United Nations operations. We believe that the Consultative Committee's recommendations represent a significant and valuable contribution to efforts aimed at improving the functioning of the United Nations, an improvement that is necessary if the Organization is to deal more effectively with the difficult substantive issues that are currently before us. As stated by Mr. Sen, the Secretary-General of the Asian-African Legal Consultative Committee, the approach of the Working Group was to focus upon those areas that offer good prospects of progress in improving the operations of the United Nations as a whole.

(Mr. Laberge, Canada)

We fully endorse his view that the AALCC has provided many excellent proposals for further improvement and streamlining of the procedures of the General Assembly - a long-overdue exercise. Our informal group believes that the recommendations of the Working Group serve well to reinforce aspects of the work of the Group of High-level Intergovernmental Experts that is currently under consideration in this General Assembly. They also serve to shed fresh light on earlier recommendations in the same vein set out in the various annexes to the existing rules of procedure.

We believe that the current climate of reform may allow us to achieve significant improvement in procedures. We would urge that all bodies and organs within the United Nations take practical steps to improve their functioning and streamline their operations so as to facilitate more detailed and considered examination of the substantive issues that come before them in the course of their work.

We therefore call upon the President of the General Assembly and the Chairmen of all the Main Committees and subsidiary bodies to take action to improve the functioning of the United Nations - inter alia through implementation of the recommendations contained in document A/41/437.

We reaffirm the role of the General Committee in advancing the work of the General Assembly in accordance with the rules of procedure and the relevant annexes thereto. We urge the Secretary-General, in preparing his annual memorandum on the Organization of the regular session of the General Assembly, similarly to take into account the recommendations of the AALCC Working Group.

Since reporting on this item at the fortieth session of the General Assembly, some members of our informal group have indicated in letters to the Secretary-General and to all members of the General Committee our desire to see the early adoption of the recommendations made by the Working Group of the AALCC. Some of us have made statements in the Special Political Committee and the Fourth

(Mr. Laberge, Canada)

Committee in support of the AALCC recommendation for harmonization of their respective timetables. Some have made statements in the Sixth Committee urging implementation of relevant AALCC recommendations. In particular, members of our group plan to urge, in all Committees, that resolutions be drafted in accordance with AALCC recommendations.

Finally, we would request the Secretary-General to report in a separate document, or perhaps in his report on the activities of the Organization, on progress achieved in regard to procedural improvements. We emphasize that all reform initiatives are in one way or another aimed at finding and implementing means to make the United Nations more effective in the search for peace and development, for security and equality and for freedom and the rule of law.

They reflect our wish, which we hope is a collective one, to help to improve the functioning of the Organization and its image in the world. It is to that end that our 11 delegations, in co-operation with others, intend to pursue our efforts to improve the functioning of the United Nations. We appeal to all Member States for co-operation and support in that endeavour. In conclusion, we particularly applaud the efforts of the AALCC and encourage that body, representative of so many of our Members, to carry on with its work.

Mr. KIKUCHI (Japan): It is my great pleasure and privilege to address this Assembly on agenda item 30, "Co-operation between the United Nations and the Asian-African Legal Consultative Committee (AALCC)," particularly since this year marks the Committee's thirtieth anniversary.

As Mr. Sen, Secretary-General of the AALCC, recalled in his statement earlier this morning, the Committee was created in 1956 to study legal and technical questions common to Asian and African countries. As one of its seven founding members, Japan takes special pleasure in noting the Committee's steady and remarkable expansion into a truly international organization which now comprises 38 member States and two associate member States.

(Mr. Kikuchi, Japan)

My Government wishes to pay special tribute to Mr. Sen, who has served with true distinction as the Committee's Secretary-General ever since its creation.

