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SIXTH COMMITTEE
73rd meeting
held on
Friday, 9 December 1983
at 3 p.m.
New York

UN/SA COLLECTION
SUMMARY RECORD OF THE 73rd MEETING

Chairman: Mr. GASTLI (Tunisia)

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 134: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)
(A/C.6/38/L.24)

1. Mr. ROSENSTOCK (United States of America), explaining his delegation's position on draft resolution A/C.6/38/L.24, said that the United States had been pleased to join in the adoption of the draft resolution. That text was, however, not perfect; it went too far in organizing the work of the Special Committee on the Charter in a temporal sense and perhaps not far enough in organizing its work so that it would concentrate on those areas where agreement was most likely. The text was none the less informed by a spirit of compromise and an implicit commitment to give priority to areas where general agreement was possible. His delegation intended to work in that spirit within the Special Committee.

2. Mr. SCHRICKE (France) said his delegation was pleased that draft resolution A/C.6/38/L.24 gave the Special Committee a mandate acceptable to all delegations, but regretted that, in defining that mandate, the draft resolution did not refer back to the idea contained in resolution 37/114, that the Special Committee should accord priority to the consideration of proposals on which agreement seemed possible. Such an approach would have been a guarantee of success. The outcome of the Special Committee's work would depend on general agreement not only on the nature and substance of the conclusions it would submit to the General Assembly, but also on the priority it gave to the consideration of the proposals before it. However, since paragraph 4 of the draft resolution implicitly contained the concept embodied in paragraph 3 (b) of resolution 37/114, France had supported the adoption of the draft resolution.

3. Mr. LE KIM CHUNG (Viet Nam) said that while his delegation had joined in the adoption of draft resolution A/C.6/38/L.24 without a vote, it considered that the establishment of a permanent commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States, referred to in paragraph 3 (b) (i) of the draft resolution, would create problems with regard to the mechanisms provided in the Charter for the settlement of disputes and would impinge on the right of States under the Charter to choose freely among the various means of settlement. Experience had shown that impasses in the settlement of disputes between States were due to the lack of political will and not to a lack of mechanisms and procedures. Direct negotiations between the parties concerned and mediation by regional organizations were preferable to mediation by an international body as envisaged in the draft resolution. The constructive role played by the Organization of African Unity in the settlement of disputes between African countries attested to that, as did the current efforts of the Contadora Group in Central America and the regional negotiations under way between the countries of Indo-China and the members of ASEAN.

4. Mr. LAMAMRA (Algeria) said that the adoption of draft resolution A/C.6/38/L.24 without a vote had been a welcome break with past practice in the Sixth Committee and augured well for the 1984 session of the Special Committee, which should approach its work in a solution-oriented spirit.

5. His delegation was pleased that priority had been given in paragraph 3 (a) of the draft resolution to international peace and security, and that the Special Committee was encouraged to move away from the listing of proposals relating to that question, an approach which had led to a dead end. Algeria would have preferred circumscribing the task of the Special Committee and having it submit its recommendations to the General Assembly in its next report. Its mandate would have been much clearer and its links with the General Assembly stronger. Instructions governing the submission of the annual report would also have strengthened the role of the Special Committee. At any rate, the draft resolution as adopted should mark a step in the right direction.

6. Mr. AZZAROUK (Libyan Arab Jamahiriya) said he had hoped that the draft resolution would be adopted by consensus but was pleased that it had been adopted without a vote. The aims of the draft resolution were to promote efforts to enhance the effectiveness of United Nations bodies, especially the Security Council, and to encourage broader participation in the Special Committee. The question of increasing its membership should be considered further.

7. Mr. FYODOROV (Union of Soviet Socialist Republics) said his delegation thought it right that draft resolution A/C.6/38/L.24, whose text was a carefully considered compromise, had been adopted without a vote. The main point was that the text duly supported the efforts to promote and strengthen international peace and security - a goal whose paramount importance had been stressed throughout the current session. Significantly, the text drew attention to the need to deal with all aspects of the task, to enhance the effectiveness of United Nations organs, particularly the Security Council, and to make better use of the means currently available under the Charter. The real way to achieve progress was through measures to ensure that all States, without exception, strictly honoured their obligations under the Charter; an indispensable requirement was that Security Council resolutions should be given full effect and sanctions unfailingly applied in cases of non-observance.

