



SUMMARY RECORD OF THE 47th 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 6.55 p.m.

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

Administrative and financial implications of draft resolutions I and II recommended by the Third Committee in its report on agenda item 76 (A/37/595, para. 13, A/37/7/Add.8; A/C.5/37/31, A/C.5/37/32 and Add.1; A/C.5/37/L.29)

1. Mr. MSELLE (Chairman, Advisory Committee on Administrative and Budgetary Questions) said that he wished to correct the statement he had made at the Committee's 46th meeting. He had said that three options would be open to the General Assembly, whereas in fact there were only two. At that meeting, he had said that, if the conference was held in Geneva, the amount to be appropriated would be \$124,000, subject to further verification. During that verification it had been discovered that the figure of \$124,000 did not include the sum of \$62,000 referred to in document A/C.5/37/32, paragraph 4 (f). Those two amounts added together gave the total of \$186,100 shown in annex II to the Advisory Committee's report (A/37/7/Add.8). Consequently, the two options before the General Assembly were those given in annexes I and II of that report, namely \$711,600 and \$186,100 respectively. It would not be necessary for the Fifth Committee to reconsider the issue. The report to be submitted to the Assembly would be drafted accordingly.

AGENDA ITEM 111: PERSONNEL QUESTIONS (continued) (A/36/407 and Add.1, A/36/432 and Add.1 and 2; A/37/30, annex I, A/37/143, A/37/378 and Add.1 and Add.1/Corr.1, A/37/469 and Add.1, A/37/528 and Add.1; A/C.5/37/5, A/C.5/37/6 and Corr.1, A/C.5/37/24, A/C.5/37/26, A/C.5/37/34 and Corr.1, A/C.5/37/45, A/C.5/37/54)

2. Mr. SUY (Under-Secretary-General, the Legal Counsel) said that he wished to reply on behalf of the Secretary-General to the question raised by the representative of the Soviet Union concerning staff members of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) who had been arrested and detained by the Israeli authorities in Lebanon and to provide information received subsequent to the preparation of the report (A/37/34) with regard to two cases. UNRWA headquarters had provided the Secretary-General with various clarifications. The Agency had requested the Israeli authorities for access to the detained staff members both in formal notes transmitted to the Ministry of Foreign Affairs and in meetings with Israeli authorities. All the approaches to the Ministry and the Israeli armed forces had included requests for the reasons for the detention of the staff members and the charges against them. So far, visits to detained staff had not been possible and no specific information had been given by the Israeli authorities, who had claimed difficulties in tracing the persons concerned. On 22 November 1982, UNRWA had again requested the Israeli authorities for information about its detained staff members and had been informed that a meeting on the subject would be arranged within the next few weeks. UNRWA was also maintaining contact with the International Committee of the Red Cross (ICRC) which had been able to visit detainees held in a camp at Ansar.

3. On 24 November 1982 the Secretary-General had been informed by UNICEF that the UNICEF staff members referred to in paragraphs 11 and 12 of the report had been

(Mr. Suy)

sentenced by a special revolutionary court to seven years and life imprisonment, respectively, for "having committed witnessed crimes, murder, terroristic activities, and having contacts with groups of terrorists and counter-revolutionaries". Mr. Mir Afghan, whose case was referred to in paragraph 11, was a locally-recruited typist working in the UNICEF office at Kabul, who had been arrested on 4 October 1981 and charged with membership in a proscribed organization. As stated in the report, UNICEF officials had been able to secure substantial compliance with paragraph 1 of General Assembly resolution 36/232 and, in particular, had been allowed to visit him five days after his arrest. There was apparently some discrepancy between the information obtained by UNICEF regarding the charges against him and those on which he had been found guilty. UNICEF proposed to raise that issue with the Government of Afghanistan and to request copies of all available official records in the case so that the Executive Director and the Secretary-General might take appropriate action.

4. UNICEF officials had also closely followed the case of Mr. Tawakal, referred to in paragraph 12 of the report, and had been informed of the progress of the investigation. The sentence was commensurate with the charges against him but UNICEF intended to request all available official records so that the Executive Director and the Secretary-General might take whatever action was necessary.

5. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) expressed regret that the statement by the Legal Counsel, did not fully answer the question raised by the Soviet delegation at the Committee's 37th meeting. The matter was not a routine case of a gross violation of the privileges and immunities of international civil servants but a completely unprecedented occurrence, involving the arrest of 166 staff members of UNRWA. He therefore failed to understand the extremely calm attitude adopted by the Secretary-General and the Commissioner-General of UNRWA. All they could say was that representatives of the Israeli Ministry of Foreign Affairs and armed forces had alleged that they were unable to find the staff members among the thousands of Palestinians who had been arrested during the aggression against Lebanon. His delegation would like to know how many staff members were still detained and what would be done in the next few days to ascertain their fate and secure their release. A vague promise had been given that the Israeli authorities would arrange a meeting on the subject with representatives of UNRWA within the next few weeks. That was hardly satisfactory because the General Assembly would by then have ended and delegations would probably never be informed of the outcome. His delegation requested the Secretary-General to supply detailed information on the number of UNRWA staff members detained in Israeli concentration camps in Lebanon before the Committee concluded its work.

6. Mr. SUY (Under-Secretary-General, the Legal Counsel) expressed regret that the representative of the USSR was disappointed with his answer. The Secretary-General was equally disappointed with the information obtained from UNRWA, although the Agency was doing all it could to obtain further details. The list of the staff members detained was in annex II to the report of the Secretary-General (A/C.5/37/34) and unfortunately no further information was available. Some information might be obtainable from other authorities.

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7. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) said that he did not see what other authorities could be approached. The Committee was discussing the report of the Secretary-General and he had therefore addressed his question to the Secretary-General or his representative in the belief that the Secretary-General had sufficient power and resources to obtain information concerning the fate of members of his own staff. He regretted that he had to insist that the Legal Counsel should ask the Secretary-General to take additional steps to inform the Committee before it concluded its work.
8. Mr. SUY (Under-Secretary-General, the Legal Counsel), said that he would transmit the request to the Secretary-General in person.
9. Mr. DIENE (United Nations Educational, Scientific and Cultural Organization) said that UNESCO had no quarrel with any Member State. On the contrary, its position was that principles must be upheld. Respect for the privileges and immunities of the international civil service was a fundamental principle in that regard. Respect for those privileges and immunities was a legal not a political or ideological issue. It was purely a matter of complying with the provisions of the Convention on the Privileges and Immunities of the United Nations and the Convention on the Privileges and Immunities of the Specialized Agencies.
10. It was regrettable that the report of the Secretary-General submitted to ACC had not been formally introduced in the Committee. It had been said that the report of the Secretary-General was not balanced. He was not sure what that meant in that context, but stressed that UNESCO had brought all the facts at its disposal to the attention of the Committee. The Director-General of UNESCO considered it a moral duty under his mandate to bring to the attention of Member States all necessary information on cases of the violation of privileges and immunities of UNESCO officials. There could be no derogation from that principle, regardless of the Member State concerned.
11. He reiterated the position of UNESCO that the release of the UNESCO official mentioned in the report of the Secretary-General would be an initial step in the right direction. The Director-General intended to continue the efforts described in the report of the Secretary-General in order to bring about a final solution to the question in accordance with relevant international conventions and the staff regulations of UNESCO and, it was hoped, in consultation with the Member State concerned. If necessary, the Director-General would provide the Committee at the next session of the General Assembly with all pertinent information on the basis of the resolution which the Committee would adopt in that regard and also any further facts which might come to light.
12. Mr. RICHTER (German Democratic Republic) expressed surprise at the form and content of the Secretary-General's report (A/C.5/37/34). His delegation endorsed the remarks made by previous speakers concerning its lack of objectivity and balance. That approach encouraged the tendency to give a different interpretation to the question of the privileges and immunities of international civil servants from that clearly set out in the Charter and in the Convention on the Privileges and Immunities of the Specialized Agencies.