The AALCC is a unique international forum for the free exchange of views and the discussion of common legal problems among experts from Asian and African countries having diverse political, economic and social systems. It has also served to promote peaceful solutions to various legal problems and disputes and has provided young diplomats and lawyers with opportunities to gain expertise in the ever-expanding technical areas of law. The Committee has thus contributed to greater understanding and to the development of friendly and co-operative relations among those countries, not only in legal areas but in other fields as well.

But it is not only the countries of Asia and Africa that have benefited from the work of the AALCC. As its activities expanded, co-operation with countries from other regions and with other international forums became inevitable. It has developed particularly close relations with such United Nations bodies as the International Law Commission, the Commission on International Trade Law, the Conference on Trade and Development and the United Nations High Commissioner for Refugees (UNHCR). In more recent years, particularly since it was granted observer status in the General Assembly, the Committee has made valuable contributions to the work of the Sixth Committee and, in fact, to the General Assembly as a whole.

Special mention should be made of the important initiative it took on the occasion of the fortieth anniversary of the General Assembly regarding the strengthening of the role of the United Nations, with particular reference to the General Assembly. The Committee established an open-ended working group here in New York which submitted to the Assembly a series of recommendations for rationalizing its procedures and improving its functions. My delegation fully supports those recommendations and commends the Working Group for its efforts.

(Mr. Kikuchi, Japan)

As Mr. Sen pointed out in his statement, the recommendations represent a compromise package and should therefore be acceptable to all delegations, especially now that the need for improved United Nations efficiency and effectiveness is universally recognized. My delegation hopes that consultations on those recommendations will continue, so that they can be formally adopted and incorporated into the annex to the General Assembly's rules of procedure. I should like to urge all presiding officers of the Assembly and its subsidiary bodies, as well as all Member States, to implement their contents insofar as possible in the meantime.

The important achievements made thus far by the AALCC lie in promoting co-operation among States in Asia, Africa and elsewhere, strengthening the legal foundations of international relations and advancing the principles and purposes of the United Nations. This augurs well for the success of its future activities. My delegation will continue to extend its fullest co-operation to the Committee both in participating actively as a member and in supporting the Committee's role within the United Nations system.



Mr. GHAREKHAN (India): We have listened with interest to the statements made by the Secretary-General of the United Nations and the Secretary-General of the Asian-African Legal Consultative Committee. We are grateful for their reports on the ongoing co-operative activities between the United Nations and the Consultative Committee.

The Asian-African Legal Consultative Committee, composed of expert members of the Member States, was established in 1956 with the primary objective of assisting the Asian-African countries in the field of international law. The activities of the Committee in various areas of international law - such as the law of treaties, environment, outer space, international trade and economic relations law and commercial arbitration and other areas, and above all the law of the sea - have more than justified the expectations of its founding fathers. By now the Consultative Committee has acquired the status of a premier intergovernmental organization in the field of progressive development and codification of international law.

It is a recognition of the value and quality of the work of the Consultative Committee that its annual sessions have been attracting, besides its own member States - which now number 40 - an increasing number of States from all parts of the world as well as representatives from the United Nations and its specialized agencies and other intergovernmental bodies. Furthermore, it has become a welcome tradition for the Secretary-General of the Committee or his representatives to attend the sessions of the International Law Commission and the United Nations Commission on International Trade Law and for the representatives of those bodies, in their turn, to attend the annual sessions of the Committee. On more than one occasion, even judges of the International Court of Justice have addressed annual sessions of the Committee.

(Mr. Gharekhan, India)

More importantly, the Consultative Committee, on the basis of systematic studies prepared by its secretariat, has been discussing, at its annual and intersessional Expert Group meetings, subjects which are on the agenda of the International Law Commission, the United Nations Commission on International Trade Law, the United Nations Commission on Trade and Development and the diplomatic conferences convened under the auspices of the United Nations. This year the secretariat of the Committee also prepared very useful background material for the assistance of its Member States in their work at the current, forty-first, session of the General Assembly.