8. The Special Committee could accomplish its task if efforts were directed not at trying to amend the Charter but at pointing out how best to use the wide powers it already conferred. The principle of consensus was a vital element in all such work, as experience had shown. His delegation reiterated its readiness to co-operate in all measures genuinely aimed at enhancing the Organization's role on the basis of strict compliance with the Charter.

AGENDA ITEM 122: UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.6/38/L.32)

9. The CHAIRMAN referred the Committee to the draft resolution which he had proposed on item 122 (A/C.6/38/L.32). Paragraph 12 did not yet contain the names of the State members of the Advisory Committee on the United Nations Programme of

(The Chairman)

Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. The regional groups should submit their nominations directly to the General Assembly before it was scheduled to consider the draft resolution.

10. Mr. HOLMES (Ireland), speaking on behalf of the Group of Western European and other States, said that the Group had decided to nominate those States already serving on the Advisory Committee, namely, France, the Netherlands, Turkey and the United Kingdom of Great Britain and Northern Ireland.

11. Mr. DIACONU (Romania) observed that if the Chairman's efforts had not been impeded, draft resolution A/C.6/38/L.32 would have been submitted sooner to the Committee, and certainly at least 24 hours before action was taken on it. None the less, since the item was so important for developing countries, his delegation would not raise any difficulties on that score.

12. However, it was not clear whether the draft resolution had any financial implications. That question should be clarified because certain delegations were traditionally very concerned about financial implications. Furthermore, the procedure being followed with regard to the appointment of new members of the Advisory Committee in paragraph 12 was irregular. The question whether it was for the Sixth Committee or the General Assembly to nominate or elect the members should also be clarified.

13. The CHAIRMAN said that the draft resolution did have financial implications. As usual, there would be special provision in the regular budget of the United Nations for the Programme of Assistance, and voluntary contributions would be expected to supplement the budget allocation. Regarding the method of appointment of members of the Advisory Committee, it should be noted that the draft resolution began with the words "The General Assembly". It was therefore that body which would be appointing the members.

14. Mr. ARTAN (Somalia), speaking on behalf of the Group of African States, said that the Group would in due course communicate its decision regarding the membership of the Advisory Committee.

15. The CHAIRMAN said he hoped that the nominations would be submitted by 19 December.

16. Mr. AKDAG (Turkey), speaking on behalf of the Group of Asian States, said that the Group's nominations for membership in the Advisory Committee would be submitted by 19 December.

17. Mr. CULLEN (Argentina) pointed out that paragraph 5 of draft resolution A/C.6/38/L.32 expressed appreciation to the States which had provided host facilities for the regional training and refresher courses held in 1982 and 1983, but failed to name those States, as had been done in past resolutions such as resolution 36/108. His delegation deeply regretted that break with tradition, to which the Chairman had apparently been forced by the intransigence of one

(Mr. Cullen, Argentina)

delegation. Argentina was one of the States in question. While it would not insist on rectifying that exceptional omission, which had only come to its attention that very day, it regretted that it found itself in the position of having to criticize a draft resolution proposed by the Chairman.

18. Mr. BERMAN (United Kingdom) said that paragraph 5 of the draft resolution was obscure and opaque. He would like to know which States were referred to and what courses had been held in 1982 and 1983.

19. The CHAIRMAN said that the States had been named by the Legal Counsel in his introduction of the Secretary-General's report (A/38/546).

20. Mr. ROMANOV (Secretary of the Committee) said that the Secretary-General's report, which had been issued a month earlier, contained all the relevant information, including the financial implications of United Nations participation in the Programme of Assistance. The Legal Counsel, in introducing the report, had summed up the activities that had taken place during the reporting period and had provided information on the matters referred to by the United Kingdom representative.

21. Mr. GRANIZO ROMERO (Ecuador) said that he agreed with the representatives of Argentina and the United Kingdom. Paragraph 5 of the draft resolution should name the States which had provided host facilities.