(Mr. Richter, German  
Democratic Republic)

13. Functional immunities were granted to officials of the United Nations in respect of acts performed in an official capacity. Acts performed in a private capacity were not covered. His delegation had various points to make concerning the tendentious account given in the Secretary-General's report (A/C.5/37/34, paras. 18-35). The case in question concerned the activity of a certain secret service. Mr. Stulz, the former international official in question, had been legally sentenced and, in accordance with the laws of the German Democratic Republic, prematurely released in 1981, since when he had resumed his scientific work. He had cancelled his contract with his former employer in writing several times and had explained his reasons for doing so in a personal letter to the Executive Director. The Director of the Bureau of Personnel of the specialized agency concerned had been allowed to proceed to the German Democratic Republic to have a personal talk with the former staff member, during which the latter had declared his readiness to confirm his resignation in writing once again. The authorities of the German Democratic Republic had ample proof that not only Mr. Stulz had been contacted by a certain country during his assignment to UNESCO but also his wife, particularly with a view to preventing her from returning to her home country. His Government had no intention of continuing or reviving a fruitless discussion and considered the case closed.

14. Mr. BELYAEV (Byelorussian Soviet Socialist Republic) said that his delegation proceeded from the premise that the legal status of international civil service was defined in the Convention on the Privileges and Immunities of the United Nations and on those of the Specialized Agencies, as well as in bilateral agreements with host countries. In principle it endorsed the idea that further strengthening of the privileges and immunities of international civil servants was desirable and was therefore prepared to participate in discussions on the subject. However, the matter must be approached by all parties in an objective and constructive manner, particularly with respect to the precise topics and the place where the negotiations were to be carried out. The information given to the Committee on the matter, including the report submitted (A/37/34), showed that the reporting requirements were not being met. The current report was drafted in a subjective fashion, some cases being presented in a tendentious manner, with attacks on Member States whereas flagrant violations of the Conventions were just enumerated, without comment: for instance, the fate of over one hundred United Nations officials was still unknown.

15. In view of the difficulties encountered, his delegation welcomed the appointment of the United Nations Task Force on the Safety and Security of the International Civil Service. However, the proposals it had submitted so far (A/C.5/37/34, para. 42) seemed to concern purely administrative matters and did not refer to the most vital issue, namely co-operation between the United Nations and the Member State concerned. Paragraph 43 of the report mentioned intensified intervention by the Secretary-General or his representative in cases in which Governments were not in compliance with their obligations, but it was not clear what powers the representative of the United Nations had to assess the situation. That approach appeared to go beyond the context of international law and consequently he did not think that the Committee was in a position to contribute to the solution of the problem.

16. Mr. LADOR (Israel) said that no UNRWA staff member or any other international staff member had been unduly detained by the Israeli authorities, and detainees were rapidly released as soon as it was proved that they were guilty of no wrongdoing. His delegation was strongly in favour of privileges and immunities for the staff members of international organizations, provided that they were in keeping with the national security needs of Member States.

17. Representatives of a number of countries were using the terms "nazi" and "concentration centres" in connection with Israel, although they had no conception whatsoever of their real connotation. Moreover, some of those countries had even collaborated with the people with whom they were trying to compare the Israelis. The concept of a concentration camp, to which the representative of the Soviet Union had just referred, was rapidly being replaced by the even more horrifying concept of the gulag. The Bureau and Secretariat should screen United Nations documents carefully to ensure that they did not contain inappropriate terms.

18. The representative of the Soviet Union was even distorting facts set forth in the reports before the Committee by continuing to insist that there were 166 persons under arrest and refusing to acknowledge those who had been released in the meantime. He referred, in that connection, to the statement he had made at the 38th meeting of the Committee. The Soviet Union was uniquely unqualified to demand information regarding detainees. Indeed, it would be far more appropriate if the representative of the Soviet Union were to provide information regarding the countless civilian political detainees in his own country, who were guilty of nothing more than disagreeing with their Government's misguided policies.

19. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that his delegation had compiled information on the violation of human rights by Israel and on the existence of concentration camps in the occupied territories, which it would present in the Third Committee.

