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New York

SUMMARY RECORD OF THE SECOND PART* OF THE 64th MEETING

Chairman: Mr. VILCHEZ ASHER (Nicaragua)

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

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* The summary record of the first part of the meeting, held on Friday, 31 May 1996, appears as document A/C.5/50/SR.64.

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COMPLETION OF THE WORK OF THE FIFTH COMMITTEE AT THE SECOND PART OF THE RESUMED
FIFTIETH SESSION OF THE GENERAL ASSEMBLY

The meeting was reconvened at 3.25 p.m.

AGENDA ITEM 122: FINANCING OF THE UNITED NATIONS PEACE-KEEPING FORCES IN THE MIDDLE EAST (continued)

(b) UNITED NATIONS INTERIM FORCE IN LEBANON (continued) (A/C.5/50/L.67)

Draft resolution A/C.5/50/L.67

1. The CHAIRMAN informed members of the Committee that a vote had been requested on paragraph 7 of draft resolution A/C.5/50/L.67, which appeared in square brackets.
2. Mr. GELBER (United States of America), speaking in explanation of vote before the voting, said that his Government firmly supported the United Nations Interim Force in Lebanon (UNIFIL), which had contributed greatly to reducing the violence in southern Lebanon. No other Government had worked as hard to bring calm to the Israel-Lebanon border and to ensure the protection of the civilian population.
3. His delegation had therefore been concerned at the proposals to amend the customary formulation of the resolution on the financing of UNIFIL, proposals which it saw as a regrettable attempt to politicize the Committee's work. The Qana tragedy and the context in which it had occurred had been the subject of resolutions adopted by the General Assembly and the Security Council. The fact that an attempt was being made within the Committee to attribute responsibility for that tragedy in a partial manner would only obstruct the efforts made on all sides to advance the peace process. Moreover, tackling that kind of political issue, as paragraph 7 of the draft resolution implicitly did, could only compromise the Committee's ability to carry out its work. Adopting the draft resolution with paragraph 7 as it stood would set an extremely unfortunate precedent. The proposals which his delegation had made with a view to attenuating the political impact of the text of the draft resolution and preserving the tradition of adoption by consensus had all been rejected.
4. His delegation would therefore vote against paragraph 7 of the draft resolution, and against the draft resolution as a whole if that paragraph was adopted. It would, however, continue to support UNIFIL and it reaffirmed its commitment to respect for the full sovereignty, the independence, the territorial integrity and the unity of Lebanon within secure, internationally recognized borders. Lastly, it recognized the financial obligations which the adoption of the draft resolution would impose on the United States of America.
5. A recorded vote was taken on paragraph 7 of draft resolution A/C.5/50/L.67.

In favour: Algeria, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Canada, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Finland, France, Germany, Ghana, Greece, Guyana, India, Indonesia, Ireland, Italy, Japan, Jordan,

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Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Malaysia, Marshall Islands, Mexico, Monaco, Morocco, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Philippines, Poland, Portugal, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yemen, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Chile, Republic of Korea.

6. Paragraph 7 of draft resolution A/C.5/50/L.67 was adopted by 82 votes to 2, with 2 abstentions.*

7. The CHAIRMAN said that a vote had been requested on draft resolution A/C.5/50/L.67 as a whole. The square brackets around paragraph 7 should be removed, since the paragraph had been adopted.

8. Mr. PELEG (Israel) said that his delegation had voted against paragraph 7 of the draft resolution and would vote against the draft resolution as a whole, because it introduced unnecessary political considerations into the Committee's discussions. With regard to paragraph 7, he emphasized that those really responsible for the Qana tragedy were the Hezbollah terrorists, who had shelled northern Israel repeatedly from positions close to UNIFIL headquarters.

9. A recorded vote was taken on draft resolution A/C.5/50/L.67 as a whole, as amended.

In favour: Algeria, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Finland, France, Germany, Ghana, Greece, Guyana, India, Indonesia, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Malaysia, Marshall Islands, Mexico, Monaco, Morocco, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great

* The Iranian delegation subsequently informed the Committee that it had intended to vote in favour of paragraph 7 of draft resolution A/C.5/50/L.67.

Britain and Northern Ireland, Uruguay, Venezuela, Yemen,
Zimbabwe.

Against: Israel, Syrian Arab Republic, United States of America.

Abstaining: Iran (Islamic Republic of).

10. Draft resolution A/C.5/50/L.67, as amended, was adopted by 85 votes to 3, with 1 abstention.

11. Mr. AL-HARIRI (Syrian Arab Republic) said that his delegation had voted against the draft resolution in accordance with the principle, reaffirmed many times, that UNIFIL should be financed by the aggressor country, namely, Israel. For the same reason, it had voted in favour of paragraph 7, considering that the costs arising from the damage to UNIFIL headquarters must be assumed by Israel, the aggressor, in accordance with the relevant General Assembly resolution, and not by the Member States as a whole.

12. Mr. NAJEM (Lebanon) called for the immediate application of Security Council resolution 425 (1978), which had established UNIFIL and which demanded the withdrawal of Israeli forces from Lebanon. His delegation vigorously condemned the bombing of UNIFIL headquarters in Qana by the Israeli occupation forces and asked that steps be taken to ensure the safety of UNIFIL and its equipment. It was profoundly grateful to those delegations which had voted in favour of paragraph 7 of the draft resolution, and pointed out that, despite the Israeli aggression, the country which had voted against Lebanon in the Security Council and in the General Assembly had not changed its position, for reasons that were well known. His delegation reaffirmed that it had shown flexibility with respect to the text of the draft resolution, which had no political connotations. Only the negative position adopted by two Member States, in an attempt to cover up Israel's responsibility in the Qana massacre, was political.

