



SUMMARY RECORD OF THE 57th MEETING

Chairman: Mr. AMNEUS (Sweden)

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

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 119: JOINT INSPECTION UNIT: REPORTS OF THE JOINT INSPECTION UNIT  
(continued)

AGENDA ITEM 115: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1988-1989 (continued)

Publications of the International Court of Justice: report of the Joint Inspection Unit (continued) (A/41/591 and Add.1; A/C.5/42/50)

1. The CHAIRMAN recalled that, at its 18th meeting, the Committee had decided to seek the views of the Sixth Committee on the report of the Joint Inspection Unit dealing with publications of the International Court of Justice (A/41/591). The reply received in that connection from the Chairman of the Sixth Committee was contained in document A/C.5/42/50. In addition, the annexes to that document contained the text of a letter from the Chairman of the group of Latin American and Caribbean States addressed to the Chairman of the Sixth Committee and comments on the subject of the Court's publications by the Office of Legal Affairs.

2. Mr. TETTAMANTI (Argentina) noted that the Group of Latin American and Caribbean States had been the only regional group in the Sixth Committee to comment on the Joint Inspection Unit's report, in accordance with the Fifth Committee's request. Unfortunately, the comments of the Legal Counsel had not been made available to the Sixth Committee in time to be considered by the regional groups, so that the topic had not been the subject of a debate in that Committee, as had been anticipated. In any event, he believed that the search for ways of disseminating the judgements of the International Court of Justice as widely as possible was best dealt with by the Court itself. It would also be useful for the Fifth Committee to recommend that the matter should be kept under review by the General Assembly.

3. Mr. BOUR (France) said that the Fifth Committee lacked both the time and the competence to consider the matter in depth. In fact, the Court was best placed to determine how its publications might receive the widest possible dissemination without altering their content or validity. Since the Court's publications had a specific commercial value, he suggested that current publishing agreements should be reviewed with those objectives in view. The publication of documents should correspond to demand to the extent possible. He therefore proposed that the Committee should request the Court to continue to study the problem and perhaps report to the General Assembly at its forty-fourth session.

4. Mr. ORTEGA-NALDA (Mexico) recalled his delegation's support for the proposals of the Joint Inspection Unit regarding publications of the International Court of Justice, which led him to endorse the suggestion made by the representative of Argentina. He emphasized the cost-saving nature of the proposals made by the Joint Inspection Unit and noted further that the Secretary-General, in his note (A/41/591/Add.1), had stated that he had no disagreement with the observations of the inspectors. Finally, his delegation's support for the views of the Joint

(Mr. Ortega-Nalda, Mexico)

Inspection Unit were based on the understanding that the Court's Statute would not need to be modified, as the Office of Legal Affairs implied in paragraph 6 of its comments (A/C.5/42/50, annex II, appendix). The portion of the Court's Statute appearing in that paragraph had been cited out of context.

5. Mr. HARAN (Israel) recalled that his delegation had already voiced reservations with regard to the recommendations of the Joint Inspection Unit. He fully sympathized with the Latin American and Caribbean countries' desire for widespread dissemination of publications of the International Court of Justice. Nevertheless, the views of the Secretary-General set out in document A/41/591 had clearly been superseded by the Legal Counsel's comments to the Sixth Committee, contained in document A/C.5/42/50, which emphasized the areas on which both the Court and the Office of Legal Affairs disagreed with the Joint Inspection Unit. His delegation supported the views of the Legal Counsel. He agreed that the Court should be encouraged to study the question of issuing its commercial publications in languages other than English and French, but could not accept any modification of the Court's Statute.

6. Mr. ELMEDAH (Libyan Arab Jamahiriya) expressed full support for the recommendations and conclusions of the report of the Joint Inspection Unit (A/41/591), but urged that the regional groups should be given sufficient time to study the question in depth.

7. Mr. EL AMRANI (Morocco), supported by Mr. MAKTARI (Yemen), agreed that judgements of the Court should be issued in all official languages. Implementation of the Joint Inspection Unit's recommendations would have no financial implications and would facilitate the work of legal scholars and Governments.