20. Mr. SHAHANKARI (Jordan) drew attention to the reference, in paragraph 5 of the report of the Secretary-General on respect for the privileges and immunities of officials of the United Nations and specialized agencies and related organizations (A/C.5/37/34), to an UNRWA staff member arrested and detained in Jordan, who had subsequently been charged, tried and convicted. His country had always respected the immunities and privileges granted to United Nations staff members, provided that they were in keeping with international law and norms and that the staff members in question confined themselves to their duties. The staff member referred to in paragraph 5 of document A/C.5/37/34 could not claim privileges and immunities because, firstly, he was a Jordanian national and therefore subject to Jordanian law and, secondly, he had not confined his activities to the teaching duties for which he had been recruited, but had distributed leaflets and pamphlets violating the Jordanian Constitution and had joined illegal groups. The report should have focused instead on the large number of staff members detained by Israel.

21. Miss DOSS (Assistant Secretary-General for Personnel Services) said that, since some of the questions raised in the debate on the item under consideration were of particular interest to certain individual delegations, the Office of Personnel Services (OPS) would provide the delegations concerned with the necessary information. Moreover, it would be preferable if, at future sessions, the Committee were first to consider the report of the International Civil Service Commission dealing with personnel issues with system-wide implications and then to address itself to more specific personnel questions relating to the Secretariat.

22. With regard to equitable geographical distribution, the overall proportion of recruitment from unrepresented and under-represented countries for the period 1 January 1981 to 30 June 1982 had been 42.9 per cent of total recruitment, and OPS therefore believed that the existing guidelines should be maintained. In the same period, recruitment from over-represented Member States had been held at the level of approximately 13.4 per cent. The reasons for such recruitment were given in the report of the Secretary-General on implementation of personnel policy reforms (A/C.5/37/5, para. 7). OPS would pursue its efforts to ensure that suitable candidates from other groups of Member States were available when vacancies occurred.

23. The Secretary-General fully intended to pursue the objective of achieving equitable or more balanced representation in the regional commissions of nationals from other regions and gradually to reduce any imbalance in favour of any particular region or group of States, except where it was specifically mandated by the General Assembly.

24. In accordance with General Assembly resolution 35/210, the population factor was increased by 10 posts for every 100 posts added to the base figure of 3,350 posts. Since the number of new posts subject to geographical distribution authorized since the adoption of that resolution had not yet reached 100, the base figure had not changed. The present size of the population reserve was 240 posts, which were distributed on a regional basis. Those posts were not allocated to any particular country or identified with any particular level. At least one major Member State that was currently over-represented might well come within its range, if the relative size of its population were taken into account in the determination of its desirable range.

25. The medium-term recruitment plan was based on the assumption that there would be only a minimal increase in the total number of posts. Any additional increase in the number of authorized posts would, of course, make it that much easier to implement the plan. Conversely, the current recruitment plan would have to be adjusted, if the number of posts or vacancies were to be reduced for any reason.

26. The medium-term recruitment plan would provide a broader perspective for the annual recruitment plans mandated by the General Assembly in resolution 35/210. The plan for the first year would also be the annual work plan for that year. The focus would be on raising the representation of unrepresented and under-represented countries at least to the lower level of their desirable ranges and on improving the representation of women in the Secretariat with respect to both the number and

(Miss Doss)

level of posts. Those priorities would be achieved through country-by-country strategies and more sophisticated recruitment. The plan would also focus on the need to bring Member States that were in their range but below their midpoint up to that level; to ensure the proper distribution of senior posts between the developing and developed countries; to apply the principle of non-inheritance of posts, without adversely affecting those Member States whose nationals served primarily on fixed-term appointments; and to improve the age distribution of the Secretariat. The most immediate objective would be to bring all unrepresented and under-represented Member States within their desirable ranges by 1985.

27. OPS had taken note of the need to improve the format of the vacancy bulletins issued in implementation of General Assembly resolution 33/143 and to ensure that they were issued promptly. The notation "job descriptions not available" in those bulletins meant that the department or office in which the vacancy had occurred had not sent OPS a job description for classification of the level of the post. The notation "deadline extended" indicated that deadlines had passed without any qualified candidates having been identified and that new applications were welcome.

