



SUMMARY RECORD OF THE 70th MEETING

Chairman: Mr. ABRASZEWSKI (Poland)

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

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The meeting was called to order at 3.35 p.m.

AGENDA ITEM 111: PERSONNEL QUESTIONS (continued) (A/C.5/37/54; A/C.5/37/L.37, L.42 and L.46)

- (a) COMPOSITION OF THE SECRETARIAT: REPORT OF THE SECRETARY-GENERAL (continued)
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Draft resolution A/C.5/37/L.46

1. The CHAIRMAN said that a number of delegations had submitted draft resolution A/C.5/37/L.46, dealing with a matter which had not been discussed in the informal consultations held on agenda item 111 and which was not, therefore, covered by draft resolution A/C.5/37/L.30, adopted at the 64th meeting.
2. Mr. WILLIAMS (Panama), introducing draft resolution A/C.5/37/L.46, said that Iraq should be included among the sponsors of the draft resolution. The aim of the draft resolution was to eliminate the disadvantage which General Service staff were under at duty stations where the main working language was not one of the working languages of the Secretariat, i.e., English and French. General Service staff members working in ECLA and ECWA, in particular, were currently required to take the competitive examination for passage from the General Service to the Professional category in either English or French. The draft resolution would have the General Assembly authorize candidates to take the examination in any of the working languages of the regional commissions and to demonstrate at a later stage their proficiency in one of the working languages of the Secretariat. The sponsors hoped that the draft resolution could be adopted by consensus.
3. Miss DOSS (Assistant Secretary-General for Personnel Services) said that the draft resolution entailed a number of difficulties for the Secretariat, although they were not insurmountable. If the competitive examination was to be administered in Arabic, Chinese, Russian and Spanish, in addition to English and French, it would be necessary either to increase the number of members of the Central Examination Board and the specialized boards in substantive areas or to translate examination papers written in those languages into English and French so that they could be evaluated by the board concerned. Neither alternative was entirely satisfactory, since in both cases there was a risk of a loss of comparability because the existing competitive examination tested not only the candidate's knowledge but also his or her language ability. Moreover, both alternatives might entail other additional costs.

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4. Mr. KUTTNER (United States of America) said that his delegation was sympathetic to the aims of the draft resolution and readily understood why it would be advantageous to staff members to take the competitive examination in their mother tongue. However, in view of the possible financial implications and other considerations, the matter should be referred to the Advisory Committee for study and a decision should be deferred until a later stage.

5. Mr. SAGRERA (Spain) said that, although the Chairman had said that the question of the competitive examinations had not been dealt with in the informal consultations on personnel questions, the matter had, in fact, been amply discussed. However, the proposal in draft resolution A/C.5/37/L.46 had not commanded a consensus because of the obstinacy of some delegations and the fears of others. He suggested that the draft resolution might be improved by adding the words "P-1 and P-2 levels of the" after the words "from the General Service category to the" in the sole operative paragraph.

6. Mr. PEDERSEN (Canada) said that his delegation, too, sympathized in principle with the concerns reflected in the draft resolution. However, the effect of the draft resolution would be to require members of the specialized boards of examiners for each occupational group to have the necessary language proficiency to judge papers and conduct oral interviews in a number of languages, or else translation and interpretation would be required. It was highly unlikely that individuals with the requisite substantive knowledge and various language combinations needed to cover all the official languages could be found in the Secretariat. Thus, it would not be possible to evaluate all candidates equally. The proposed change would also make it more difficult to preserve confidentiality and would entail additional costs. Moreover, proficiency in only one of the regional languages would reduce the mobility of the staff member. Since all staff members had to be proficient in one of the working languages of the Secretariat, there was no need to change the current format of the competitive examination. The Secretary-General should be asked to study the matter further and submit a report, together with specific proposals, to the General Assembly at its thirty-eighth session.