13. Mr. MIRMOHAMMAD (Islamic Republic of Iran) said that his delegation had voted for paragraph 7 of the draft resolution, but had abstained in the voting on the draft resolution as a whole because it felt that the costs of UNIFIL should be borne by the party responsible and not by the Member States as a whole.

14. Mr. AMARI (Tunisia) read out the preambular paragraph and operative paragraph which had appeared in the original version of the draft resolution. The former simply reproduced a preambular paragraph from resolution 50/22 C, adopted by the General Assembly following the Qana incident, while the latter was based on a statement which the Controller had made to the Committee on 6 May 1996. His delegation considered it only normal that the Secretary-General should include in his report the costs of the damage to UNIFIL headquarters in Qana. In response to the political difficulties which those paragraphs had created for most delegations, the Group of Arab States had taken account of all the views expressed and had submitted a new, factual paragraph, which had become paragraph 7 and which was based on the statement by the official representative of the Secretary-General. He regretted that all efforts at conciliation had failed, and hoped that the vote which the Committee had been forced to take would not set a precedent.

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15. Mr. LOZINSKI (Russian Federation) said he regretted that the Committee had had to take a vote and that it had made an exception to the normal procedure of adopting resolutions on the financing of peace-keeping operations by consensus. He felt that the draft resolution could and should have been adopted without a vote.

AGENDA ITEM 123: FINANCING OF THE UNITED NATIONS ANGOLA VERIFICATION MISSION (continued) (A/C.5/50/L.56)

Draft resolution A/C.5/50/L.56

16. Mrs. EMERSON (Portugal) introduced, on behalf of the Chairman, draft resolution A/C.5/50/L.56, which had been agreed upon in informal consultations. She recommended that it be adopted by consensus.

17. Draft resolution A/C.5/50/L.56 was adopted.

AGENDA ITEM 124: FINANCING OF THE ACTIVITIES ARISING FROM SECURITY COUNCIL RESOLUTION 687 (1991) (continued)

(a) UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION (continued)
(A/C.5/50/L.47)

Draft resolution A/C.5/50/L.47

18. Mr. ALOM (Bangladesh) introduced, on behalf of the Chairman, draft resolution A/C.5/50/L.47, which was the outcome of informal consultations. He recommended that it be adopted by consensus.

19. Draft resolution A/C.5/50/L.47 was adopted.

AGENDA ITEM 125: FINANCING OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA (continued) (A/C.5/50/L.55)

Draft decision A/C.5/50/L.55

20. Ms. PEÑA (Mexico), introducing draft decision A/C.5/50/L.55, recommended that it be adopted without a vote, since it had been agreed upon in informal consultations.

21. Draft decision A/C.5/50/L.55 was adopted.

22. Mr. MOKTEFI (Algeria) said that one delegation had tried to make improper use of the Fifth Committee to obtain what it had been unable to obtain from the Security Council and the Fourth Committee, which were the competent bodies for dealing with the political aspects of the question of Western Sahara. That delegation was to blame for the fact that the United Nations Mission for the Referendum in Western Sahara (MINURSO) was the only peace-keeping operation for which the Committee had been unable to recommend a financing resolution. He recalled that MINURSO was present in Western Sahara as part of the process of decolonizing that Territory and that a referendum was to be organized in accordance with the settlement plan endorsed by the Security Council. The

identification phase of the referendum operation was currently at a standstill, not because of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO), but because of Morocco, which was categorically opposed to the principle of transparency. Algeria, which was directly concerned by the stability of the subregion, regretted the current deadlock, but felt that the latest Security Council resolution on the issue was encouraging because it stressed the need for the Secretary-General to pursue his efforts with both parties to find a way out of the deadlock.

23. Mr. MEDINA (Morocco) said that the Secretary-General had indicated in his report (S/1995/986) that the basic obstacle to continuing and completing the identification process was the refusal of the Frente POLISARIO to participate in the identification of certain tribal groups and persons not resident in the Territory. All of the reports which the Secretary-General had submitted to the Security Council on the subject indicated that Morocco was committed to the comprehensive implementation of the settlement plan. Morocco would take up the issue again in September and hoped that, in the meantime, an appropriate settlement would be found to the question of Western Sahara.

AGENDA ITEM 128: FINANCING OF THE UNITED NATIONS PROTECTION FORCE, THE UNITED NATIONS CONFIDENCE RESTORATION OPERATION IN CROATIA, THE UNITED NATIONS PREVENTIVE DEPLOYMENT FORCE AND THE UNITED NATIONS PEACE FORCES HEADQUARTERS (continued) (A/C.5/50/L.60)

Draft resolution A/C.5/50/L.60

24. Mr. ABELIAN (Armenia), introducing draft resolution A/C.5/50/L.60, indicated that paragraph 17 of the draft resolution should be deleted. The Committee anticipated that the report requested from the Secretary-General in paragraph 7 would be submitted to it by 15 August 1996, that the Advisory Committee would consider the issue as a matter of priority and that its report would be available by the resumed fiftieth session in September 1996.