28. Initially, competitive methods of selection for posts at the junior entry levels would be used as the most effective means of recruitment from unrepresented and under-represented countries and from countries that were below the midpoint of their desirable range. On 14 January 1982 written examinations had been held in Brazil, the Federal Republic of Germany, Italy, the Ivory Coast, Mauritania and Suriname, and an oral examination for successful candidates had been held in May and June 1982. Since then consultations with the departments and candidates concerned had resulted in placement in the Secretariat of all but one of the successful candidates.

29. With regard to the competitive examinations for internal promotion of staff in the General Service and related categories to the Professional category, the Secretary-General had interpreted post-secondary qualifications, one of the two basic criteria established in General Assembly resolution 33/143, as being comparable to the completion of university-level courses, since practical experience could often compensate for the lack of an academic degree.

30. The simplification of the examinations, mentioned in the report of the Secretary-General on implementation of personnel policy reforms, referred to the streamlining of the format of the written examinations. The internal and external examinations would continue to be at the same level of proficiency in order to ensure that junior Professional posts were filled by candidates who met the standards mandated by the Charter.

31. The internal examination was held only in English and French because those were the working languages of the Secretariat and the ability to use one of those two working languages was the minimum linguistic requirement for recruitment to posts subject to geographical distribution. Use of one of the working languages of a United Nations organ, such as Spanish in the case of the Economic Commission for Latin America, was allowed only for two years and the extension of such fixed-term



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appointments was contingent upon the staff member's ability to work in English or French. As staff members were not eligible to sit for the competitive examination until they had served for five years in the Secretariat, they had an opportunity to acquire proficiency in one of those two languages.

32. In the statement he had made at the Committee's 29th meeting, the Secretary-General had requested that the proportion of P-1 and P-2 posts set aside for internal promotion should be raised to at least 50 per cent in order to provide reasonable career prospects for staff members in the General Service and related categories. Moreover, as suggested by one representative, it should be possible to permit a staff member in the General Service category who had the necessary qualifications to take a competitive examination held in the unrepresented or under-represented country of which he was a national.

33. With regard to the employment of women, the suggestions made as to the type of information to be included in the report of the Secretary-General, particularly with regard to the percentage of women on all promotion and appointment lists, would be taken into account in the preparation of future reports. The Secretary-General fully agreed that 25 per cent should not be the ultimate target for the proportion of women in the Secretariat and would continue his efforts to increase the proportion.

34. Initially, the three-year personnel management and career development plan referred to by the Secretary-General would involve the selection of a small group of junior Professionals chosen from among serving staff members and from among the successful candidates from the external and internal examinations. Those staff members would be grouped in a few occupational categories, and an anticipated progression of posts over a span of several years would be mapped out. Thereafter, each participant's performance in a specific post would be monitored, and the staff member would be counselled and, subject to adequate performance, be moved to a more demanding post. As career development progressed, transfers between different occupational groups with similar functions or requirements would be effected.

35. The Secretary-General recognized the important contribution made by staff members serving on fixed-term appointments and welcomed the return to the Secretariat of those officials on secondment from their national civil service who had previously served the Secretariat well. It was for that reason that the Staff Rules had been amended to permit the seniority in grade acquired during one period of service to be counted towards eligibility for promotion during a later period of service.

36. The Panel to Investigate Allegations of Discriminatory Treatment in the United Nations Secretariat, established by the Secretary-General pursuant to General Assembly resolution 33/143, had developed into effective machinery for dealing with many types of staff grievances on an informal basis, and the Secretary-General therefore intended to broaden the Panel's terms of reference to cover staff grievances in general and to change its title accordingly.

(Miss Doss)

37. She understood that the note by the Secretary-General on the repatriation grant (A/C.5/37/26) would be the subject of a special report by ACABQ. The Fifth Committee's views on the question and the resulting General Assembly resolution 34/165 had been taken into account in the judgement of the United Nations Administrative Tribunal on the Mortished case, as well as in the advisory opinion of the International Court of Justice sustaining that judgement. The Secretary-General would apply the conclusions of that judgement to similar claims by other staff members who had accrued service credits for the repatriation grant prior to 1 July 1979.