At this stage, I should like to place on record my delegation's sincere appreciation for the outstanding contribution made by Mr. Sen, the Secretary-General of the Consultative Committee, in raising the Committee to its present pre-eminent position. I wish him all success in his future activities. We are grateful to him and the Committee for the set of recommendations contained in document A/41/437, for improvement of the functioning of the General Assembly. Such recommendations are indeed welcome at a time when the United Nations is making every effort to streamline its functioning.

The symposium on the role of the International Court of Justice, organized by the Asian-African Legal Consultative Committee during the current session of the General Assembly, has made a useful contribution in explaining the wider use of the procedures available under the Statute and the revised rules of the International Court of Justice for settlement of legal disputes amongst States parties. We are glad to note that the symposium brought to the surface the potential of the chamber procedures of the International Court of Justice.

(Mr. Gharekhan, India)

We hope that the mutually advantageous co-operation which subsists between the United Nations and the Asian-African Legal Consultative Committee will thrive in future. Such co-operation redounds to the benefit of the international community and essentially serves the cause of world peace and order based on respect for rule of law and justice.

We, as a co-sponsor of resolution A/41/L.6 on agenda item 30, commend it to the General Assembly for adoption by consensus.

Mr. AL-HINAI (Oman) (interpretation from Arabic): I am pleased to participate in this debate because my country is this month's Chairman of the Arab Group, on whose behalf I am now speaking, and is also a member of the Asian-African Legal Consultative Committee, in whose activities we have participated and continue to participate actively. Our participation is based on the belief that any effort that strengthens the role of the United Nations should involve Oman and all the other Arab countries. The United Nations emerged in response to a need - which is as acute as ever - for a body capable of playing a constructive role in solving international problems, safeguarding international peace and security, and assisting the peoples of the world to build the future they were dreaming of. This Organization has certainly met the challenge of the expectations of the peoples of the world. Any shortcomings it may have stem from reasons beyond its control, as is well known to the international community.

An evaluation of the work of the Organization demonstrates that its positive contributions outweigh any of the negative aspects which some seek to exaggerate in the pursuit of selfish and shortsighted purposes.

Through its members and observers, the Asian-African Legal Consultative Committee has always sought to present constructive proposals and to engage in studies designed to strengthen the role of the international Organization, so that

(Mr. Al-Hinai, Oman)

it may continue to play a positive role on the international scene and to be a beacon in a world darkened by many political, economic, social and other problems, and a reliable instrument in the preservation of international peace and security.

The study that has been presented by the secretariat of the Committee contains a comprehensive evaluation of United Nations activities in various fields. It draws attention to certain areas in which improving the functioning of the Organization and dealing with shortcomings in the United Nations Charter would be desirable.

A second point relates to humanitarian and social questions. In that regard, certain norms have been established by the United Nations. However, implementation has not been successful because Member States apply different criteria in regard to the application of those norms. Hence, co-ordination between the norms established by the United Nations and those considered necessary by certain Member States is required.

(Mr. Al-Hinai, Oman)

The study divides economic questions into two categories: technical and financial assistance to developing countries in accordance with the United Nations Development Programme; and the restructuring of the world economic order. With regard to legal questions, the study deals with the difficulties facing the principal organs of the United Nations.

A marked development has taken place in the activities of the Committee, which has participated in several conferences and numerous meetings under the auspices of the United Nations and its agencies. Many results were achieved at the last two sessions of the Committee, held in Katmandu in 1985 and Arusha this year.

Close co-operation continues with the International Court of Justice and the International Law Commission. We should also keep in mind the most helpful contributions of former Presidents of the General Assembly to the Committee's activities.

Whatever the results of the activities of the Committee may be, it can never become a magic wand that solves all the intractable accumulated problems at a stroke, but it is one of the genuine means to that end. The developments facing our Organization prove that it needs such initiatives, which are indeed worthy of attention and appreciation by Member States.