22. Mr. ROSENSTOCK (United States of America) said that he would like to know precisely which States were referred to in paragraph 5.

23. Mr. ROMANOV (Secretary of the Committee) said that UNITAR had organized a regional training and refresher course in international law for Asia at Seoul from 18 to 29 October 1982 and for Latin America and the Caribbean at Buenos Aires from 26 September to 7 October 1983. That information was given in paragraph 38 of the Secretary-General's report (A/38/546), which had been considered and approved by the Advisory Committee before being submitted to the General Assembly.

24. Mr. HAYASHI (Japan) said that inasmuch as the draft resolution named certain private organizations, he was puzzled by the omission from paragraph 5 of the names of the States in question. Previous General Assembly resolutions on the subject had named such States. It would be a courteous gesture of appreciation to return to that good tradition.

25. The CHAIRMAN asked whether the representative of Japan was making a formal proposal.

26. Mr. HAYASHI (Japan) said that, while he was not making a formal proposal, he would be grateful if careful consideration could be given to his suggestion.

27. Mr. AL-QAYSI (Iraq) said that there was nothing puzzling about draft resolution A/C.6/38/L.32. What was puzzling was why delegations were speaking in code. Paragraph 38 of the Secretary-General's report (A/38/546) was perfectly

(Mr. Al-Qaysi, Iraq)

clear. The financial implications of United Nations participation in the Programme of Assistance for the biennium 1984-1985 were set out in paragraphs 77 to 79 of that report. Delegations which claimed to be still puzzled by the draft resolution either had not done their homework or simply were not being forthright.

28. He appealed to all delegations to enable the Committee to conclude its work on a happy note.

29. Mr. ROSENSTOCK (United States of America) said that his delegation was quite prepared to speak bluntly. However, as a courtesy to the Chairman, it was awaiting a response to Japan's suggestion. For all countries which attached importance to the hosting of seminars and symposia under the Programme of Assistance, the question of mentioning names should be clarified for the present and for the future.

30. Mr. I. I. YAKOVLEV (Union of Soviet Socialist Republics) said that the Chairman had proposed a draft resolution on which general agreement was possible. His delegation failed to understand the reasons for the discussion, which was adversely affecting the prospects for general agreement. It supported the effort to conclude the Committee's work on a happy and successful note, and appealed to delegations to adopt the draft resolution by consensus.

31. Mr. HAYASHI (Japan) said he regretted that, because of the late submission of the draft resolution, it had not been possible for delegations to consult their Governments with a view to producing a consensus text. In the interest of facilitating the Committee's work, his delegation was not formally proposing an amendment to the draft resolution, although it would have preferred to see the Committee return to the good tradition of naming States which had provided host facilities.

32. Mr. ROSENSTOCK (United States of America) said that his delegation had not yet decided whether to propose formally the inclusion of the names of Argentina and the Republic of Korea in paragraph 5 of the draft resolution. Before making up its mind, it wished to know whether the Chairman was going to recommend that the names of States providing host facilities should be omitted from the current draft resolution and from future draft resolutions on the item. While it was useful to show recognition and give encouragement to such States, if, for reasons that were well known to all, naming them posed problems in some cases, then it might be better to recommend that they should not be named at all.

33. Mr. BUBEN (Byelorussian Soviet Socialist Republic) appealed to the Committee to adopt by consensus draft resolution A/C.6/38/L.32 as it stood.

34. The CHAIRMAN said that, for reasons beyond his control, the draft resolution had been prepared at the last minute. Despite his repeated appeals, no draft resolution on the item had been submitted by the other members of the Committee. He could have deferred action on a draft resolution until the thirty-ninth session of the General Assembly. That would not have been an abnormal procedure. He had preferred, however, to take the initiative and had done his best to produce a generally acceptable text. The Committee was at liberty to take action at the current meeting or to defer action until the thirty-ninth session.