25. Draft resolution A/C.5/50/L.60, as orally revised, was adopted.

AGENDA ITEM 131: FINANCING OF THE UNITED NATIONS PEACE-KEEPING FORCE IN CYPRUS (continued) (A/C.5/50/L.50)

Draft resolution A/C.5/50/L.50

26. Ms. ALMAO (New Zealand) introduced draft resolution A/C.5/50/L.50, on which the Committee had reached a consensus in informal consultations.

27. Draft resolution A/C.5/50/L.50 was adopted.

AGENDA ITEM 132: FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA (continued) (A/C.5/50/L.49)

Draft resolution A/C.5/50/L.49

28. Mr. ABELIAN (Armenia) introduced draft resolution A/C.5/50/L.49, which was the outcome of informal consultations, and recommended that it be adopted without a vote.

29. Draft resolution A/C.5/50/L.49 was adopted.

AGENDA ITEM 133: FINANCING OF THE UNITED NATIONS MISSION IN HAITI (continued) (A/C.5/50/L.53)

Draft resolution A/C.5/50/L.53

30. Ms. PEÑA (Mexico) introduced draft resolution A/C.5/50/L.53, which reflected the outcome of informal consultations, and recommended that it should be adopted without a vote.

31. Mr. ZHANG Wanhai (China) asked, with regard to paragraph 14, why the item that the General Assembly would decide to include in the provisional agenda for its fifty-first session was entitled "Financing of the United Nations Mission in Haiti", since in informal consultations delegations had agreed to refer to the financing of the liquidation of the Mission. He proposed that the word "liquidation" should be added to the title of the item.

32. Ms. PEÑA (Mexico) said that it had indeed been proposed in informal consultations that, in view of recent Security Council resolutions, the item should be entitled "Financing of the liquidation of the United Nations Mission in Haiti". But no consensus had emerged on that proposal and the title of the item had thus been retained as worded while awaiting more specific action by the Security Council on the future of the Mission.

33. Mr. HANSON (Canada) said that his recollection of the consultations accorded with that of the representative of Mexico: there had been no consensus on amending the title of the agenda item.

34. Mr. KELLY (Ireland) agreed with the representative of Canada and recalled that one reason why the proposed amendment had not gained unanimous support was that it was for the General Committee of the General Assembly to determine whether the title of an agenda item should be changed.

35. Mr. ZHANG Wanhai (China) said that given the objections by certain delegations he would withdraw his proposal so as not to hinder consensus. Nevertheless, he wished to draw attention to the existence of a precedent: at the forty-eighth session the title of the draft resolution on the Mission in Cambodia had been "Financing of the Mission in Cambodia" whereas the text had referred explicitly both to the financing and the liquidation of the Mission.

36. Draft resolution A/C.5/50/L.53 was adopted.

AGENDA ITEM 134: FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN LIBERIA
(continued) (A/C.5/50/L.51)

Draft decision A/C.5/50/L.51

37. Mr. MAZEMO (Zimbabwe) introduced draft decision A/C.5/50/L.51, which reflected the consensus which had emerged in informal consultations, and recommended that it should be adopted without a vote.

38. Draft decision A/C.5/50/L.51 was adopted.

AGENDA ITEM 135: FINANCING OF THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA
(continued) (A/C.5/50/L.52)

Draft resolution A/C.5/50/L.52

39. Mr. MAZEMO (Zimbabwe) introduced draft resolution A/C.5/50/L.52, which reflected the outcome of informal consultations, and recommended that it should be adopted without a vote.

40. Draft resolution A/C.5/50/L.52 was adopted.

AGENDA ITEM 136: FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 (continued)
(A/C.5/50/L.62)

Draft resolution A/C.5/50/L.62

41. Ms. ROTHEISER (Austria), introducing draft resolution A/C.5/50/L.62, proposed two revisions to the text. In the fifth line of paragraph 2 the words "the period from 1 April to 31 December" would be added after the word "for", and paragraph 8 would be reworded to read: "Requests the Secretary-General to entrust the Office of Internal Oversight Services with undertaking, without prejudice to its programme of work, an inspection of the International Tribunal, with a view to identifying problems and recommending measures to enhance the efficient utilization of resources, and to report thereon to the General Assembly at its fifty-first session;".

42. Draft resolution A/C.5/50/L.62, as orally revised, was adopted.

AGENDA ITEM 137: FINANCING OF THE UNITED NATIONS MISSION OF OBSERVERS IN TAJIKISTAN (continued) (A/C.5/50/L.48)

Draft resolution A/C.5/50/L.48

43. Mr. ABELIAN (Armenia) said that the draft resolution reflected a consensus and trusted that it could be adopted without a vote.

44. Draft resolution A/C.5/50/L.48 was adopted.

AGENDA ITEM 138: ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS (continued)

(a) FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS (continued)
(A/C.5/50/L.65)

Draft resolution A/C.5/50/L.65

45. Mr. MADDENS (Belgium), Rapporteur, introducing draft resolution A/C.5/50/L.65, noted that the text before the Committee had been intensively discussed in informal consultations and recommended that it should be adopted without a vote. The draft resolution concerned reform of the support account, a matter debated at length by the Committee. Firstly, the ad hoc and temporary nature of the support account was confirmed since, under paragraphs 7 and 8, the Secretary-General would be required to substantiate each year, in his budget report for the following year, the total resource requirement and utilization. Secondly, the provisions contained in the fourth preambular paragraph, paragraphs 4 and 5, and paragraph 17 (e), would improve monitoring of the level of peace-keeping activity. Thirdly, noting that the current mechanism for maintaining the support account did not cover all commitments by the Secretariat for the backstopping of peace-keeping operations, the Committee was recommending, in paragraph 3, that the General Assembly should approve, on a provisional basis and for the period to 30 June 1997, a new funding mechanism. The provisional nature of that mechanism was reinforced by the decisions taken in paragraph 10.