7. Mr. SHAHANKARI (Jordan) said that the sponsors were fully aware of the financial implications of their proposal and the difficulties which might arise in putting the new arrangement into effect. However, as the Assistant Secretary-General had said, the difficulties were not insurmountable. His delegation was also willing to accept the revision proposed by the representative of Spain, which should make it somewhat easier for the Committee to adopt the draft resolution. It agreed that a decision might be deferred until a later stage.

8. Mr. WILLIAMS (Panama) said that the Assistant Secretary-General had expressed concerns over a possible loss of comparability in evaluating candidates who might take the examination in a language other than English or French. However, he doubted whether under the existing arrangements the same examiners corrected papers in both English and French and asked for clarification on that matter. Temporary assistance could be used to solve some of the problems that might arise. The Assistant Secretary-General had also given the impression that the proposal would be exorbitantly expensive, but he wondered what the actual additional costs would be.

9. Mr. FORAN (Controller) informed members that the financial implications of adopting draft resolution A/C.5/37/L.46 were estimated, on a full cost basis, at \$98,000. That sum would cover the costs of translating examination papers, translating candidates' answers to the examinations, and providing interpretation for oral examinations as and when required. It also included a provision for travel by interpreters to areas where interpretation into one of the examination languages was not available locally.
10. The costs could, the Secretariat believed, be reduced considerably if candidates wishing to take the competitive examination in the main working language of the regional commission concerned (Spanish at ECLA, Arabic at ECWA) were required to give prior notification of their intention, because then no provision would have to be made for translation and interpretation when not actually required. It should be possible to absorb the costs involved within existing resources.
11. Mr. WILLIAMS (Panama) welcomed the information supplied by the Controller, which, he said, confirmed his own belief that the reform proposed in the draft resolution would be inexpensive to implement.
12. Mr. RUSSO (Peru) announced that his delegation had become a sponsor of the draft.
13. Mr. KEMAL (Pakistan) said that due attention needed to be paid to a staff member's proficiency in the working languages of the Secretariat. If the draft resolution was to be put into effect without harming the Organization, candidates should be required to take a paper in either English or French in addition to the papers on substantive subjects they took in the language of their choice.
14. Since, moreover, the Secretariat evidently intended candidates' papers to be translated for marking purposes, care must be taken to ensure that the translations did not improve upon the originals, and that errors were faithfully rendered.
15. Mr. FONTAINE ORTIZ (Cuba) said that, in his view, there was no need at the current stage to decide how best to ensure that candidates displayed the requisite proficiency in the working languages of the Secretariat: that could be left to the Secretary-General.
16. Draft resolution A/C.5/37/L.46 was adopted by consensus.
17. Mrs. DORSET (Trinidad and Tobago), explaining her delegation's position, said that while she had not opposed the consensus, she had reservations about the possible effects of the Committee's decision, which she believed to have been reached in too much haste.
18. Mr. MURRAY (United Kingdom) said that he, too, had reservations about the haste with which the Committee had reached its decision. His delegation expected the costs of complying with the resolution to be met from existing resources, and trusted that that would continue to be the case in future years.

19. Mr. CROM (Netherlands) supported the remarks made by the two preceding speakers. He believed that it was unnecessary to change the current practice and that the new arrangements were likely to leave the confidentiality and objectivity of the competitive examinations open to doubt.

20. Mr. LAHLOU (Morocco) said he was proud to have participated in the consensus on the draft, which gave due recognition to one of the major languages in use on the African continent.

21. Ms. ERIKSSON (Sweden) associated her delegation with the remarks made by the representatives of Trinidad and Tobago and the Netherlands.

22. Mr. PEDERSEN (Canada) said that, the Committee's decision notwithstanding, the Secretariat still had two working languages. He believed that it would have been better to leave matters as they were.

