



SUMMARY RECORD OF THE 56th MEETING

Chairman: Mr. KUYAMA (Japan)

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

CONTENTS

AGENDA ITEM 109: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1984-1985 (continued)

Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/C.6/38/L.6 concerning agenda item 121

Administrative and financial implications of the draft resolution submitted by the Third Committee in document A/C.3/38/L.36, as orally revised, concerning agenda item 12

Administrative and financial implications of the draft resolution submitted by the Third Committee in document A/C.3/38/L.35, as orally revised, concerning agenda item 96

Administrative and financial implications of the draft resolutions submitted in documents A/38/L.33 and L.34 concerning agenda item 18

Population activities in the regional commissions

*This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL
A/C.5/38/SR.56
8 December 1983

ORIGINAL: ENGLISH

The meeting was called to order at 11 a.m.

AGENDA ITEM 109: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1984-1985 (continued)

Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/C.6/38/L.6 concerning agenda item 121 (A/C.5/38/62)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that appropriations had been authorized at the thirty-sixth and thirty-seventh sessions of the General Assembly to allow the United Nations Institute for Training and Research to prepare a study on the progressive development of the principles and norms of international law relating to the new international economic order. The amount of \$59,100 now requested by the Secretary-General was to complete work on the study.
2. The draft resolution recommended by the Sixth Committee requested UNITAR to continue preparing the third and final phase of the analytical study and to complete it in time for the Secretary-General to submit it to the General Assembly at its thirty-ninth session. The Advisory Committee had accepted the amount requested, which would be appropriated under section 26 if the draft resolution was adopted.
3. Mr. KELLER (United States of America) said that his delegation was opposed to the Secretary-General's request for additional funding of \$59,100 to complete the UNITAR study. The Fifth Committee had approved an additional amount of \$127,400 at the thirty-seventh session, at which time it had been assured that no further appropriations would be required.
4. His delegation wished to know why work on the study had taken so long, and why it had exceeded its anticipated cost. It seemed that extensive revision of one of the analytical papers had been necessary. He inquired whether that was so, and whether the author of the paper had been paid. Details of the contractual arrangements between UNITAR and its consultants would be welcome. Finally, his delegation wished a vote to be taken on the request for an appropriation.
5. Mr. MURRAY (United Kingdom) said that his delegation had reservations concerning the substance of the UNITAR study, which it did not view as a serious piece of legal scholarship. It now seemed that UNITAR had decided that the papers were in need of revision, and was requesting additional funds. His delegation was opposed to that request.
6. Mr. SOKOLOVSKY (Byelorussian Soviet Socialist Republic) said that his delegation was in favour of fully restructuring international economic relations and establishing a new international economic order. Nevertheless, it could not agree to the provision of regular-budget resources for UNITAR, which was funded from voluntary contributions. There was no need for the regular budget to be further burdened by the costs of the study, which could have been done by other competent organs, for example UNCITRAL.

/...

7. Mr. KHALEVINSKY (Union of Soviet Socialist Republics) said that experience had demonstrated that, in general, the employees of organizations took greater account of deadlines than did consultants, a point which was worth bearing in mind in the present case.

8. Mrs. REBONG (Philippines) said that UNITAR had stated that the study would be finished by the thirty-ninth session of the General Assembly. In view of its importance, her delegation supported the request for an additional appropriation.

9. Mr. TAKASU (Japan) said that appropriations had already been made at the thirty-sixth and thirty-seventh sessions of the General Assembly, and now still more funds were being requested. His delegation wished to know whether any of the amount approved at the thirty-seventh session had been used for other projects or programmes, and how much of the appropriation approved had actually been disbursed.

10. Mr. MUNANSANGU (United Nations Institute for Training and Research) said that the project was vast and complex, and that the reasons for the failure to complete it had been given by the Secretary-General. The contractual arrangements made by UNITAR were the same as those of the United Nations. The consultant in question had not in fact been paid since the work had not been completed. The appropriations approved for the study had been used exclusively for that project. There had in fact been a surplus for the past two years, but that surplus could not be carried forward to the next biennium without an extension being granted.