8. Mr. MURRAY (United Kingdom) said that the Committee was not in a position to take a definite decision on the report of the Joint Inspection Unit since only one regional group had addressed the matter in the Sixth Committee. In general, his delegation endorsed the comments made by the Office of Legal Affairs.

9. The CHAIRMAN said that he would prepare a draft decision under which the Assembly would take note of the relevant reports, invite the International Court to continue its consideration of the question, and request the Secretary-General to report again at the forty-third or forty-fourth session.

10. Mr. ORTEGA-NALDA (Mexico) said that his delegation wished the Secretary-General to report back to the General Assembly at its forty-third session.

11. Mr. BOUR (France), Mr. MAJOLI (Italy) and Mr. MURRAY (United Kingdom) said that their delegations would prefer the Secretary-General to report back to the forty-fourth session of the General Assembly.

12. The CHAIRMAN invited all interested delegations to negotiate informally on that point while the draft was in preparation.

Problems of storage and its costs in organizations of the United Nations system;  
report of the Joint Inspection Unit (continued) (A/41/806 and Corr.1; A/42/7/Add.9;  
A/42/295)

13. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had considered the report in the light of the Secretary-General's comments and further information from representatives of the Secretariat on the status of the various recommendations made by JIU. It had been informed that the majority of the recommendations were being or had already been put into effect; however, the Secretariat had tried two-column printing, as called for in recommendation 1 (b), and found it unsatisfactory, and had requested delegations not to ask for additional copies of documents, as suggested in recommendation 1 (c), to no appreciable effect. Recommendation 5 was being addressed by a working group.

14. The Advisory Committee's comments on the recommendations concerning optical-disc technology appeared in paragraphs 8 and 9 of its report (A/42/7/Add.9). The Advisory Committee believed such technology offered the potential for considerable savings in the cost of storage. The Secretariat had indicated that it would shortly launch small pilot projects in order to gain some experience before applying the technology more broadly: the Advisory Committee encouraged it to continue along those lines, and to report on progress to the Advisory Committee and the General Assembly.

15. Mr. MAKTARI (Yemen) commented that the use of double-column printing in small type, as recommended by the JIU, would create problems for delegations' eyesight disproportionate to the savings it would generate for the United Nations budget.

16. Mr. MAJOLI (Italy) asked whether the Secretariat regarded the new optical-disc technology as a good investment, and whether it expected the introduction of such technology ultimately to result in staff savings.

17. Mr. FORAN (Assistant Secretary-General for General Services) said that the question of staff costs was one reason why the Secretariat wished to run some pilot schemes before introducing the technology generally. The pilot schemes were intended to throw light on two aspects of the proposal in addition to the undeniable savings in storage costs: whether information could be input and retrieved more quickly and efficiently with the new technology than with hard copy and conventional storage methods; and if so, at what cost in new machinery and staff. Until the pilot projects had been set up, he could not honestly say what the final costs of the proposal might be.

18. Mr. BOUR (France) commented that the report of the Joint Inspection Unit was exceptionally well prepared and presented, and made recommendations which his delegation could support. The recommendation that two-column printing should be introduced must, however, be treated with care: in the long run, he feared for delegations' eyesight.

(Mr. Bour, France)

19. The use of up-to-date information storage technology might permit some technical and physical problems to be overcome and improve the quality and reliability of data storage, while enabling information to be more widely distributed in the United Nations. His delegation therefore firmly supported recommendations 6 to 8, and called for recommendation 7 to be put into effect as soon as possible. The United Nations Office at Geneva should be permitted, as the Inspectors recommended, to redeploy funds for a trial of the technology, but the current financial crisis might pose obstacles. He therefore drew special attention to recommendation 9 (c) and the possibility of using voluntary contributions from Member States, including contributions in kind, to put the system into effect as soon as possible. He hoped that that recommendation would be energetically followed up.