35. Mr. ROSENSTOCK (United States of America) said that he was not insensitive to the difficulties faced by the Chairman. It was important to his delegation, however, that the principle of sovereign equality should be upheld. The Committee might wish to take a policy decision that States providing host facilities should not be named in future resolutions on the item. If the Chairman recommended such a policy decision and it was generally accepted by the Committee, his delegation would go along with it, though with some regret. The decision would not be binding, but would carry weight and would be understood by all concerned. The absence of a policy decision could lead to a situation where some States were thanked by name and others not. That would be incompatible with the principle of sovereign equality.
36. In the interest of consensus, his delegation did not wish to make a formal proposal.
37. The CHAIRMAN said that, on behalf of the Committee, he wished to pay tribute to all States which had contributed to the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 1982 and 1983, particularly Argentina and the Republic of Korea.
38. Tunisia proposed to provide host facilities under the Programme.
39. Mr. I. I. YAKOVLEV (Union of Soviet Socialist Republics) said that draft resolution A/C.6/38/L.32 represented a consensus view and should be adopted by consensus. He failed to see how its adoption as it stood could have a negative bearing on the Committee's approach to the item at subsequent sessions.
40. Mr. ROSENSTOCK (United States of America) asked the Chairman whether he thought that the future policy should be to avoid naming the States which had provided host facilities.
41. Mr. TARASYUK (Ukrainian Soviet Socialist Republic) said it was unacceptable to try to pressure the Chairman into such a decision. There seemed to be a majority view that the text as it stood could be adopted without difficulty; that view should be upheld.
42. Mr. BERMAN (United Kingdom) said that it ill became delegations which had persistently been applying pressure to inveigh against attempts to pressure the Chairman.
43. As a compromise, he proposed that draft resolution A/C.6/38/L.32 should be adopted by consensus or without a vote, following which the Committee should express its thanks to Argentina and the Republic of Korea for their help in ensuring the successful implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. Surely no delegation could oppose the adoption of such a procedure by acclamation.
44. Mr. SCHAEFER (Federal Republic of Germany) said that while his delegation approved of the Committee's traditional approach, it supported the United Kingdom representative's proposal.

45. Mr. PARK (Observer for the Republic of Korea) said that his delegation, while respecting the Committee's desire for consensus, would deeply regret its adoption of a text from which, for political reasons and contrary to established practice, the host countries' names had been omitted.

46. Draft resolution A/C.6/38/L.32 was adopted by consensus.

AGENDA ITEM 130: REVIEW OF THE MULTILATERAL TREATY-MAKING PROCESS (continued)
(A/C.6/38/L.28, L.29)

47. Mr. RAMADAN (Egypt), Chairman of the Working Group on the Review of the Multilateral Treaty-Making Process, introduced the Working Group's report (A/C.6/38/L.28).

48. At the thirty-seventh session, the Working Group had been requested to prepare a working paper setting out the major issues relevant to the entire multilateral treaty-making process, in four stages: initiation of a treaty-making process; formulation of a multilateral treaty; adoption of a multilateral treaty; and post-adoption and entry into force. At the current session, the Working Group had taken up the first item and had continued to the end of the list.

49. The representatives of Australia, Egypt and Mexico had prepared a paper proposing the establishment by the General Assembly of an advisory committee on drafting; the proposed composition and functions were described in section A of the annex to the report (A/C.6/38/L.28). With regard to problems resulting from lack of personnel and financial resources, he himself, as the representative of Egypt, had suggested that the competent United Nations bodies should be asked to formulate programmes of assistance for States which needed help in multilateral treaty-making (*ibid.*, para. 22). As Chairman of the Working Group, he had suggested the adoption by the General Assembly of a set of draft rules of procedure for treaty-making conferences. Details were given in section B of the annex to the report.

50. The representative of Israel had suggested that the regulations to give effect to Article 102 of the Charter should be reviewed and that the feasibility of producing consolidated or uniform information about depositary activities should be ascertained; he had also suggested that a set of official records should be published for each treaty-making conference (para. 45).

51. The time had come for the Working Group to examine critically the suggestions and proposals with a view to making recommendations on the basis of its assessments. It was hoped that, at the thirty-ninth session, the Working Group would be convened as early as possible and allocated more time.