Amendment of the Staff Regulations (continued) (A/C.5/37/54)

23. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) said that his delegation had stated its views in detail on the amendments to staff regulations 8.1 and 8.2 proposed by the Secretary-General in document A/C.5/37/54 and had asked a number of specific questions. It had so far not received any clear reply from the Secretariat regarding the financial implications of the proposed Secretariat-wide joint machinery for staff/management relations or the actual costs of the existing machinery. He reiterated his delegations's proposal that a decision on the matter should be deferred to the next session of the General Assembly.

24. Miss DOSS (Assistant Secretary-General for Personnel Services) said that the purpose of the proposed amendments was primarily to update the Staff Regulations so that they would reflect the existing situation with respect to staff representative bodies and joint staff/management machinery at the various duty stations. The amendments would recognize the existence of the Staff-Management Co-ordination Committee, (SMCC), which, as reported to the General Assembly in document A/C.5/35/16, had been established in 1980. Thus, SMCC had been functioning for two years already.

25. The principal changes proposed and their significance were explained fully in paragraph 4 of the Secretary-General's note. Some delegations had referred to the competence of ICSC, under article 15 of its statute, to make recommendations on the development of common staff regulations for all organizations of the United Nations system. What was envisaged in that article, however, was a comprehensive review of the staff regulations of all the organizations with a view to the recommendation of unified staff regulations as part of the Commission's long-term work programme. The amendments proposed by the Secretary-General related solely to the United Nations Secretariat, and she doubted very much whether they required the involvement of ICSC. It had been hoped that the Fifth Committee would consider the matter as falling essentially within the Secretary-General's competence, subject to his submission to the General Assembly of his proposed amendments to the United Nations Staff Regulations.

(Miss Doss)

26. The proposed amendments had no budgetary implications since it was a long-standing practice to provide the Staff Council and the Staff Committee with the facilities they needed, such as office space and secretarial help, to discharge their representative functions appropriately. The travel costs of staff of the Office of Personnel Services assigned to service or attend meetings of SMCC were met from the existing resources, as indicated in section 28C.9 of the programme budget for the biennium 1982-1983. The travel costs of staff participants in the meetings were paid from the travel funds allocated to the various offices concerned.

27. The reference to joint staff/management machinery at both local and Secretariat-wide levels in the proposed new text of regulation 8.2 was merely a statement of fact and would not entail any additional costs under the regular budget.

28. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) requested that his delegation's proposal should be put to the vote.

29. Mr. GODFREY (New Zealand) reiterated his delegation's confidence in the Secretary-General's proposals, which seemed to make good sense. While respecting the point of view of the Soviet and other delegations, he would nevertheless vote against the Soviet proposal.

30. Mrs. de HEDERVARY (Belgium) said that her delegation would vote against the Soviet proposal. The amendments proposed by the Secretary-General, which would merely codify the existing situation, had a number of advantages. They would cost nothing, and they would recognize a body - SMCC - which facilitated consultations between the Administration and the staff, thereby ensuring social peace within the Secretariat, which was becoming an increasingly important aim. The proposed amendments would also formalize arrangements for consulting staff serving away from Headquarters, who were no less entitled to be consulted than the staff in New York.

31. The Soviet proposal was rejected by 51 votes to 15, with 18 abstentions.

32. The amendments to staff regulations 8.1 and 8.2, proposed by the Secretary-General in paragraph 3 of document A/C.5/37/54, were adopted by 76 votes to 10, with 7 abstentions.

Draft resolution A/C.5/37/L.37 (continued)

33. Mr. BARTLETT (Jamaica) said that his delegation wished to join the sponsors of the draft resolution before the Committee.

34. Draft resolution A/C.5/37/L.37 was adopted without a vote.

35. Mrs. LOPEZ ORTEGA (Mexico) said that, although her delegation had joined in the consensus on the draft resolution that had just been adopted, it felt that it would have been appropriate, on the basis of the report of the Secretary-General (A/C.5/37/34 and Corr.1), to include in the third operative paragraph a reference to the executive heads of the specialized and related agencies concerned.