20. The CHAIRMAN undertook to prepare a draft decision on the subject.

AGENDA ITEM                      PROGRAMME BUDGET FOR THE BIENNIUM 1986-1987

Programme budget performance of the United Nations for the biennium 1986-1987  
(A/42/863; A/C.5/42/40)

21. Mr. GOMEZ (Controller) said that the report of the Secretary-General (A/C.5/42/40) summarized the projected financial outcome of the biennium 1986-1987. The Organization had not been able to carry out all the activities mandated in the budget at the level originally planned; on the other hand, it had managed to cope with a serious threat to its financial viability.

22. The report indicated "savings" of \$158.6 million resulting from economy measures, offset by losses due to currency fluctuations and inflation of \$30.3 million and \$3.2 million appropriated in response to other decisions by policy-making bodies, making a total of roughly \$125 million. The "savings" were of course illusory, for the figures meant simply that expenditure had been reduced to match the available resources. There were no funds to surrender to Member States. The Secretary-General therefore suggested that the final level of appropriations approved for the biennium 1986-1987 should be retained in order to obviate any adverse effects on the funding level of the budget for the biennium 1988-1989, and the Advisory Committee was again recommending suspension of the relevant financial rules.

23. As it was not possible to be certain exactly what portion of the savings could be attributed to the Secretary-General's economy measures, it had been decided to retain for them the figures originally used for budgeting purposes. For technical reasons, it was likely that they had yielded roughly \$20 million more in savings than the report indicated. It had been decided, however, that the figures presented should show the net results of the various transactions involved, including the transfer of funds to the construction account for use in 1988.

24. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that he wished simply to amplify the Controller's statement on savings. Gross "savings" on authorized gross expenditure of \$1,711,801,200 amounted to \$125,034,600. However, as explained in paragraph 6 of the Advisory Committee's report (A/42/863), the net "saving", based on the gross "saving" figure minus income, amounted to \$117,374,300.

25. Paragraph 10 of the report of the Advisory Committee provided a breakdown of the projected savings of \$158,567,600 resulting from economy measures. Paragraph 11 of that report stressed the difficulty of indicating clearly which reductions were related to economy measures and which were related to other changes. As a result, all those reductions should be regarded as indicative.

26. The procedure outlined by the Secretary-General in his report (A/C.5/42/40), which would make no change in the overall level of appropriations and income estimates as approved by the General Assembly in its resolution 41/211, was in line with the Advisory Committee's recommendations submitted to the General Assembly at its fortieth session. Specifically, in paragraph 17 (d) of document A/40/1106 and Corr.2, the Advisory Committee had recommended that "the appropriations for 1986-1987 should not be revised nor should the resultant savings revert to Member States". That recommendation had been reiterated in paragraph 30 of the Advisory Committee's first report on the proposed programme budget for the biennium 1988-1989 (A/42/7).

27. In view of recommendations made in 1986 and current proposals of the Secretary-General, the Advisory Committee recommended that the provisions of financial regulations 4.3, 4.4 and 5.2 (d) should be suspended for the biennium 1986-1987. However, if the situation improved in the future, the General Assembly could at that time decide on the disposition of the amounts held in suspense (or portions thereof).

28. The recommendation of the Advisory Committee to maintain without change the overall level of appropriations was reiterated in paragraph 14 of its report (A/42/863).

AGENDA ITEM 43: CURRENT FINANCIAL CRISIS OF THE UNITED NATIONS (continued)

AGENDA ITEM 117: FINANCIAL EMERGENCY OF THE UNITED NATIONS (continued)

General debate (continued) (A/42/3, A/42/7 and Add.2, A/42/16 (Part I), A/42/30, A/42/234 and Corr.1, A/42/283, 532, 841 and 861; A/C.5/42/2/Rev.1, A/C.5/42/31)

29. Mr. MOHIUDDIN (Bangladesh) said that in his reports on the items (A/42/841 and A/C.5/42/31), the Secretary-General had painted a grim financial picture of the United Nations. Faced with the financial crisis, the Secretary-General had been compelled to take stringent economy measures. Yet, the exact impact of those measures was unknown. As recently as the previous day, the Secretary-General had warned that if the assessed contributions were not paid, the political and financial viability of the United Nations system would be in serious jeopardy and the capacity of that system to carry out its mandated programme would be at risk.