The Arab countries have always reaffirmed, through their deeds and through statements before the General Assembly or other principal organs of the United Nations, that they support all well-thought-out and constructive measures to preserve the United Nations, sustain it and prolong its existence, either through effective participation in the solution of international problems or in activities aimed at fulfilment of the aspirations to independence and freedom of peoples still under the yoke of colonialism.

(Mr. Al-Hinai, Oman)

The United Nations was established to solve the intractable problems of the world; therefore the international community must close ranks to find solutions which may help the Organization to overcome its present difficulties. Otherwise the situation of the Organization itself will become an intractable problem in need of a solution, thereby propelling us into a vicious circle. That was the very premise from which the work of the AALCC was launched in a bid to enhance co-operation with the United Nations.

We support the Secretary-General's report (A/41/653) of 29 September 1986 relating to the agenda item on co-operation between the United Nations and the Asian-African Legal Consultative Committee. The Arab States support the draft resolution presented by a number of sponsors, including my country, the Sultanate of Oman, to continue and increase such co-operation. Indeed, many Arab States have sponsored the draft resolution. We hope that such co-operation will prove fruitful and beneficial to all.

Mr. WIJewardane (Sri Lanka): It gives me great pleasure to speak on agenda item 30, "Co-operation between the United Nations and the Asian-African Legal Consultative Committee". My delegate is a co-sponsor of draft resolution A/41/L.6, which I trust will be adopted by consensus.

The Asian-African Legal Consultative Committee (AALCC) celebrates its thirtieth anniversary this year and has an impressive record of achievements during those 30 years. Its fruitful co-operation with the United Nations formally commenced at the thirty-fifth session of the General Assembly when it was accorded the status of Permanent Observer, but the relationship of the Committee with the Member States of the United Nations goes back much further.

There is much to be commended in the work of the AALCC, which with a limited budget and resources has provided a very valuable service since its inception in 1956 as the Asian Legal Consultative Committee. In its formative years the

(Mr. Wijewardane, Sri Lanka)

Committee devoted itself to studies on issues and subjects of special importance to newly independent States, such as citizenship and nationality, succession of States, treatment of foreigners and so on.

The Committee, which had initially taken upon itself an advisory role with regard to its seven original participating States, has over the years extended its activities to meet the varying needs of a membership which now exceeds 40. The beginnings of the AALCC are linked to the historic Bandung Conference. It has emerged as a useful forum for co-operation between the Asian and African regions in several areas of common concern. Its contribution to economic co-operation and matters related to trade law are outstanding examples of its services.

The continuing work done by the AALCC has an impact on the work of the United Nations, particularly because of the global impact its work has had over the years.

During the fortieth session of the General Assembly, which was a time for both celebration and sober reflection on the future of the Organization, the AALCC made a signal contribution. Its study "Strengthening the role of the United Nations through rationalization of function modalities with special reference to the General Assembly" and the seminar it held in September 1985 and its recommendations were, I believe, a valuable input to the review which the Assembly commenced this month on the administrative and financial functioning of the United Nations.

The Secretary-General's report (A/41/653) gives a detailed description of the wide range of issues and subjects with which the Committee has concerned itself in the period under review. These range from international trade law and the International Court of Justice to the promotion of investment and refugee law.

This year, at its twenty-fifth session, held in Arusha, Tanzania, the Committee studied the questions of delimitation of the exclusive economic zone and the continental shelf, right of access for land-locked States to the living

(Mr. Wijewardane, Sri Lanka)

resources of the zone and transit through coastal States in the context of the United Nations Convention on the Law of the Sea. In the same field, at an earlier session in May 1981 in Sri Lanka, a study was initiated on economic, scientific and technical co-operation in the use of the Indian Ocean. Since then, following subsequent sessions in Tokyo and Katmandu, that initiative has led to the furthering of co-operation to ensure optimal use of the ocean and management of its resources.