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36. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) said that his delegation had not objected to the adoption of draft resolution A/C.5/37/L.37 but noted with concern that many parts of the report submitted by the Secretary-General were biased and subjective, especially where staff members arrested and detained in the Middle East were concerned. The unquestionable deterioration in the observance of the principles related to the privileges and immunities under consideration was due to the arrest of UNRWA staff members in Lebanon by the Israeli military authorities.

37. Mr. SHAHANKARI (Jordan) said that his delegation had joined in the consensus on the draft resolution before the Committee, even though it would have liked the text to stress how important it was for staff members to observe the obligations incumbent upon them.

38. Mr. GEBRU (Ethiopia) said that his delegation had joined in the consensus on draft resolution A/C.5/37/L.37 on the understanding that the officials in question were required to act within the framework of the relevant staff rules and regulations and that it was clear that they should not engage in extraneous activities. It was the Secretary-General's responsibility to ensure that international civil servants adhered to those rules and regulations.

39. Mr. YOACHAM (Chile) said that his delegation had joined in the consensus on draft resolution A/C.5/37/L.37, with the reservation it had expressed upon the adoption of General Assembly resolution 36/232.

Draft resolution A/C.5/37/L.42 (continued)

40. Mr. HILLEL (Israel), referring to the UNRWA staff members detained by the Israeli authorities in southern Lebanon, said that the only civilians detained had been those suspected of having engaged in or been connected with terrorist activities directed against Israel. All detainees who were not guilty of any wrongdoing were released without delay, and a large number of detainees had in fact been released in the period of time that had elapsed since the matter in question had been considered in the Committee. Moreover, representatives of the International Committee of the Red Cross visited the detainees and were aware of the conditions of their detention, and the Israeli authorities were in contact with UNRWA.

41. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) said that the Committee had so far not received information from the representative of the Secretary-General concerning the release of the UNRWA staff members arrested by the Israeli military authorities in the occupied areas of Lebanon. At a previous meeting the representative of the Secretary-General had acknowledged that the information available to him was unsatisfactory. Moreover, the Committee had yet to receive a clear reply with regard to the possibility of arranging for access to the detained UNRWA staff members, in accordance with General Assembly resolution 36/232. The draft resolution before the Committee raised a number of important issues and was a test case for the United Nations.

42. Miss ZONICLE (Bahamas) wished to know whether the information just given by the representative of Israel had been confirmed by the Secretary-General.

43. Mr. LAHLOU (Morocco) said that Israel did not intend to observe the principles related to privileges and immunities of officials of the United Nations and the specialized and related agencies. The detainees in question were not terrorists and had been imprisoned as a result of their attempt to ensure that international principles were observed. The situation was extremely serious, and the Secretary-General must take steps to protect the interests of internationally recruited staff members.

44. Mr. KEMAL (Pakistan) endorsed the statements made by previous speakers expressing their concern at the large number of UNRWA staff members arrested in Lebanon and said that his delegation fully supported draft resolution A/C.5/37/L.37.

45. Mr. FONTAINE ORTIZ (Cuba) said that Israel was violating the norms of international law in detaining internationally recruited staff members and flouting the authority of the international community.

46. Mr. RUEDAS (Under-Secretary-General for Administration and Management) said that since the date of issue of the Secretary-General's report (A/C.5/37/34 and Corr.1) there had been a number of changes in the list of detained UNRWA staff members, as set out in annexes I and II of that document. First, all but one of the 18 arrested staff members serving in the West Bank had been released, while another staff member had been arrested. Second, the five arrested staff members serving in the Gaza Strip had been released, but one additional staff member had been arrested. Third, three of the four arrested staff members serving in the Syrian Arab Republic had been released. Fourth, annex II listed the names of 158 staff members serving in Lebanon who had been arrested by the Israeli armed forces. At the time when the list had been compiled, 33 staff members had been released. Since then, an additional 48 staff members had been released and four more had been arrested. It was therefore believed that there were 81 UNRWA staff members who had been working in the field in Lebanon still under arrest.