(Mr. Mohiuddin, Bangladesh)

30. The continuing financial crisis was undermining the morale of the entire United Nations staff, a situation which was bound to have far-reaching negative effects on the delivery of mandated programmes. Consequently, his delegation fully agreed with the Secretary-General that no further deterioration in the conditions of service and programme delivery could be permitted.

31. The Secretary-General had also painted a gloomy picture of the prospects in 1988 and, in that connection, had proposed an increase in the Working Capital Fund, and had requested authorization to borrow in the open market and to issue certificates of indebtedness. The Advisory Committee on Administrative and Budgetary Questions, in its report A/42/863, had agreed with the third proposal, but had not supported the first two. His delegation was in agreement with the conclusions of the Advisory Committee, noting that measures which affected the long-term financial health of the Organization or increased the financial burdens on Member States were not prudent. Further, given the current volatile situation, borrowing in the open market would be particularly risky.

32. A substantial part of the problem could be solved if Member States paid their assessments in a timely fashion. In that connection, his delegation urged all Member States to meet the basic obligation of membership by paying their assessments, particularly existing arrears, fully and promptly.

33. Mr. FERM (Sweden) said that the report of the Secretary-General on the current financial crisis of the United Nations (A/42/841) was sad and disturbing. It was unacceptable that an organization of the stature of the United Nations should be deliberately placed in a situation where it could not fulfil its mandated activities. His delegation's position was clear: the principles laid down in the Charter, including collective responsibility for the expenses of the Organization, must be upheld.

34. The current crisis had been precipitated by legislation enacted by the major contributor State in 1985. In the following years, non-payment of assessed contributions had reached unprecedented levels. As of November 1987, full payment had been made by only 66 Member States, placing the Organization in an intolerable situation. The failure of the United States to fulfil its financial obligations in full had greatly intensified the crisis. However, there were some positive developments as exemplified in the recent advance payment by the United Kingdom, the payment of arrears by the Soviet Union, and the voluntary contribution from Japan.

35. The outlook for 1988 was somber. Continuation of the economy measures implemented during the last two years would no longer generate substantial savings. In fact, those measures might endanger the capacity of the Organization to fulfil its mandate and could jeopardize the current reform process, as mandated in General Assembly resolution 41/213. With respect to the short-term measures proposed in the Secretary-General's report, his delegation supported the proposal to increase the Working Capital Fund to \$200 million, but feared that not all Member States would honour their obligation to contribute to that fund. The

(Mr. Ferm, Sweden)

proposal regarding commercial borrowing appeared reasonable. In that connection, borrowing from Member States or from international entities would be preferable, although such a measure might not produce the desired result quickly enough. His delegation was ready to consider subscription to debt certificates on the condition that other Member States were prepared to do the same. However, he wondered whether it was wise to allow one-time voluntary contributions to solve the long-term problem of regular budget funding.

36. Although the measures proposed by the Secretary-General might solve the financial crisis in 1988, they did not provide long-term solutions. His delegation agreed with the statement of the Secretary-General on 8 December 1987 to the effect that a stable financial foundation for the Organization must be built and that, among the elements making up that foundation, timely payment of assessments remained the most important. In the long run, the Organization could be financially sound only if it had a funding arrangement that was strictly applied and respected by all Member States. If the current arrangement was not viable, then alternatives must be explored.

37. The Secretary-General did not foresee an improvement in the pattern of payments in 1988 and, beyond that year, there was no indication that the situation would improve. The major contributor to the United Nations did not seem to be able to honour its international contractual obligations to the Organization; as a result, either the United Nations would become insolvent or the other Members would have to assume a larger share of the financial burden. The current situation was unacceptable: Members who paid their dues in full and on time had every reason to expect in return an organization capable of fulfilling its mandate. Instead, the United Nations remained crippled by financial problems which occupied all the time and energy of its Member States.