46. For the year 1996-1997, paragraphs 17 and 18 made a slight adjustment to the Secretary-General's proposals regarding the staffing of the Department of Peace-keeping Operations, the Department of Administration and Management and the Office of Internal Oversight Services.

47. With regard to paragraph 17 (e), it should be recalled that members of the Committee had expressed the view that the level of peace-keeping activities should be followed more closely. Implementation would be left to the discretion of the Secretary-General, it being understood, however, that the provision would not apply to the secretariat of the Advisory Committee.

48. He drew attention to a drafting error. In the second line of paragraph 17 (e) the word "and" should be replaced by "including".

49. Mr. TAKASU (Controller) said that he wished, on behalf of the Secretary-General, to state the implications of adopting draft resolution A/C.5/50/L.65 on the support account and, specifically, of the abolition and establishment of posts provided for under paragraphs 17 and 18.

50. During the informal consultations certain delegations had expressed the view that the decisions provided for in paragraphs 17 and 18 were warranted and had argued that the Secretary-General had not conducted a proper review of support account requirements, and had denied that those decisions represented micro-management. The view had also been expressed that there must be a direct and immediate linkage between any fluctuations in the total dollar value of

peace-keeping operations and the backstopping workload and hence support account resource requirements at Headquarters.

51. He emphasized that, contrary to the views expressed by Member States, the Secretary-General had conducted a comprehensive review of support account requirements taking full account of the changing nature of the backstopping of peace-keeping operations at Headquarters. The results of that review were set out in the Secretary-General's report (A/50/876) and note (A/C.5/50/65), in which he had indicated his judgement of the minimum backstopping requirements for the 12-month period from 1 July 1996 to 30 June 1997. It was thus quite wrong to say that the Secretariat had not conducted a comprehensive review.

52. Moreover, the unprecedented level of specificity of the decisions contained in paragraphs 17 and 18 was indeed micro-management and impinged on the ability of the Secretary-General to assume his responsibility under the Charter to manage the resources made available to the Secretariat in the most efficient and economical manner. Such decisions would seriously hamper the capacity of the Department of Administration and Management which, together with the Department of Peace-keeping Operations, provided essential backstopping for peace-keeping operations.

53. There could also be no direct and immediate linkage between the notable decline in the total dollar value of peace-keeping operations between 1995 and 1996 and the backstopping workload and related support account resource requirements at Headquarters. In that connection, while the Secretary-General recognized, in paragraph 22 of his report (A/50/876) that a reduction in the level and scope and, thus, in the cost, of a number of active peace-keeping operations would eventually result in the decrease of backstopping activities, he also stressed that the number of operations requiring backstopping support (active, completed and closed missions) would increase from 23 in 1995 to 26 in 1996. It must be recognized that just as there was a "catch-up" period in the provision of backstopping staffing at the time of expanding peace-keeping operations, the adjustment, when justified by a decline in operations, should also be phased and orderly. In other words, the drop in the total dollar value of peace-keeping operations between 1995 and 1996 could not be immediately translated into a corresponding reduction in the workload at Headquarters and in support account resource requirements. That reduction must take place gradually.

54. Concerning staffing, the number of posts requested by the Secretary-General for 1996-1997, or 355, was the result of a careful and comprehensive review of the minimum requirements conducted throughout the Secretariat. Draft resolution A/C.5/50/L.65 provided for the creation of eight additional posts which had not been requested by the Secretary-General: two Professional posts in the Office of Internal Oversight Services and six Professional posts in the Mission Planning Service of the Department of Peace-keeping Operations. It also proposed suppressing 18 posts, which would bring the number of posts down to 345, or 10 posts less than the Secretary-General had proposed and 63 posts less than there had been in 1995 (which was also less than there had been in 1994).

55. Even more disturbing was the fact that, of the 18 posts to be suppressed, one was a General Service post in the Executive Office of the Department of

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Peace-keeping Operations, five were from various units of the Department of Administration and Management and 12 were to be decided on in departments other than the Department of Peace-keeping Operations. However, if the Department of Administration and Management was excluded, the other departments in question had only a few support account posts and it was therefore not feasible to suppress posts from those offices. In other words, the 12 posts referred to in paragraph 17 (e) would have to be found in the services of the Department of Administration and Management, in addition to the five posts already mentioned. A question then arose as to whether it was really possible to suppress 17 posts from the Department of Administration and Management in addition to the 22 posts which the Secretary-General had already proposed for reduction and, if so, at what price.

56. He wished to emphasize, on behalf of the Secretary-General, that while the Department of Peace-keeping Operations was responsible for operational support to peace-keeping missions, it did not carry out that task in isolation. It performed its functions under the authority of the Secretary-General and as it did not stand alone, the support and cooperation of other Secretariat services were indispensable.

57. If the draft resolution under consideration was adopted, 222 posts in the Department of Peace-keeping Operations would be financed from the support account compared to the 217 posts the Secretary-General had requested. In the Department of Administration and Management, there would be 102 posts, compared to 119 posts requested. Compared with the number of posts currently available, that represented a reduction by 10 per cent in the Department of Peace-keeping Operations and 28 per cent in the Department of Administration and Management.