47. The Commissioner-General of UNRWA had raised the question of detained and arrested UNRWA staff members with the Israeli authorities at a meeting the previous week and had been informed that the procedure for release was being accelerated. In the mean time, the Commissioner-General would continue, through his local representatives, to urge the Israeli authorities to grant access to the detained staff members and to supply information about the charges on which they were being held.

48. The CHAIRMAN announced that Israel had requested that the draft resolution before the Committee should be put to a vote.

49. Draft resolution A/C.5/37/L.42 was adopted by 94 votes to 1, with 2 abstentions.

50. Mr. MACARTNEY (Canada), explaining his vote after the vote, said that his delegation respected the privileges and immunities of all United Nations officials. It was worth remembering that the staff referred to in the draft resolution just adopted were not the only ones still imprisoned. Many other detainees were listed in the Secretary-General's report, and their rights should also be respected.

51. Ms. ERIKSSON (Sweden) said that her delegation had voted for the draft resolution, but believed that the particular case concerned need not have been singled out since it was already covered by draft resolution A/C.5/37/L.37, which the Committee had just adopted. She sympathized with the general thrust of the draft, but had reservations about some of the wording used.

52. Mr. CROM (Netherlands) endorsed the comments made by the Swedish representative.

53. Mrs. COLMANT (Honduras) said that her delegation had voted in favour of the draft because of its concern for the safety of officials working for an agency as important as UNRWA. It was no less concerned, however, at the fact that other international civil servants were also under arrest or detention.

Amendments to the Staff Rules (continued) (A/C.5/37/6 and Corr.1)

54. The CHAIRMAN suggested that the Committee should take note of the note of the Secretary-General on other personnel questions contained in document A/C.5/37/6 and Corr.1.

55. It was so decided.

56. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 111. He paid tribute to Miss Doss, the Assistant Secretary-General for Personnel Services, both for her recent work as the Chief of the Office of Personnel Services and for her devoted service during a 36-year career with the United Nations.

57. Miss Doss withdrew amid applause.

AGENDA ITEM 103: PROGRAMME BUDGET FOR THE BIENNIUM 1982-1983 (continued)

First performance report

Job classification and career development of language staff (A/C.5/37/65/Add.2)

58. Mr. MAYCOCK (Barbados) queried the figures provided by the Secretary-General in paragraph 5 of his report (A/C.5/37/65/Add.2) relating to the changes in the grade structure of the UNIDO language services.

59. Mr. DUQUE (Secretary of the Committee) confirmed that the figures presented in paragraph 5 of the Secretary-General's report were erroneous. The current staffing table for the UNIDO language services comprised 1 P-5, 15 P-4, 27 P-3, and 3 P-2 posts, making a total of 46 posts. Under the Secretary-General's proposals, the table would be revised to comprise 6 P-5, 17 P-4, 18 P-3, and 3 P-2 posts, making a total of 44 posts.

60. Mr. KELLER (United States of America) said that his delegation appreciated the Secretary-General's intention to absorb the cost of his proposals during the current biennium. Those proposals nevertheless caused his delegation concern, in that they represented an instance of "grade creep". He wondered, furthermore, whether the proposed reclassifications had been approved by the Office of Personnel Services.

61. Mr. RUEDAS (Under-Secretary-General for Administration and Management) confirmed that the reclassifications had indeed been approved by OPS.

62. The CHAIRMAN announced that the Chairman of the Advisory Committee had sent word that the Advisory Committee recommended approval of the Secretary-General's proposals. Accordingly, he suggested that the Fifth Committee should recommend that the General Assembly take note of the report of the Secretary-General (A/C.5/37/65/Add.2) and approve the reclassification and abolition of posts proposed therein.