11. Mr. PEDERSEN (Canada) asked what the amount of the UNITAR surplus was.

12. Mr. FORAN (Controller) said that the surplus was approximately \$3,250.

13. The CHAIRMAN proposed that, on the basis of the Advisory Committee's recommendations, the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution in document A/C.6/38/L.6, an additional appropriation of \$59,100 would be required under section 26 for the biennium 1984-1985.

14. The Chairman's proposal was adopted by 50 votes to 14, with 14 abstentions.

15. Mr. PEDERSEN (Canada), explaining his vote, said that his delegation had supported the appropriation requested at the thirty-seventh session in order to complete work on the study. It had been surprised to learn at the current session that further work was still needed and had voted against the appropriation.

Administrative and financial implications of the draft resolution submitted by the Third Committee in document A/C.3/38/L.36, as orally revised, concerning agenda item 12 (A/C.5/38/66)

16. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the draft resolution in document A/C.3/38/L.36 would request the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families to complete its work as

(Mr. Mselle)

soon as possible. The Working Group would be authorized to hold an inter-sessional meeting of two weeks' duration in New York in 1984, and to meet during the thirty-ninth session of the General Assembly. It should be noted that an amount of \$6,500 for travel and subsistence referred to in the Secretary-General's estimates would be absorbed.

17. A decision to hold the meeting of the Working Group in New York would constitute an exception to General Assembly resolution 31/140. If no exception was made, the Group would meet in Geneva. A decision to hold meetings of the Working Group during the thirty-ninth session of the Assembly would constitute an exception to the General Assembly's ruling that such meetings should not take place at that time. Should the resolution be adopted by the General Assembly, conference-servicing costs for holding the meeting in New York would arise and would appear in the consolidated statement.

18. Mr. KELLER (United States of America) said that the conference-servicing arrangements for the Working Group should follow established United Nations practice. The schedule of meetings in May in New York was very heavy, and if the Working Group were to meet there at that time additional costs for temporary assistance would be incurred. Although the travel costs would be absorbed, those resources could be better used. The thirty-ninth session of the General Assembly was also a peak period. A more rational schedule of meetings could have been devised. It would be more logical for the Working Group to meet in Geneva.

19. In any event, the International Labour Organisation was the appropriate forum for consideration of the matters dealt with by the Working Group. CPC had drawn attention in its recommendations to a possible overlapping of the Working Group's activities with those of ILO, and the Fifth Committee had already accepted those recommendations. The Committee, in making its own recommendation on the matter to the General Assembly, should draw attention to them. It was pointless to dissipate resources between various forums. In his view, the question should be referred to the Committee on Conferences since there were obvious inconsistencies.

20. Mr. MURRAY (United Kingdom) said that his delegation shared the views expressed by the representative of the United States.

21. The CHAIRMAN said that, if there was no objection, he would take it that the Committee wished to refer the matter to the Committee on Conferences.

22. It was so decided.

Administrative and financial implications of the draft resolution submitted by the Third Committee in document A/C.3/38/L.35, as orally revised, concerning agenda item 96 (A/C.5/38/67)

23. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the inclusion of Arabic among the official and working languages of the Meetings of the States Parties to the International Covenant on

/...

(Mr. Mselle)

Civil and Political Rights and the Human Rights Committee would entail a total of \$831,100 for conference servicing, estimated on a full-cost basis, to be included in the consolidated statement of conference-servicing requirements that would be submitted by the Secretary-General later in the session. Adoption of the draft resolution would not require any immediate appropriation of additional funds.

24. Mr. LAHLOU (Morocco) expressed surprise that the matter should have come before the Fifth Committee, since he understood from the second and fourth preambular paragraphs of General Assembly resolution 35/219 A that the Arabic language was to be accorded the same status as the other official and working languages. He asked what was the status of the Meetings of the States Parties to the International Covenant on Civil and Political Rights and the Human Rights Committee, and whether there were any other organs for which Arabic was not an official or working language.