I do not wish to extend this brief statement unduly. The AALCC stands on its record. African and Asian countries in particular greatly value its contribution to the clarification and elucidation of a number of subjects and concerns of vital importance to us.

I would like to express Sri Lanka's special appreciation of the Secretary-General of the Committee, Mr. B. Sen, for his devoted service to the Committee, which has now firmly established itself as a major intergovernmental organization playing a significant role in the progressive development and codification of international law.

As a sponsor of the draft resolution, my delegation has much pleasure in commending it for adoption by this Assembly by consensus.



Mr. CALERO RODRIGUES (Brazil): The work of the United Nations in general, and in the field of international law in particular, cannot and is not conducted as if it were in closed chambers. Doors must remain open and co-operation should be maintained with the outside bodies and institutions that labour in the same fields and that may well provide an invaluable contribution to the work done at the United Nations.

A case in point is the co-operation between our Organization and the Asian-African Legal Consultative Committee (AALCC). Since that co-operation was formally established a few years ago, positive results have been achieved.

Both the report of the Secretary-General (A/41/653) and the statement of the Secretary-General of the AALCC today give a clear picture of the activities of the Committee and show how much we can profit in the United Nations from its studies, initiatives and suggestions.

After 30 years of proficient work, always characterized by a high degree of consciousness and by strict adherence to sound legal principles, the AALCC is to be counted today as an outstanding organization in the domain of codification and development of international law. The Committee has addressed itself to questions such as the law of the sea, jurisdictional immunities of States, non-navigational uses of international watercourses, settlement of disputes in economic and commercial transactions, and has lately broadened its activities to include areas as different as the strengthening of the role of the United Nations through the rationalization of functional modalities, the enhancement of international co-operation for development, protection of the environment and the problem of refugees. It is not only the list that is impressive, but equally impressive is the quality of the work done.

A word of praise is in order for the 40 members of the Committee, with an additional encomium for the Secretariat and for Mr. B. Sen, who has been a splendid driving force and a permanent inspiration to the AALCC in its many accomplishments.

(Mr. Calero Rodrigues, Brazil)

The Committee is now studying ways and means to promote wider use of the International Court of Justice and the colloquium recently held under the chairmanship of Judge Nagendra Singh, President of the Court, bears witness to the relevance of the Committee's work in that field.

My delegation will continue to follow with interest the activities of the AALCC, wishing it continued success in its endeavours and supports without reservations all efforts to maintain and improve the co-operation between the Committee and the United Nations.

Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) (interpretation from Russian): As the Assembly is aware, the Asian-African Legal Consultative Committee (AALCC) was created at the initiative of an eminent statesman, Mr. Jawaharlal Nehru, after the Bandung Conference of 1955. Throughout its 30 years of history, the Committee has turned into a major intergovernmental organization which represents an important permanent body on co-operation between Asian and African States. The Soviet Union has constantly supported, and continues to support, efforts to implement the Bandung principles between the countries of Asia and strengthening peace and security for all peoples. Of particular significance are the current efforts of the Organization, in the greatly changed conditions of the present-day world, the fundamental issue being whether mankind will be able to avert the nuclear danger or whether the policy of confrontation will prevail, leading to the probability of a nuclear conflict.

The Committee did a great deal of work to try to find solutions for urgent international legal problems and has also made a certain contribution to a number of conferences, for example, the Vienna Conference on Diplomatic Relations and the Conference on the Law of the Sea, and recently the Committee participated as an observer in the work of numerous bodies of the United Nations, such as the General Assembly, the International Law Commission, the United Nations Commission

(Mr. Ordzhonikidze, USSR)

on International Trade Law, the Economic and Social Council and the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.

The Committee also considers a number of international legal problems, including such important issues as the creation of zones of peace, the question of the law of the sea, and proposals to include in a legal instrument elements on friendly and good-neighbourly relations of States in Asia and the Pacific. By considering the legal aspects, we believe the Committee will be able to play a more active and positive role in the future in the creation of a system of security in the Asian and Pacific region.