63. It was so decided.

Organization and methods for official travel (continued) (A/C.5/37/L.45 and L.48)

64. Mr. NDOM MOUNGUEN (United Republic of Cameroon) said that, as Chairman of the African Group in 1977, his delegation had participated actively in the elaboration and adoption of General Assembly resolution 32/198, the main purpose of which had been to find ways and means of reducing the growing expenses of the United Nations. His delegation therefore welcomed draft resolution A/C.5/37/L.45 and the amendment thereto proposed by Morocco (A/C.5/37/L.48), but proposed that that amendment should be replaced by the following formulation: "Reaffirms its resolution 32/198 that travel expenses shall be limited to the least costly air-fare structure, due account being taken of the nature of the mission and the travel conditions". He was submitting that amendment in the sole interests of reducing expenses during a severe economic crisis which had afflicted the entire international community. The disease which had prompted the adoption of resolution 32/198 had not yet been eradicated, but further progress could be made in that direction if the Secretary-General would implement the resolution fully.

65. Mr. LAHLOU (Morocco) said that he shared the concerns expressed by the representative of the United Republic of Cameroon, who had correctly pointed to the need to ensure that mission conditions enabled those on mission to perform their duties effectively. The aim of his delegation's amendment had been to clarify a situation that had not been resolved adequately in General Assembly resolution 32/198, especially in its paragraph 2 (c). It could nevertheless support the wording proposed by the representative of the United Republic of Cameroon in place of its amendment.

66. Mrs. ESPINOSA DE LOPEZ (Colombia) said that appropriate steps should be taken to ensure adequate travel conditions for delegations, but that precious time must not be lost in discussing the differences between the facilities provided in the various classes of air travel and the relative efficiency of flight attendants. Her delegation supported the draft resolution and the amendment to it submitted by the delegation of Morocco. In doing so, it was supporting adequate conditions for travel on official business, and thought that the Secretary-General should take responsibility for ensuring that travel privileges were not abused.

67. Mr. MAYCOCK (Barbados) said that the sponsors, which now included the Soviet Union, accepted the wording proposed by the representative of the United Republic of Cameroon.

68. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.5/37/L.45, as orally revised.

69. It was so decided.

70. Mr. PEDERSEN (Canada) said that the wording proposed by the United Republic of Cameroon really made the same point as the original text of paragraph 6 had. The most important change in air travel in recent times had been the introduction of the business or club class. That class should be used to the greatest extent possible in place of first class, in keeping with the recommendations of the Joint Inspection Unit.

AGENDA ITEM 104: PROGRAMME PLANNING (continued) (A/C.5/37/L.51)

(a) Report of the Committee for Programme and Co-ordination (continued)

(b) Medium-term plan for the period 1984-1989 (continued)

(c) Reports of the Secretary-General (continued)

71. Mr. PEDERSEN (Canada), introducing draft resolution A/C.5/37/L.51, said that the United Nations was moving from ad hoc arrangements to a more systematic basis for reviewing the programme budget. The sponsors concurred with the Advisory Committee that at a time of budgetary stringency resources should be applied to high-priority activities and that the identification of low-priority activities and their curtailment, was an integral part of the planning, programming and budgetary process. The intention of the sponsors was to ensure that, as from the biennium 1984-1985, the Secretary-General would follow the policies outlined and that the results of the special review of the ongoing work programme would be reflected in future budgets, performance reports and medium-term plans. In identifying activities of low priority in the special review, the Secretary-General had indicated that some were required by legislative mandates while others were under his own authority.

72. Paragraph 1 of the draft resolution was self-explanatory. Paragraph 2 reflected a recommendation of the Advisory Committee (A/37/7/Add.14, para. 7 (a)).

(Mr. Pedersen, Canada)

In paragraph 3, the words "and in future medium-term plans" should be added after "for 1984-1985". Under the terms of paragraph 4, CPC would consider the Secretary-General's report (A/C.5/37/51) at its next session and make the necessary recommendations to the thirty-eighth session of the General Assembly in the context of the proposed programme budget.

73. There had been no official confirmation of Lebanon's sponsorship of the draft resolution as yet.

The meeting rose at 6.20 p.m.