52. One of the General Assembly's aims in establishing the Working Group had been to determine whether the current methods of multilateral treaty-making were as efficient, economical and effective as they could be to meet the needs of Member States (resolution 36/112, para. 2 (b)). He wished to express his own views on that question, which were not necessarily shared by all members of the Working Group.

(Mr. Ramadan, Egypt)

53. States should be invited to take into account, before proposing the preparation of a treaty on a given subject, whether the subject would be of interest to the international community as a whole and whether there was widespread support from States in all the main geographical regions, including States with different political and legal systems. Where appropriate, questionnaires should be sent, relevant legal and technical data should be gathered, feasibility studies should be prepared and the choice of an instrument other than a treaty should be considered. Any proposal to prepare a treaty should be embodied in a decision and should be pursued only if it was supported by a majority of Member States.

54. In cases where no initial draft had been prepared by the proposer of the treaty, such preparatory work could be entrusted to the Secretariat, an ad hoc expert group or, if appropriate, a non-governmental organization. Potential parties to the instrument should be invited to submit their views on the initial draft. Furthermore, the specialized and related agencies should be requested to communicate periodically to the Secretary-General information regarding their respective treaty-making activities, which could be drawn to the attention of Member States.

55. Before a multilateral treaty was adopted by the General Assembly, steps should be taken to ensure the internal consistency of the text and the concordance of the versions in the various languages, through, for example, participation by the Sixth Committee in the drafting process. Similarly, before the process of adopting a proposed treaty was embarked upon, it was necessary to determine whether the formulation process had been carried far enough to enable the forum chosen for adoption of the treaty to complete the necessary work. Such a decision should take into account such factors as whether there was already a basic text on which sufficient agreement had been reached to ensure broad support for the adoption and entry into force of the treaty.

56. Each time that the General Assembly decided to embark on the adoption of a multilateral treaty or to convene a diplomatic conference, it should specify, as a condition for the convening of the conference, the minimum number of States that must indicate their intention to participate. It was particularly important that, in choosing the forum, Member States should take account of such factors as the type of participation and expertise desired, the amount and type of further work required, timing and costs. It would also be useful if Member States that had signed a multilateral treaty concluded under United Nations auspices but had not ratified it two years after the date of signature were invited to communicate, on a voluntary basis, through the Secretary-General, their intentions regarding ratification. The information in question could then be transmitted to the competent Main Committee. Moreover, information on the multilateral treaty-making process and its importance should be disseminated among the public at large.

57. Multilateral treaties had become an essential part of international life. They were much more numerous and normally had many more parties than in the nineteenth century. Their scope and subject-matter had expanded so much over the years that practically all aspects of important international activities were now covered. Through multilateral treaties, international law was moving from a

(Mr. Ramadan, Egypt)

customary to a codified system, and such treaties were now the primary source of law. The multilateral treaties promulgated by the United Nations covered a wide spectrum of subjects, and it would appear that the United Nations had proved to be an effective institution for treaty-making.

58. Mr. DE STOOP (Australia), introducing draft decision A/C.6/38/L.29, said that the key provision of the draft was paragraph (b). Given the technical nature of multilateral treaty-making and the degree of agreement reached in the Working Group, his delegation hoped that the Committee would adopt the draft decision by consensus.

59. Draft decision A/C.6/38/L.29 was adopted by consensus.

AGENDA ITEM 133: REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY
(continued) (A/38/26; A/C.6/38/L.31)

60. Mr. KHALEH (Syrian Arab Republic) said it was clear from paragraphs 11 and 13 of the report of the Committee on Relations with the Host Country (A/38/26) that the host country was doing little to ensure the security of missions and the safety of their personnel and that it was guilty of discriminatory treatment. Moreover, a year earlier a former Chargé d'Affaires of the Mission of the Syrian Arab Republic had been harassed by members of the police force, despite his delicate heart condition. Although the Mission had subsequently filed a complaint with the host country's authorities, it as yet knew of no steps that had been taken in connection with that incident. He himself had suffered considerable inconvenience as a result of the difficulties he had experienced in parking his car in Manhattan. His country's Mission had even received a brusquely worded protest note in that connection.