38. She regretted that the note by the Secretary-General on the amendment of the Staff Regulations (A/C.5/37/54) had been distributed late owing to the need to consult with staff representatives at major duty stations. It was recommended that the Committee should approve the proposed amendment to the provisions governing the Secretary-General's relations with the staff.

39. The Committee would soon have before it a report by the Secretary-General on child-care services at Headquarters based on the results of a survey on child-care needs in the United Nations community, in which he recommended the establishment of a crèche for infants under one year of age and of a pilot project to provide day-care. That pilot project, which would be for children of one year of age or more, would be supplemented through the development of a directory of existing child-care facilities in New York City and suburban areas.

AGENDA ITEM 114: FINANCING OF THE UNITED NATIONS PEACE-KEEPING FORCES IN THE MIDDLE EAST (continued)

(a) UNITED NATIONS DISENGAGEMENT OBSERVER FORCE: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/534, A/37/597; A/C.5/37/L.26)

40. The CHAIRMAN informed the Committee that, since the Security Council had just decided to extend the mandate of the United Nations Disengagement Observer Force (UNDOF) beyond 30 November 1982, the General Assembly must take action on the financing of the force by 1 December 1982. The Committee must therefore conclude its consideration of the item at the current meeting in order to submit its report to the General Assembly by that time. He drew attention to draft resolution A/C.5/37/L.26 on the financing of the United Nations Disengagement Observer Force and suggested that the Committee should take a decision on it.

41. Mr. DUQUE (Secretary of the Committee) said that several spaces had been left blank in draft resolution A/C.5/37/L.26 pending the decision of the Security Council with regard to the mandate of UNRWA. Therefore, the number 524 should be inserted in the appropriate spaces in the second preambular paragraph and in section III of the draft resolution to identify the resolution adopted by the Security Council. The number 29 should be inserted in the second space in the second preambular paragraph in order to indicate the date of the adoption of that resolution.

42. Mr. GODFREY (New Zealand) said that his delegation wished to join the sponsors of draft resolution A/C.5/37/L.26.

43. A recorded vote was requested.

44. Mr. MANSOURI (Syrian Arab Republic), speaking in explanation of vote before the vote, expressed the appreciation of his delegation for the positive role played by United Nations peace-keeping forces in the Middle East in general and the United Nations Disengagement Observer Force in particular. The presence of that force was a direct result of Israel's aggression and continued occupation of Arab territories in defiance of the United Nations resolutions calling for the withdrawal of Israeli forces from those territories. Although the presence of UNDOF would be necessary as long as the illegal Israeli occupation continued, his delegation felt that the burden of financing that force should be borne by the aggressor; other countries should not be requested to share that burden. The silence of the international community with regard to Israeli aggression had led to further intransigence on the part of Israel and had encouraged it to continue ignoring United Nations resolutions. It was the responsibility of the United Nations to force Israel to withdraw from the occupied Arab territories and to recognize the legitimate rights of the Palestinian people.

45. His delegation was opposed to the financing of peace-keeping operations through contributions because that approach made no distinction between the aggressor and the victim of aggression. The victim of aggression should not be requested to contribute to the financing of peace-keeping operations. That would only encourage Israel to commit further acts of aggression and continue to disregard United Nations resolutions and international law.

46. His delegation was opposed to contributing to the financing of UNDOF on the basis of the principle of the inadmissibility of the occupation of foreign territory by Israeli forces. The aggressor and all countries which supported it should shoulder the financial burden. His delegation, therefore, would vote against draft resolution A/C.5/37/L.26.

47. Mr. YAKOVENKO (Union of Soviet Socialist Republics) said that his delegation generally supported the activities of the United Nations Disengagement Observer Force, but could not support the proposed expenditures to finance the activities of UNDOF because neither the report of the Secretary-General nor the report of ACABQ gave any cogent reasons for increasing those expenditures. It would therefore abstain in the vote with regard to section A of the draft resolution. With regard to section B his delegation advocated strict compliance with the Financial Regulations of the United Nations in order to ensure economy and efficiency in expenditures and would vote against section B because the unspent balances of resources allocated earlier to the financing of UNDOF should be returned to Member States in accordance with the Financial Regulations.