25. Mr. EL SAFTY (Egypt) associated himself with the observations of the representative of Morocco.

26. Mr. FORAN (Controller) said that the Human Rights Committee had been established by the International Covenant on Civil and Political Rights and was therefore a treaty body and did not receive the Arabic language services provided in accordance with General Assembly resolution 35/219 A. Other bodies which did not have Arabic as an official or working language were the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the International Narcotics Control Board.

27. Mr. LAHLOU (Morocco) said that according to his recollection, the additional staff provided for the Arabic language establishment were supposed to have been sufficient to cover the whole additional work-load called for by General Assembly resolution 35/219 A. Accordingly, he failed to understand why Arabic was not among the languages of the bodies under discussion and those mentioned by the Controller. He asked what steps the General Assembly might take to solve the problem once and for all.

28. Mr. FORAN (Controller) pointed out that in paragraph 1 of resolution 35/219 A the General Assembly had decided to include Arabic among the languages of its subsidiary organs, and in paragraph 2 it had requested the Security Council and Economic and Social Council to do likewise. It seemed therefore that it was for each body to request a similar recommendation from the General Assembly. That was being done in the case of the Meeting of the States Parties and the Human Rights Committee; if the other bodies he had mentioned wished to have Arabic as an official or working language, the initiative seemed to lie with them.

29. Mr. LAHLOU (Morocco) said that, in his view, General Assembly resolution 35/219 A conferred on Arabic the same status as the other languages and he could not understand why the Secretariat had never drawn his attention to the fact that some organs were excluded. There were, after all, some 280 organs in the General Assembly and he could not be expected to know the details of each of them, but the

/...

(Mr. Lahlou, Morocco)

Secretariat had that information and should have made it available. Measures must be taken to make Arabic an official and working language of all United Nations organs. He asked the Secretariat to prepare within the next two weeks a presentation regarding the use of the Arabic language in organs which did not at present have it as an official or working language.

30. The CHAIRMAN said that the additional information would be provided at a subsequent meeting. He proposed that, on the basis of the Advisory Committee's recommendations, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.3/38/L.35, as orally revised, conference-servicing requirements estimated on a full-cost basis at \$831,100 would arise. The actual additional appropriations would be considered in the context of the consolidated statement of conference-servicing requirements to be submitted at a later stage during the current session.

31. It was so decided.

Administrative and financial implications of the draft resolutions submitted in documents A/38/L.33 and L.34 concerning agenda item 18 (A/C.5/38/72)

32. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the requirements set forth in document A/C.5/38/72 related to the implementation of the work programme of the Special Committee on decolonization. The Secretary-General estimated that a total of \$371,200 would be needed for items in that programme during 1984. The Secretary-General stated that a provision of \$601,900 had already been included in the proposed programme budget under section 3A.2 and was available to finance the programmed activities of the Special Committee during 1984, leaving a balance of \$230,700. Consequently, adoption of the two draft resolutions would not entail additional financial appropriations.

33. Mr. KELLER (United States of America) said that the work programme of the Special Committee on decolonization seemed to have been designed with a view to obtaining the maximum travel for members of the Committee and its secretariat, without much corresponding benefit to colonial countries and peoples. He could not understand why the Chairman and the Secretary of the Committee had to travel to Geneva to meet the President of the Economic and Social Council when both bodies had their headquarters in New York. The proposed visiting missions seemed to cover a very far-flung series of small island Territories, and the proposal to finance the travel to Vienna of 30 representatives of non-governmental organizations seemed to be an improper charge on the regular United Nations budget. He noted that the Special Committee would take advantage of invitations to meet elsewhere than at United Nations Headquarters, and thought that the Governments issuing the invitations should also defray the costs involved. In short, he did not think the total expenditure of \$371,200 was justified by the benefits which would accrue to the cause of decolonization, and would therefore vote against the estimate of expenditure if it was put to the vote.