38. One result of the financial crisis was that the budget process had become a fiction. A decision was taken on the budget; then economy measures were introduced to avoid cash depletion; spending was revised downwards; then a decision was taken on the scale of assessments. That scale, as a result of the economy measures and the non-payment of certain Members, became only a formality because in practice it did not apply. For the previous two years no Member State had in reality paid the maximum assessed share of 25 per cent. Thus, the real ceiling on contributions had been less than 15 per cent. On the other hand, Member States that had paid their assessed contributions in full had in reality carried a larger share of the disbursements than they should according to the formal scale of assessment. Such a situation would in the long run be untenable.

39. The time had come to look at alternative ways to finance the Organization with a view to finding a long-term solution and, in that connection, several delegations had put forward suggestions which should be studied and discussed. Sweden was ready to participate actively in such discussions which, in the view of his delegation, should be initiated immediately.



(Mr. Ferm, Sweden)

40. At the fortieth session of the General Assembly, the Swedish delegation had proposed a lowering of the current ceiling of 25 per cent with a view to a more even sharing of the costs of the Organization. The consequence of such a step would be that other Members would increase their shares. If and when reform was agreed upon, Sweden was willing to assume a larger financial burden. His delegation also considered that an increase in the floor contribution should not be excluded.

41. Such a step, together with the reform process currently under way, would put the United Nations on a sounder financial basis. It would represent no more than a modification of the current method; such modifications had taken place before.

42. The basic principle for the scale of assessments was capacity to pay as measured by national income; the floor and the ceiling were modifications to that principle. The principle had negative effects however in that it made the Organization dependent to a large extent on one single contributor; dependence meant vulnerability which in turn meant weakness.

43. The contribution of Member States were small by any yardstick and could not represent a financial burden for any Member. Together the Member States of the United Nations should be strong and proud enough to deliver the Organization from the humiliating position of a financial hostage.

44. In conclusion, he wished to announce that Sweden intended to pay in full, early in January 1988, its assessed contribution for that year. Sweden was also willing to give positive consideration to the proposals made by the Secretary-General in his report and to carry its share of the additional financial contributions that might be necessary to avoid cash depletion in 1988. In that context, his delegation would like to see a start made in a discussion among all Member States of different ways of ensuring a more stable financial foundation for the Organization so as to avoid a recurrence of the crisis.

AGENDA ITEM 115: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1988-1989 (continued)

Programme budget implications of draft resolution A recommended by the Committee on Conferences in paragraph 1 of its report (A/42/32) (A/C.5/42/11)

Programme budget implications of draft resolution C recommended by the Fifth Committee in paragraph 8 of its report on agenda item 120 (A/42/764) (A/42/7/Add.8; A/C.5/42/29)

45. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), referring first to the Secretary-General's statement on the programme budget implications of the draft resolution A recommended by the Committee on Conferences in document A/42/32, paragraph 1, (A/C.5/42/11), said that the General Assembly would renew the mandate of the Committee on Conferences for one year from 1 January 1987. The Secretary-General had indicated that conference-servicing requirements were estimated at \$559,200. As indicated in paragraph 9 of the

(Mr. Muelle)

Secretary-General's statement, no additional appropriation would be requested under section 29. He would hope that in future the activity would be regarded as perennial as no one believed that the Committee on Conferences was going to be abolished. The item should therefore in the future be included in the Secretary-General's initial estimates.

46. With respect to resolution C adopted by the Fifth Committee and contained in paragraph 4 of its report (A/42/764), the statement of programme budget implications prepared by the Secretary-General was contained in document A/C.5/42/29 while the Advisory Committee's report was in document A/42/7/Add.8. The Advisory Committee's comments were very brief and clearly drafted; it had made a number of observations in its report regarding the implementation of the draft resolution and had indicated that, according to the Secretary-General and the Advisory Committee, no additional appropriation would be required if the General Assembly adopted that resolution.