48. Mr. ALHUNIDI (Democratic Yemen) said that the presence of the United Nations forces in occupied Arab territories was the direct result of Israeli Zionist aggression. His Government firmly rejected the Israeli expansionist policy of aggression, which constituted a continuing violation of the purposes and principles of the Charter and relevant United Nations resolutions. It called for the restoration of the legitimate rights of the Palestinian people, including the right to establish their own national State under the leadership of the Palestine Liberation Organization. He would abstain in the vote on draft resolution A/C.5/37/L.26 because his delegation refused to acknowledge any responsibility with regard to the financing of peace-keeping operations. The aggressor should shoulder the financial burden of the peace-keeping operations which resulted from its aggression.

49. Mr. TAKASU (Japan) said that his delegation fully supported United Nations peace-keeping operations in the Middle East, which played a very valuable role in the maintenance of peace in the region. Japan was very grateful to those countries which generously contributed troops to peace-keeping operations in that area. Those operations should be maintained with maximum efficiency and economy as repeatedly emphasized in relevant resolutions of the Security Council and the General Assembly. Furthermore, it was the collective responsibility of all Member States to ensure a sound financial basis for peace-keeping operations. His delegation expressed deep concern at the withholding by certain countries of contributions to peace-keeping operations in the Middle East. According to estimates the funds withheld would amount to \$151 million by the end of 1982. That constituted a serious problem for the proper financial management of peace-keeping operations and was also one of the main causes of the financial emergency of the United Nations. Furthermore, the withholding of funds imposed an additional financial burden on contributing States. His delegation appealed to the States which were withholding their contributions to reconsider their position, supported the recommendation of ACABQ that the Secretary-General should be permitted the usual flexibility to transfer credits between items of expenditure should that be necessary in the interest of good management and efficiency and would vote in favour of the draft resolution.

50. Mr. YOUNIS (Iraq) said that the Zionist entity alone, not the Member States of the Organization, should be responsible for the results of its aggression. His delegation would vote against the draft resolution and rejected any responsibility for the financial implications arising out of it.

51. Mr. PAPENDORP (United States of America) said that the Committee had recently finished the debate on the financial emergency of the United Nations. In the course of that debate delegations had addressed the problem of the withholding of assessed contributions to United Nations peace-keeping operations. Peace-keeping forces were the very essence of the principles for which the Organization had been established and provided a means whereby peace could be maintained while long-term solutions were negotiated. The withholding of assessed contributions for that purpose threatened the continued participation of some troop-contributing countries and the viability of the United Nations as a peace-keeping organization. His delegation fully shared the view expressed by the Secretary-General in his report

(Mr. Papendorp, United States)

on the work of the Organization that peace-keeping operations had generally been considered to be one of the most successful innovations of the United Nations, and that their record over the years was certainly one of which to be proud. His delegation would therefore vote in favour the draft resolution.

52. Mr. FONTAINE ORTIZ (Cuba) said that to date Cuba had not contributed to the financing of the UNDOF in the hope that that would improve the situation in the Middle East. However, Israel had stepped up its aggression against the Arab countries and had not complied with any of the resolutions of the Security Council or the General Assembly. The Israeli invasion of Lebanon was an obvious example of that fact.

53. The aggressor country and its accomplices should bear the responsibility for the financial obligations arising out of those criminal acts. Although he supported most of the provisions of the draft resolution, it was unacceptable that the United Nations should continue to be responsible for the expenditures caused by the actions of the aggressor. His delegation would therefore abstain in the vote.

54. Mr. AL-ERYANY (Yemen) said that his delegation would abstain in the vote because the Zionist entity, as the aggressor, should bear full responsibility for financing the peace-keeping operations. The Zionist entity had defied all United Nations resolutions and was continuing its policy of aggression. His delegation therefore rejected all responsibility for the financing of those peace-keeping operations.