/...

34. Mr. PEDERSEN (Canada) said that he too concluded that the Special Committee's work programme had more to do with travel than with decolonization. It did not represent a serious and thoughtful use of United Nations funds and if the estimate was put to the vote he would vote against it.

35. Mr. van HELLENBERG HUBAR (Netherlands) agreed that the programme under discussion did not seem to be the best way of spending Member States' money or achieving the Special Committee's objectives.

36. Mr. HOLBORN (Federal Republic of Germany) said that he too had problems in accepting the statement of financial implications. For the reasons outlined by the speakers who had preceded him, he would vote against the statement if it was put to the vote.

37. Mr. MURRAY (United Kingdom) said that he shared the concern of previous speakers and could see no justification for the allocation of funds to an area of declining United Nations activity.

38. Mr. BANGURA (Sierra Leone) said that the members of the Special Committee needed to travel extensively in order to see for themselves what preparations the colonial Powers were making to bring their Territories to independence, and report accordingly to the General Assembly. He hoped that as the number of Territories concerned became fewer, such travel would be less and less necessary in future.

39. Mr. TRUSCOTT (Australia) agreed that visiting missions could perform a useful function but it was not clear from the document what the Vienna seminar was expected to achieve. His experience was that seminars often represented an expenditure of funds without much purpose.

40. Mrs. de HEDERVARY (Belgium) said that she had noted that, under draft resolution A/38/L.33, travel and subsistence would be paid for 30 representatives of non-governmental organizations to participate in a seminar to be held in Vienna. She asked who had selected the "invitees", which non-governmental organizations had been invited, what criteria had been used to select them, and whether it was usual for the United Nations to pay travel and subsistence for NGO representatives.

41. Mr. FORAN (Controller) said that the participants invited to attend the seminar had been unanimously selected by the Special Committee on decolonization and represented a spectrum of non-governmental organizations based in Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Hungary, the Netherlands, Norway, Poland, Spain, Switzerland, the Soviet Union and the United Kingdom. Although it was not usual for the United Nations to pay travel and subsistence for non-governmental organizations, it was not without precedent. For example, the United Nations had financed the participation of non-governmental organizations in seminars held in connection with international conferences.

42. Mr. EMENYI (Nigeria) said that the basic issue was not travel but rather decolonization. The United Nations was committed to the process of decolonization, and the resources recommended by the Advisory Committee represented the financial implications of that commitment. Accordingly, his delegation would vote in favour of the Advisory Committee's recommendations.

43. Mr. KELLER (United States of America) said that his delegation's question regarding the provision for travel to Geneva by the Chairman of the Special Committee had not been answered.

44. All the non-governmental organizations which would send representatives to participate in the Vienna seminar were based in developed countries and should be quite capable of defraying their own costs. He did not disagree with the representative of Nigeria that the substantive issue was important. However, he saw no justification for spending \$22,000 on travel and subsistence for NGO representatives from developed countries. Accordingly he asked that that amount should be put to a separate vote.

45. Mr. HOUNGAVOU (Benin) said that the United Nations had an obligation under the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples to ensure the inalienable rights of all peoples, whether large or small, who were still under colonial or other domination. His delegation therefore supported all the activities recommended by the Special Committee, a specialized body in which all regions were represented and which was in the best position to know what activities needed to be undertaken. The estimated expenditure was insignificant in comparison with the suffering endured by peoples and small countries which were the victims of imperialist aggression around the world. No sacrifice was too great to advance the cause of freedom. The Advisory Committee's recommendations were generally acceptable and his delegation would support them.

46. Mr. LAHLOU (Morocco) endorsed the views put forward by the representatives of Nigeria and Benin. One of the major issues of the day was the elimination of the remnants of colonialism, and the United Nations should spare no effort to achieve that objective. Even though the non-governmental organizations invited to participate in the Vienna seminar were based in developed countries it did not necessarily follow that they were affluent. Such non-governmental organizations were performing a valuable service by mobilizing public opinion in the developed world in support of the principles and objectives of the United Nations and of the activities of the Special Committee on decolonization. It was entirely appropriate to provide them with the material means of carrying out that work.