The Committee will also promote a broader recognition and ratification of legal documents concluded within the United Nations, for example, the Convention on the Law of the Sea. The Committee also comments on a number of documents and treaties of interest to the countries of that region. At the most recent meeting in Arusha, it was proposed that the Secretary-General help to promote the process of ratification of the existing Convention on the Law of the Sea.

We also commend the activities of the Committee in considering the legal aspects of the new international economic order. At the same time, as far as the studies on strengthening the role of the United Nations and improving the work of the General Assembly are concerned, as we see it the Committee should take a more balanced and realistic approach aimed, first and foremost, at carrying out the main task of the United Nations, that of maintaining international peace and security, above all else.

In conclusion, I should like to wish the AALCC every success in its activities aimed at strengthening international legal foundations and creating a safe world free from war and weapons.

Mr. AL-WITRI (Iraq) (interpretation from Arabic): At the outset, we congratulate the Asian-African Legal Consultative Committee (AALCC) on the occasion of its completion of 30 years of legal work within the framework of the Afro-Asian family.

My country is proud to have been one of the founding members of this Committee and participated in its establishment in 1956 within the context of the momentous Bandung Conference.

(Mr. Al-Witri, Iraq)

We have witnessed the development of this Committee and have watched its membership grow from 7 to 40. It has grown from a small committee to an important international committee. My country has played an effective part in the Committee's efforts to promote the progressive development of international law. The Committee has held many meetings in Baghdad, the first of which took place in 1965 and the last in 1977. We have followed all its sessions with sympathy and keen interest.

The Committee has undertaken important legal studies concerning numerous questions, including the question of the privileges and immunities of diplomatic and consular missions, the question of the law of treaties and other important matters. I wish to mention specifically the many regular and special sessions that the Committee held to study the international law of the sea, to reconcile the different points of view on this question and to arrive at compromise solutions of the many problems, especially the question of the exploitation of the sea-bed, the exclusive economic zone, the continental shelf and the rights of land-locked States and geographically disadvantaged countries. The Committee has worked effectively in the field of international trade law. It has participated by submitting important studies concerning the problems of international commercial arbitration. It has established many regional centres in Africa and Asia for this purpose. Furthermore, the Committee has formulated model contracts for international sales so as to safeguard the interests of both sellers and buyers in the countries of Africa and Asia. Moreover, the Committee has recently expanded its fields of interest by dealing with economic questions, especially the question of developing economic co-operation between member countries and questions of development in the developing countries. In addition to this, it has tackled humanitarian questions, foremost among which is the refugee problem.

(Mr. Al-Witri, Iraq)

This effective Committee constitutes a laboratory for the interaction of the ideas and viewpoints of African and Asian countries and for the formulation of a common opinion on problems facing these countries. The African and Asian countries are for the most part developing countries which have recently become independent and which took no part in the laying down of the rules of traditional international law. The Committee has contributed and continues to contribute to the development of these rules in such a way as to establish new international law which would safeguard the interests of its peoples, as well as their legal rights.

The year 1981 marked a new phase in the development of the Committee, when it entered into co-operation with the United Nations. Credit for this useful co-operation is largely due to the Secretary-General of the United Nations, as may be seen from his report (A/41/653), as well as to the general secretariat of AALCC itself, which has submitted many documents to the United Nations, the most important of which are its study on the strengthening of the role of the United Nations (A/40/726 and Corr.1, annex) and its study on the role of the International Court of Justice (document A/40/682, annex).

In view of the foregoing, my delegation supports the draft resolution on co-operation between the United Nations and the Committee (A/41/L.6).

Before concluding, I wish to pay a tribute to the Secretary-General of AALCC, Mr. Sen, for his work in guiding the Committee since its inception. He has striven with devotion and dedication to further its activities. To him go our thanks and our high esteem.