61. He endorsed the views expressed by the Legal Counsel in his note reproduced in annex I to the report of the Committee on Relations with the Host Country. The Legal Counsel's observations on the question of general international law on privileges and immunities and on the legal implications of section 205 of the United States Foreign Missions Act were of great interest. The way in which the United States authorities were treating the Missions accredited to the United Nations betrayed a certain amount of resentment at the fact that United Nations Headquarters was located in New York. The United States Government appeared to be overlooking the fact that the missions had to cope with many serious difficulties owing to their location.

62. Mr. SOGLIO (Benin) said that, despite the efforts made by the host country, the missions accredited to the United Nations were still experiencing serious difficulties. He wished, in particular, to draw attention to the situation regarding parking on Roosevelt Island.

63. Mr. BUBEN (Byelorussian Soviet Socialist Republic), introducing draft resolution A/C.6/38/L.31, said that the Committee on Relations with the Host Country continued to be of considerable help in dealing with the problems faced by

(Mr. Buben, Byelorussian SSR)

missions accredited to the United Nations. However, the situation with regard to the security of mission personnel and their families left much to be desired. Organized demonstrations were constantly being held in front of a number of missions, including that of the Byelorussian SSR, which were subjected to harassment, offensive behaviour and language, telephoned threats and insults, picketing and other attempts to prevent mission personnel from carrying out their duties. Mission property and vehicles were constantly being vandalized. There had been instances of actions in disregard of the diplomatic status of mission personnel. It was up to the host country to take firm action to rectify the situation, improve the security of mission personnel and their families and punish severely the groups and individuals responsible for the criminal acts referred to.

64. The Committee on Relations with the Host Country had begun consideration of the United States Foreign Missions Act, with special reference to its conformity with the Charter and the Headquarters Agreement. According to paragraph 25 of the note by the Legal Counsel (A/38/26, annex I), privileges and immunities granted to the Organization and the representatives of Member States had to be granted unconditionally and on an equal basis. Recently, attention had again been drawn to the need for strict observance of the obligations under the Headquarters Agreement, and for federal, state and local authorities to ensure safe and unhindered passage of mission personnel in the region covered by the Headquarters Agreement.

65. The Committee on Relations with the Host Country had considered several other important topics, such as the issue of visas, the provision of living accommodation for diplomatic personnel and the parking of mission vehicles - a matter which was causing problems. That Committee continued to provide an important forum for the consideration of all such matters.

66. The sponsors of draft resolution A/C.6/38/L.31 hoped that, as in the past, the text would be adopted without a vote.

67. Mr. SCHRICKE (France) said that the report (A/38/26) faithfully reflected the work of the Committee on Relations with the Host Country. His delegation regretted the incidents involving certain missions. All missions should be guaranteed the necessary peaceful conditions in which they could operate properly. While recognizing that, in a large city like New York, the task of the host country was not easy, his delegation felt that an additional effort could be made, in co-ordination with the New York authorities, to put an end to such incidents.

68. On the issue of the parking of diplomatic vehicles, it was his understanding that the City of New York had been obliged to take certain steps to remedy the very difficult traffic situation in Manhattan; the City was entitled to respect for its traffic rules from the diplomatic community. New York was not, however, the only city in the world where such problems arose, and efforts must be made to find a proper solution. There was no doubt that the United States authorities were willing to co-operate in finding a solution compatible with international law and acceptable to all parties.

(Mr. Schricke, France)

69. His delegation was fully aware of the duties and obligations incumbent upon a host country and was also aware that, while diplomatic and consular missions had rights, they also had duties. He did not, however, wish to draw too gloomy a picture. He was convinced that the host country was not disregarding its responsibilities, but was doing everything it could in all areas to ensure conditions of peace and security for diplomatic missions. In particular, he wished to thank the New York authorities and the New York City Commission for the United Nations and the Consular Corps.

70. Mr. ROSENSTOCK (United States of America) said that almost all the specific incidents to which representatives had referred had been covered in the report. There was therefore no need for him to repeat the replies. He wished to comment, however, about the distorted version of the opinion of the Legal Counsel. He trusted that the Sixth Committee, as a committee of lawyers, could recognize the distortions and read and understand that opinion.