58. The proposed decisions would set aside the outcome of the Secretary-General's careful review of the minimum requirements which had been agreed upon at the highest levels in the Secretariat. They would destroy the balance between the backstopping capacities of the Department of Peace-keeping Operations and those of the Department of Administration and Management and they would seriously hamper the capacity of the Department of Administration and Management to provide support and services to peace-keeping missions, the Department of Peace-keeping Operations and Member States.

59. He wished to make clear the consequences such post reductions would have on the provision of services. The preparation and submission of reports on, inter alia, the financing and implementation of peace-keeping operations budgets would be affected (that activity came under the Peace-keeping Financing Division). The ability to produce peace-keeping-related financial statements and reports would be impaired. It would no longer be possible to render ad hoc assistance to the Department of Peace-keeping Operations in its efforts to close the accounts of completed missions. Similarly, the measures contemplated would reduce the capacity of the Department of Administration and Management to recruit mission replacement personnel (a function which had not been delegated to the Department of Peace-keeping Operations), to ensure central management of human resources (planning, policy, training, medical support, interpretation of the Staff Regulations and Rules, litigation, investigation and disciplinary procedures) and to monitor the use made by the Department of Peace-keeping Operations of the authority delegated to it to develop generic job descriptions;

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select, recruit and appoint staff for mission assignments, and extend the appointments of staff members recruited solely on mission assignment. Since almost all support account posts for the mail operations and telecommunications would be suppressed, the Office of Conference and Support Services would no longer be in a position to perform the services required of it. The ongoing procurement reform efforts would also be impaired, as would procurement services, which were under the Purchase and Transportation Division.

60. It went without saying that a reduction of human resources by approximately 30 per cent would affect not only peace-keeping missions, the Department of Peace-keeping Operations and the Department of Administration and Management but also Member States. The verification and calculation of amounts due to Member States for troops which they provided to the United Nations and the payment of those amounts would be further delayed (activities under the Peace-keeping Financing Division and Treasury).

61. The impact of the decisions contemplated on various services in the Department of Administration and Management would therefore be very serious and that was regrettable. The proposal of the Secretary-General had been carefully thought out and specifically designed to avoid such a serious disruption of services. The Secretariat recognized the responsibility of the General Assembly under the Charter to approve the budget; however, it urged Member States represented in the General Assembly to weigh fully the consequences of their decision. It was the responsibility of the Secretary-General to see to it that the peace-keeping missions were provided with adequate backstopping support; that must also be recognized. The Secretary-General must have a certain amount of flexibility in order to administer an integrated backstopping capacity. He therefore sincerely hoped that Member States fully appreciated the difficulties created by the proposed decision, which would adversely affect the sound operation of the Secretariat. The Secretary-General wished to reserve his right to take necessary measures within his capacity to ensure adequate support for peace-keeping operations.

62. The CHAIRMAN proposed to Committee members that they should adopt draft resolution A/C.5/50/L.65.

63. Draft resolution A/C.5/50/L.65 was adopted.

64. Mrs. INCERA (Costa Rica), speaking on behalf of the Group of 77 and China, said that they attached great importance to the draft resolution which had just been adopted and hoped that it would lead to improved management of backstopping activities for peace-keeping operations.

65. During the consultations, the Coordinator had specified that the posts requested by the Secretary-General for the secretariat of the Advisory Committee had been approved. That should have been mentioned in the draft resolution. Notwithstanding that reservation, the Group of 77 and China supported the statement made by the Rapporteur in introducing draft resolution A/C.5/50/L.65.

66. Mr. OWADE (Kenya) agreed wholeheartedly with the statement made by the representative of Costa Rica and stressed the temporary nature of the support account. Like the Ugandan delegation, he would appreciate information on the

unjust fate of staff members with permanent contracts who were assigned to support account posts on their return from mission, to the detriment of their career prospects. Whether it lasted more than two years or less than two years, an assignment to a peace-keeping mission should be subject to the same rules as those applied in similar cases to civil servants of Member States. His delegation hoped that an end would be put to that anomaly, as the Assistant Secretary-General for Human Resources Management had promised. It reserved the right to raise the question again at a later date if necessary.

67. Mr. GOKHALE (India) endorsed the statement made by the representative of Costa Rica on behalf of the Group of 77 and China.

68. While taking note of the views of the Controller, the Indian delegation was nevertheless aware that the Organization was experiencing a crisis of payments; indeed that had necessitated the current painful restructuring. As the Under-Secretary-General for Administration and Management had pointed out, more and more Governments were trying to accomplish more with less and the Organization should follow their example. He was certain that the Department of Administration and Management would be able to handle the difficulties entailed by the modest reduction in personnel that had just been decided upon.

69. In his presentation of resource estimates for the support account, the Secretary-General should have included all staff, including those on loan to the Organization. Regrettably that had not been done. His delegation noted that, despite the priority assigned to peace-keeping, more than 50 per cent of the posts in the Department of Peace-keeping Operations were financed by means other than through assessed contributions. It hoped that, in preparing his proposals for the 12-month period beginning 1 July 1997, the Secretary-General would start from the assumption that all support posts would be financed from budget appropriations, and that he would leave to the Member States the task of deciding whether that should be so, and if not, how many of those posts should be financed by means other than through assessed contributions.