55. Mr. HOUNGAVOU (Benin) said that the problem of financing United Nations peace-keeping operations had never been solved because of the lack of unanimity among Member States with regard to meeting the financial obligations arising out of those operations. It was obvious that the peace-keeping operations in the Middle East had not produced any solution to the problems in that area. In fact, the forces of international imperialism had even taken advantage of the presence of those forces by permitting the Israeli Zionist régime to continue its military operations against the Palestinian and Arab peoples. His delegation was opposed to contributing to the financing of any peace-keeping forces which were obviously ineffective and would therefore vote against the draft resolution.

56. Mr. LADOR (Israel) said that he wished to remind certain delegations that his country should be referred to by its proper name and requested the Chairman to ensure that his delegation was afforded at least that courtesy. He expressed satisfaction at the report of the Secretary-General and the report of ACABQ on the financing of UNDOF. His delegation paid a tribute to the officers and other personnel of UNDOF and reiterated its appreciation to the States which had contributed contingents.

57. There was little purpose in referring to the aggressive remarks made by certain delegations during the meeting since their views bore no relevance to the matter under consideration and were merely a repetition of the rhetorical statements made at previous sessions. Peace-keeping operations were by definition only temporary and could not be a substitute for the peaceful settlement of

(Mr. Lador, Israel)

conflicts. The fact that peace-keeping operations in the Middle East had been acquiring a quasi-permanence was regrettable, but that reflected the complexity of the issues involved. Its awareness of that complex situation had led the Security Council to renew on a number of occasions the mandate of UNDOF with the agreement of the parties concerned. As imperfect as those activities were in bringing about a final solution to a conflict, they seemed to be better than any alternative in the current circumstances. It was the responsibility of the Committee to provide the Security Council with the means to enable UNDOF to carry out its mandate. The majority of Member States had approached the issue in a constructive spirit and had supported the appropriations needed for the fulfilment of that mandate. His delegation expressed appreciation to the sponsors of the draft resolution and would vote in favour of it.

58. The CHAIRMAN said that the summary record would reflect the remarks made by the representative of Israel.

59. Mr. LAHLOU (Morocco) said that his delegation would support the draft resolution. It was, however, regrettable that one of the main principles of the Organization - that of the territorial integrity of States - had been repeatedly violated. The Arab countries of the region were the victims of blatant aggression. Year after year the mandate of the United Nations peace-keeping forces in the region had been renewed, but no thought had been given to the rights which had been violated, the populations which had been displaced and the atmosphere of insecurity which had been created by one of the countries in the region. That aggression continued and no one could stop it. The Organization must take steps to ensure security in the region.

60. The CHAIRMAN invited the Committee to vote on draft resolution A/C.5/37/L.26. A recorded vote would be taken as requested earlier in the meeting.

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Bhutan, Brazil, Burma, Burundi, Canada, Central African Republic, China, Congo, Costa Rica, Denmark, Ecuador, Egypt, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guyana, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Malawi, Malaysia, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire.

Against: Benin, Iraq, Syrian Arab Republic.

Abstaining: Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Dominican Republic, German Democratic Republic, Hungary, Mongolia, Nigeria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen.

61. Draft resolution A/C.5/37/L.26 was adopted by 73 votes to 3, with 14 abstentions.

62. Mr. DESIRE (Congo), speaking in explanation of the vote after the vote, said that his delegation had voted in favour of the draft resolution in the hope that the great Powers and the United Nations would settle the question of the Middle East taking into account the inalienable rights of the Palestinian people.

AGENDA ITEM 106: ADMINISTRATIVE AND BUDGETARY CO-ORDINATION OF THE UNITED NATIONS WITH THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY  
(continued) (A/37/547 and Corr.1, A/C.5/37/23, A/C.5/37/39; A/C.5/37/L.27 and L.28)

63. The CHAIRMAN drew attention to draft resolutions A/C.5/37/L.27 and L.28 on administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.

64. Mr. WILLIAMS (Panama) proposed that the two draft resolutions should be adopted by consensus since there seemed to be general agreement on them.

65. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolutions A/C.5/37/L.27 and L.28 without a vote.

66. Draft resolutions A/C.5/37/L.27 and L.28 were adopted without a vote.

The meeting rose at 9.20 p.m.