47. The Advisory Committee had reflected certain understandings in its report and, in paragraph 7, had indicated the kind of action which the Fifth Committee should recommend to the General Assembly. In brief, apart from the fact that there would be no additional appropriation request, the Fifth Committee would inform the General Assembly that the clarifications and understandings set out in paragraphs 3 to 6 of the report of the Advisory Committee should be taken into account in the implementation of draft resolution C.

48. The CHAIRMAN proposed that, on the basis of the recommendation of the Advisory Committee, the Fifth Committee inform the General Assembly that, should it adopt draft resolution A recommended by the Committee on Conferences (A/42/32, para. 1), no modification would be required in the programme of work for the Planning and Meetings Services Section, Interpretation and Meetings Division, Department of Conference Services, and furthermore no additional cost would be incurred over and above that contained in section 29 of the proposed programme budget for the biennium 1988-1989.

49. It was so decided.

50. The CHAIRMAN invited the Committee to take a decision on the programme budget implications of draft resolution C.

51. Mr. MAKTARI (Yemen) said that in paragraph 3 of its report (A/42/7/Add.8), the Advisory Committee had concurred in the understanding expressed in paragraph 3 of the Secretary-General's statement that the purpose of draft resolution C was not the elimination of the present distinction between official languages and working languages in the United Nations deliberative bodies. In paragraph 1 of draft resolution C, however, the General Assembly would request United Nations bodies and the Secretary-General to ensure respect for equal treatment of the official languages of the United Nations. His delegation was very concerned at the contradiction between those two statements, as language discrimination clearly

(Mr. Maktari, Yemen)

continued to exist in the Organization. His delegation therefore sought clarification of the contradiction together with the opinion of the Legal Counsel on the matter.

52. Mr. DUVAL (Programme Planning and Budget Division), replying to the representative of Yemen, said that the distinction between official and working languages was based on the decisions of the deliberative bodies concerned. That point became clear in the light of the Advisory Committee's report. The implementation of resolution C should in future result in the strict implementation of all decisions related to respect for equal treatment of the official languages of the United Nations. The six official languages of the General Assembly were also its working languages so that there was no question but that the implementation of the draft resolution would mean absolute respect for those six languages. The Secretariat could therefore confirm that the implementation of draft resolution C in future years would ensure such equal treatment.

53. Mr. LADJOUZI (Algeria) expressed the view that, in connection with the clarifications and understandings stated in paragraphs 3 to 6 of the Advisory Committee's report, paragraph 5 should be particularly stressed.

54. Mr. MAKTARI (Yemen) asked whether, in drafting paragraph 3 of his statement, the Secretary-General had based himself on legal advice. If so, he would like to have a copy of the legal opinion given to the Secretary-General.

55. The CHAIRMAN expressed the view that the legal opinion had not been provided in writing.

56. Mr. KASTOFT (Denmark) said the majority of Member States were never able to use their mother tongues in the United Nations. During the current session a great deal of time had been spent on the language issue. It was now time to take a decision on the Advisory Committee's report. He therefore requested the Chairman to submit a proposal for action by the Committee.

57. Mr. LADJOUZI (Algeria) supported the request of the representative of Yemen. It should be possible to take a decision on the programme budget implications of draft resolution C and to obtain the information requested by the representative of Yemen at a later stage.

58. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Office of Legal Affairs had been involved but he did not know whether the opinion it had given had been provided in writing. It was up to the representative of the Secretary-General to look into the matter; if there was a written opinion, he saw no reason why it should not be made available to the representative of Yemen.

59. The CHAIRMAN proposed that, on the basis of the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution C, no additional appropriations would be necessary, and that the clarifications and understandings stated in paragraphs 3 to 6 of the Advisory Committee's report (A/42/7/Add.8) should be taken into account in the implementation of the draft resolution.

60. It was so decided.

The meeting rose at 1.05 p.m.