70. In General Assembly resolution 48/226 C, the Secretary-General had been requested to submit a report on the provision of personnel by Member States on loan to the Secretariat. Regrettably, three years had elapsed and the report had yet to be published. His delegation hoped that the report would be presented within the allotted time, and would follow very closely the measures taken by the Secretariat in that regard, especially those called for in paragraphs 8 and 13 of the draft resolution.

71. Mr. KELLY (Ireland) said that the only reason his delegation had not opposed the adoption of the draft resolution A/C.5/50/L.65 was because it had not wished to upset the consensus. It would have preferred to see the 355 posts requested by the Secretary-General approved because it was aware of the practical difficulties that the reductions requested by the Committee would entail. It had taken note of the observations made in that connection by the Controller on behalf of the Secretary-General.

72. Mr. TOYA (Japan) took note of the views expressed by the Controller, and said that his delegation would be willing to return to the question at a later date if necessary.

73. Mrs. ALMAO (New Zealand) supported the observations of the Irish delegation and took note of the comments of the Controller. Her delegation would take into account all the problems he had mentioned when the Committee considered the revised estimates requested in paragraph 5 of the draft resolution.

74. Mr. HANSON (Canada), associating himself with the views expressed by the representatives of Ireland and of New Zealand, said that his delegation had joined the consensus on the draft resolution reluctantly. Support for peace-keeping forces was so inadequate that his delegation was not convinced that the 355 posts that the Secretary-General had been proposing to finance through the support account would have been sufficient. It was disturbed to note that consensus had been reached on an even lower figure; it intended to follow the question closely and looked forward to taking it up again in due course.

75. Mr. ODAGA-JALOMAYO (Uganda) associated himself with the statement made by the representative of Costa Rica on behalf of the Group of 77 and China, as well as with that made by the representative of Kenya. His delegation had joined the consensus reluctantly, and on the understanding that its questions would be answered promptly, as the Assistant Secretary-General for Human Resources Management had promised.

76. He shared the views of the Indian representative, especially regarding military personnel on loan.

77. Mr. GELBER (United States of America) supported the views expressed by the representatives of Canada, New Zealand and Japan, and expressed the hope that the Committee could eventually devote to that topic the attention it deserved.

78. Mr. PIKE (South Africa) noted with satisfaction that the Advisory Committee had begun to consider the financial requirements of the Brindisi logistical support base. However, the Secretariat had yet to present the report requested in General Assembly resolution 49/233, which was to include proposals concerning the introduction of an asset-management system. The Secretary-General was certainly expected to manage the Organization's assets as well as possible, but the Secretariat should nevertheless refrain from setting up a system that might eventually encroach upon the prerogative of the General Assembly to determine the policy it wished to follow in the matter.

79. Mr. GOKHALE (India), speaking in support of the South African delegation, said that, according to some reports, the Secretariat was setting up certain systems without informing the General Assembly of their content or financial implications. It was to be hoped that such rumours were without foundation.

80. Mr. MARCONDES DE CARVALHO (Brazil) said that Brazil shared the concerns of South Africa and India.

81. Mr. LOZINSKI (Russian Federation) supported the views expressed by the representatives of South Africa, India and Brazil. Asset management and accounting had to be efficient and transparent, but the Secretariat should not take such measures without the approval of the General Assembly.

82. Ms. RODRIGUEZ-ABASCAL (Cuba) shared the concerns expressed by South Africa, India, Brazil and the Russian Federation. She hoped that the Secretary-General's next report would take note of the questions raised by the representatives of Uganda and Kenya. Finally, she supported the position taken by the representative of Costa Rica on behalf of the Group of 77 and China.

83. Mr. MAZEMO (Zimbabwe) wholeheartedly supported the views of the five speakers who had preceded him, and stressed that the determination of an asset-management policy was the prerogative of the General Assembly.

84. Mrs. EMERSON (Portugal) supported the views expressed by the representatives of Ireland, New Zealand and Canada regarding the statement of the Controller. It would also be appropriate to point out, at that time, that when recruiting staff whose posts were financed through the support account, the Secretary-General should avail himself of the prerogative conferred upon him by Article 101, paragraph 3 of the Charter and should select persons possessing the "highest standards of efficiency, competence and integrity".

85. Mr. FATTAH (Egypt) said that he fully supported the views of the Group of 77, and China, Kenya (regarding the redeployment of staff members at the end of a mission), India (replying to the Controller's statement) and South Africa.

86. Ms. PEÑA (Mexico) said that she supported the observations made, inter alia, by South Africa, India, Brazil, Russia, Cuba and Zimbabwe.

AGENDA ITEM 149: REPORT OF THE SECRETARY-GENERAL ON THE ACTIVITIES OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES (continued) (A/C.5/50/L.45)

Draft resolution A/C.5/50/L.45

87. Mrs. EMERSON (Portugal) introduced draft resolution A/C.5/50/L.45, the result of a consensus, and recommended that the Committee should adopt it without a vote.

88. Draft resolution A/C.5/50/L.45 was adopted.

AGENDA ITEM 159: HUMAN RESOURCES MANAGEMENT (continued) (A/C.5/50/L.46 and L.68-L.70)

89. The CHAIRMAN said that the Coordinating Committee for International Staff Unions and Associations of the United Nations System had submitted a statement to the Committee, transmitted by its Chairman in a letter dated 29 May 1996.