Mr. AL-KHASAWNEH (Jordan) (interpretation from Arabic): I should like to begin my statement by expressing our thanks to the Secretary-General of the United Nations for his comprehensive report (A/41/653), in which he has clearly described the state of co-operation between the United Nations and the Asian-African Legal Consultative Committee (AALCC). I should like also to express our thanks and

(Mr. Al-Rhasawneh, Jordan)

appreciation to the Secretary-General of the Consultative Committee, Mr. Sen, who has presided over the work of the Committee with great skill for many years. It is also my pleasure to express, on behalf of my delegation, our congratulations to the Consultative Committee on completing 30 years of existence and particularly to the general secretariat of the Committee for its continuing efforts to serve the aims of the Committee and for the high quality of the studies issued by the Committee.

The Consultative Committee is one of many outstanding organizations that provide good service to the cause of international law by spreading increasing understanding of it. This in turn helps to promote the role of the United Nations and regional and international co-operation. The important role of the Committee in the field of international law has earned it great international prestige and the appreciation of many international organizations and States that are not members of the Committee, particularly because of the great interest aroused by the studies issued by the Committee. Here I must mention the two studies prepared by the Committee last year, one on the strengthening of the role of the United Nations (A/40/726 and Corr.1, annex) and the other on the role of the International Court of Justice (A/40/682, annex), both issued as documents of the General Assembly at its fortieth session.

The Consultative Committee participates in the co-ordination of the positions of its member States on the issues it discusses. Among these issues, naturally, are some of the items on the agenda of the United Nations General Assembly and its Committees. Furthermore, the studies prepared and issued by AALCC are of great value to the delegations of its member States. The interest in the role and the work of AALCC has grown with the enlargement of its membership and the increase in the representation of many countries at its sessions at the ministerial or other high levels, particularly since the General Assembly at its thirty-fifth session granted the status of permanent observer to the Consultative Committee. Interest

(Mr. Al-Khasawneh, Jordan)

also increased after the Committee expanded its activities to include economic and humanitarian issues. The fact that the General Assembly granted the status of permanent observer to the Consultative Committee shows that the international community fully appreciates the Committee's work. Moreover, the fact that an item was included in the agenda of the General Assembly concerning co-operation between the United Nations and AALCC is further proof of that.



(Mr. Al-Khasawneh, Jordan)

Such co-operation between the United Nations and the Consultative Committee is in the interest of both Organizations. Furthermore, it serves the interests of international law, on the one hand, and international co-operation on the other. My delegation supports such co-operation and we hope that it will continue to be promoted through consultations, studies and different programmes. I should like here to mention the colloquium held recently at the United Nations Headquarters under the leadership of Mr. Nagendra Singh, President of the International Court of Justice, on the role of the Court in solving international disputes as well as the symposium held by the Committee in Cairo last December on arbitration. We believe that such symposiums and colloquiums are very important and we call for further colloquiums and symposiums to be held in co-operation with the United Nations. We support other steps taken by the Committee in light of the fact that economic issues take up most of its attention, such as the preparation of model bilateral agreements for promoting and protecting investments that can be followed by Member States when entering into economic agreements with other States.

We also appreciate the fact that it has put forward a system for the settlement of disputes in economic and commercial transactions, drawing inspiration from the debates on commercial arbitration in the United Nations Commission on International Trade Law (UNCITRAL). We wish full success to the working group established by the Committee to study the debt crisis of developing countries.

In conclusion, my delegation wishes every success to the AALCC in its work. We hope that co-operation between the Committee and the United Nations will continue and indeed will grow.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/41/L.6.

May I take it that the General Assembly adopts draft resolution A/41/L.6?

Draft resolution A/41/L.6 was adopted (resolution 41/5).

The PRESIDENT: This concludes our consideration of agenda item 30.

The meeting rose at 1.05 p.m.