71. On the question of parking tickets, no letter was ever sent unless an incredible number of tickets had been issued. The United States authorities were aware of the parking problem on Roosevelt Island. While many privileges and immunities were rightly accorded to diplomats, they were still expected to obey the law.

72. In the current violent state of the world, diplomats and diplomatic missions occasionally became the targets of unacceptable conduct. His Government condemned all attacks on diplomats wherever and whenever they occurred and would continue to make every effort to achieve a secure environment for all delegations.

73. His delegation was pleased that the draft resolution on item 133 was one on which consensus was possible. As a consensus text, it did not fully meet the needs of all concerned. The text endorsed all the recommendations contained in paragraph 60 of the report of the Committee on Relations with the Host Country. His delegation believed that particular attention should be paid to recommendations (4), (10) and (11). In recommendation (4), the Committee had called upon the missions of States Members of the United Nations to co-operate as fully as possible with the federal and local United States authorities in cases affecting the security of those missions and their personnel. In recommendation (10), the Committee had suggested that the Secretariat and others concerned should work together to solve outstanding difficulties concerning unpaid bills for goods and services rendered to certain missions and certain individual diplomats. In recommendation (11), the Committee had expressed its appreciation to the New York City Commission for the United Nations and the Consular Corps and those bodies, particularly the New York City Police, which contributed to its efforts to help to accommodate the needs, interests and requirements of the diplomatic community, to provide hospitality and to promote mutual understanding between the diplomatic community and the people of the City of New York.

74. The United States was proud to host the United Nations and would continue to do its best to establish a secure environment for all.

75. Draft resolution A/C.6/38/L.31 was adopted without a vote.

COMPLETION OF THE COMMITTEE'S WORK

76. Mr. AL-OAYSI (Iraq) said that, in his closing statement to the Sixth Committee at the thirty-seventh session of the General Assembly, the Chairman, Mr. Kirsch of Canada, had dwelt extensively upon the working methods of the Committee; his incisive analysis and profound ideas had provoked a number of delegations to reflect on how the Sixth Committee conducted its work and to conclude that the time had come for a concerted effort to restore a much needed balance and order in its deliberations.

77. The Asian-African Legal Consultative Committee had held a series of meetings in New York in November 1983. It had discussed the question of the rationalization of the Sixth Committee's work. The ideas presented had been incorporated in an informal paper, which, at the request of 65 delegations, had been issued as a Sixth Committee document. It was the hope of his delegation that Member States would find time to study the ideas contained in that document with a view to holding consultations thereon before the thirty-ninth session of the General Assembly. A broad understanding to that effect by the Sixth Committee at the current session would help to set in motion a process designed to alleviate the collective suffering of the members of the Committee.

78. The CHAIRMAN supported the views expressed by the representative of Iraq.

79. Most of the substantive items considered by the Committee belonged to one of two categories. The first generally involved a direct contribution to the development of various types of international legal instruments where conditions were ripe for codification. The second consisted of questions on which there was as yet no general agreement and which were therefore not ready for embodiment in legal instruments. A notable example of a topic in the second category was the question of the progressive development of the principles and norms of international law relating to the new international economic order, which concerned an area that had for years been the subject of difficult negotiations.

80. With regard to the Committee's working methods, the existing machinery for solving problems was evaluated differently by different groups of countries. It was his view that the Sixth Committee met too frequently, with the result that members did not have enough time to reflect on the issues. The problem was especially difficult for small delegations, particularly those of the third world, which did not have enough staff to cope with the demands of their time. The tendency to refer certain items to working groups meant that there was little time in which to develop positions and consult on controversial questions. It was his hope that there would be greater flexibility in the Committee's work in future and a lighter agenda so that the Committee could meet somewhat less frequently and reduce the number of working groups. In that way it might be possible to make progress on the more difficult items.

81. After an exchange of courtesies, the CHAIRMAN declared that the Committee had completed its work for the thirty-eighth session.

The meeting rose at 7 p.m.