90. The CHAIRMAN invited the Committee to adopt draft resolution A/C.5/50/L.46, the result of informal consultations.

91. Draft resolution A/C.5/50/L.46 was adopted.

Draft decision A/C.5/50/L.68

92. Mrs. EMERSON (Portugal) said that by draft decision A/C.5/50/L.68 the General Assembly would defer to its fifty-first session consideration of the

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report of the Secretary-General on the composition of the Secretariat and the staff list, as well as the reports on the costs of staff representation activities and the reasonable number of hours which should be devoted to such activities. It was understood that, in the meantime, proposals concerning the number of hours and the full-time secondment of the second Vice-Chairman of the Staff Committee at New York would not be implemented. The Secretary-General would submit a detailed report at the fifty-first session indicating the direct and indirect costs of those activities and containing replies to questions raised by members of the Committee.

93. Draft decision A/C.5/50/L.68 was adopted.

94. Mrs. EMERSON (Portugal) introduced draft decision A/C.5/50/L.69, on which delegations had reached a consensus in informal consultations.

95. Draft decision A/C.5/50/L.69 was adopted.

Draft decision A/C.5/50/L.70

96. Mrs. EMERSON (Portugal) read out draft decision A/C.5/50/L.70, on which delegations had reached a consensus after lengthy consultations.

97. Draft decision A/C.5/50/L.70 was adopted.

98. Mrs. SHEAROUSE (United States) said that her delegation had joined the consensus only because it was clearly stipulated in paragraph 2 that no further derogation would be granted to the provisions of paragraph 6 of General Assembly resolution 49/222 B. She awaited with interest the report which the Secretary-General would submit at the beginning of October, in the hope that it would contain proposals on the general principles to be adopted in order to ensure that all retirees received equal treatment, in the interests of the Organization and of the retirees themselves.

99. Mr. STÖCKL (Germany) said that he supported the statement made by the representative of the United States. His own delegation had joined the consensus although the Secretariat had not yet indicated whether retirees working in the translation and interpretation services received the same remuneration as their counterparts in other services - based on the United Nations salary scale - or whether they enjoyed the same conditions as temporary personnel. Since it believed that all retirees should be treated in the same way, his delegation hoped that the Secretariat's next report would contain the information requested.

AGENDA ITEM 160: FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994 (continued) (A/C.5/50/L.63)

Draft resolution A/C.5/50/L.63

100. Mr. HANSON (Canada) introduced draft resolution A/C.5/50/L.63, to which two changes should be made. In the seventh line of paragraph 2, after the word "for", the words "the period from 1 April to 31 December" should be added. Paragraph 9 should be replaced by the following text: "Requests the Secretary-General to entrust the Office of Internal Oversight Services with undertaking, without prejudice to its programme of work, an inspection of the International Tribunal, with a view to identifying problems and recommending measures to enhance the efficient utilization of resources, and to report thereon to the General Assembly at its fifty-first session;". The draft resolution had been agreed by consensus and he proposed that it should be adopted without a vote.

101. Draft resolution A/C.5/50/L.63, as orally revised, was adopted.

AGENDA ITEM 167: FINANCING OF THE UNITED NATIONS MISSION IN BOSNIA AND HERZEGOVINA (continued) (A/C.5/50/L.58)

Draft resolution A/C.5/50/L.58

102. Mr. ABELIAN (Armenia) introduced draft resolution A/C.5/50/L.58, which reflected the consensus reached in informal consultations, and proposed that it should be adopted without a vote.

103. Draft resolution A/C.5/50/L.58 was adopted.

AGENDA ITEM 168: FINANCING OF THE UNITED NATIONS TRANSITIONAL ADMINISTRATION FOR EASTERN SLOVENIA, BARANJA AND WESTERN SIRMIMUM (continued) (A/C.5/50/L.57)

Draft resolution A/C.5/50/L.57

104. Mr. ABELIAN (Armenia) introduced draft resolution A/C.5/50/L.57, which reflected the consensus reached in informal consultations, and proposed that it should be adopted without a vote.

105. Draft resolution A/C.5/50/L.57 was adopted.

AGENDA ITEM 169: FINANCING OF THE UNITED NATIONS PREVENTIVE DEPLOYMENT FORCE
(continued) (A/C.5/50/L.59)

Draft resolution A/C.5/50/L.59

106. Mr. ABELIAN (Armenia), introducing draft resolution A/C.5/50/L.59, said that the text represented the consensus that had been reached during informal consultations and proposed that it should be adopted without a vote.

107. Draft resolution A/C.5/50/L.59 was adopted.

Rights of reply

108. Mr. ZAHID (Morocco), speaking under agenda item 125 in exercise of the right of reply, recalled that, contrary to the allegations of the Algerian delegation, his delegation had shown maximum flexibility during the informal consultations. Having noted that a statement in the report of the Secretary-General on the United Nations Mission for the Referendum in Western Sahara (MINURSO) was liable to be misconstrued, it had requested that the Secretariat should correct the involuntary error. It was in that connection that it had cited an extract from the report of 24 November 1995, in which the Secretary-General examined the reasons for the delay in the referendum process. The Algerian delegation had objected to the correction being made in formal meeting. During consultations, his delegation had submitted an amendment. Following the intervention of friendly countries, it had agreed to withdraw the amendment on the understanding that the coordinator would make a statement. Algeria had again opposed that solution. Recognizing that the coordinator wished to have a consensus, his delegation had yielded. Its request, however, had been fully in keeping with practice: when there were errors in a report of the Secretary-General, the Secretariat issued a corrigendum, as it had done for the most recent report of the Security Council on the situation in Western Sahara.

109. The Algerian delegation was attempting to lay the blame for the delays in the voter identification process on Morocco. First of all, that was not the issue before the Fifth Committee. Secondly, the reason for the delay was the attitude of the Frente POLISARIO, which had rejected first the criteria adopted in 1991 and then the compromise proposed by the Secretary-General. The latter had then presented an interpretation of the compromise which Morocco had accepted. The Frente POLISARIO had first rejected and then had finally accepted that interpretation, but not before instructing its tribal chiefs to object to criteria 4 and 5, the effect of which was to slightly increase the size of the electorate. Morocco wished to give all persons originating from Western Sahara the right to participate in the referendum. The Frente POLISARIO, on the contrary, wished to restrict that right as much as possible by linking it to the 1974 census, whose defects had been recognized by all. The Moroccan requests were intended to remedy those defects; the United Nations had taken note of them and had declared that they should be given consideration. For its part, the Frente POLISARIO had refused to participate in the identification of certain Saharans originating from tribes surveyed under codes H and J.

110. Mr. MOKTEFI (Algeria), speaking in exercise of the right of reply, said that the turn taken by the debate in the Committee on item 125 was entirely due

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to the attitude of the Moroccan delegation, which had first made an unheard-of request of the Secretariat: the latter would have had to abandon its neutrality and amend one of its reports for the sole purpose of supporting the position taken by a delegation which was party to a conflict. Employing restraint, his delegation had recalled in formal meeting that the political aspects of the issue were for the Security Council and the Fourth Committee to consider. It had reserved the right to take the floor at a later stage to present the position of its Government, as the Moroccan delegation had done at the fifty-sixth meeting.

111. During the informal consultations, Algeria had recalled that the Fifth Committee did not have the necessary information to enable it to take a fair and objective decision on a complex and sensitive issue and to make a value judgement on the political content of reports of the Secretary-General.

112. The Moroccan delegation's initiative sought to impose a singular, selective, partisan and tendentious interpretation of the reports of the Secretary-General and to accept it would have set an unfortunate and dangerous precedent. That was why his delegation was firmly against attempts at manipulation and disinformation. The introduction to which the Moroccan delegation objected was no more acceptable to his delegation. The latter, however, did not believe that it had the authority to request that a corrigendum should be issued, since it was of the view that the Secretariat should have complete freedom in drafting its reports.

113. Algeria was desirous of promoting peace in the Maghreb and sought to encourage a direct dialogue between the two parties to the conflict. The point raised by Morocco was very specific: it concerned the identification of three sub-groups which had not been considered during the 1974 Spanish census and whose Saharan character was therefore legitimately called into question by the Frente POLISARIO.

114. His delegation noted that it sufficed to refer to the most recent resolution of the Security Council to know who was responsible for the impasse. All through the debate on agenda item 125, it had merely defended the prerogatives of the Fifth Committee.

115. Mr. ZAHID (Morocco), replying to the representative of Algeria, said that the question of the corrigendum to the report of the Secretary-General concerned only Morocco and the Secretariat. Without the interference of Algeria, a corrigendum would have been issued, as justified by the extract of the report S/1995/986 to which the speaker had referred and the statement of the Secretary-General that MINURSO was required to consider all applications. Algeria had advanced the argument of the Fifth Committee's competence; it should have taken that into account and refrained from addressing the political aspects of the issue. The decision to which the Committee had arrived despite the problems created by the Algerian delegation was testimony to the willingness to negotiate which Morocco had demonstrated in the circumstances.

116. The representative of Algeria had declared that the Frente POLISARIO had doubts about the Saharan origins of certain persons. It was not for the Frente POLISARIO to say who was Saharan but the Identification Commission consisting of

United Nations officials. Historically and legally, the Sahara belonged to Morocco. The International Court of Justice (ICJ) had declared that the Sahara was not an ownerless territory and that there were ties of allegiance between Morocco and the Sahara. Morocco had agreed to the organization of the referendum in order to confirm the Moroccan character of the Sahara.

117. Mr. MOKTEFI (Algeria) reiterated that the Secretariat's statements were in no way shared by Algeria. In the latter's view, responsibility for the impasse in which the peace process found itself lay directly with the Kingdom of Morocco and not with the two parties as stated in the reports of the Secretary-General. He wondered why, among all the reports, it was necessary to draw special attention to that of 24 November 1995.

118. The Sahara belonged not to Morocco but to the Saharans. The Moroccan delegation gave a totally false interpretation of the opinion of the International Court of Justice. The resolutions of the Fourth Committee were unambiguous: it was a problem of decolonization and of the right of the Saharan people to self-determination. The statements by the representative of Morocco clearly showed that Morocco was an obstacle to the peace process. It was evident that if the referendum were held, it would result in the independence of the Saharan people and not to any form of incorporation into the Kingdom of Morocco.

COMPLETION OF THE WORK OF THE FIFTH COMMITTEE AT THE SECOND PART OF THE RESUMED FIFTIETH SESSION OF THE GENERAL ASSEMBLY

119. The CHAIRMAN declared that the Fifth Committee had completed its work for the second part of the resumed fiftieth session of the General Assembly. He wished to inform members of the Committee that the third part of the resumed fiftieth session would be held from 9 to 13 September 1996.

The meeting rose at 6.10 p.m.