47. Mr. ASHOUR (Libyan Arab Jamahiriya) said that his delegation supported the requirements as estimated by the Secretary-General and considered them very modest in relation to the important work of bringing colonialism to a speedy end.

48. Mr. FONTAINE ORTIZ (Cuba) said that a number of delegations had made statements on the item which contrasted sharply with their professed commitment to decolonization. His delegation would vote in favour of the Advisory Committee's recommendations and would oppose any effort to delete the amount requested for travel and subsistence for NGOs.

/...

49. Mr. FORAN (Controller), replying to the United States representative, said that the information provided in paragraph 8 of document A/C.5/38/72 was incomplete. Of course, the Chairman of the Special Committee on decolonization would consult with the President of the Economic and Social Council at Geneva, but the main purpose of the travel was to enable him to attend the session of the Council at which he traditionally made a statement to its Third Committee.
50. Mr. van HELLENBERG HUBAR (Netherlands), referring to paragraph 12 of the Secretary-General's statement of financial implications (A/C.5/38/72), noted that the Special Committee envisaged holding a series of meetings away from Headquarters during 1984. He asked whether the statement which the Secretary-General would submit to the Special Committee under the terms of rule 153 of the rules of procedure of the General Assembly would eventually be submitted to the General Assembly.
51. Mr. FORAN (Controller) said that General Assembly resolutions 1654 (XVI) and 2621 (XXV), referred to in paragraph 12, were quite explicit in authorizing the Special Committee to decide itself where it would hold its meetings without having to refer the matter to the General Assembly.
52. The CHAIRMAN invited delegations which wished to do so to explain their votes regarding the estimate of \$22,000 for the travel and subsistence of 30 representatives of non-governmental organizations.
53. Mrs. de HEDERVARY (Belgium) said that, although her delegation had always voted in favour of paying travel and subsistence for representatives of the least developed countries, it could certainly not support the payment of travel costs for the nationals of developed countries. Her delegation would therefore vote against the estimate of \$22,000.
54. Mr. ORTEGA (Mexico) said that, while the Fifth Committee dealt primarily with administrative and budgetary questions, it should not close its eyes to the general context in which it carried out its work. One of the main objectives of the United Nations was to promote the independence of colonial peoples and countries, and progress had been achieved in that field because the Organization had been given the resources needed to carry out that work. It was difficult to predict what results would emerge from a specific meeting or mission. His delegation supported the Advisory Committee's recommendations as the bare minimum necessary to pursue the work of the United Nations in the field of decolonization, and supported the estimates for the two draft resolutions.
55. The estimate of \$22,000 for the travel and subsistence of 30 representatives of non-governmental organizations was adopted by 89 votes to 11.
56. Ms. CONWAY (Ireland) said that there could be no doubting her Government's commitment to the objective of decolonization. It had in the past supported the attendance at United Nations meetings of both non-governmental and governmental representatives from the least developed countries. However, her delegation had serious doubts regarding the appropriateness of funding the travel of representatives of NGOs from developed countries. As a result, it had been unable to support the approval of the amount requested for that purpose.

57. Mr. RALLIS (Greece) said that his delegation too had cast a negative vote. Its position on the payment of travel costs for representatives of least developed countries was, however, well known.

58. Miss ARCHINI (Italy) said that her delegation's position on decolonization was well known. In the light of the Controller's reply to the representative of Belgium, it was clear that the provision of travel and subsistence for non-governmental organizations was an exception and her delegation was concerned that it should not be extended to any new cases. Accordingly, she had voted against the estimate.

59. Mr. MURRAY (United Kingdom) said that his delegation had voted against the estimate for NGO travel because it considered that the purposes of the seminar could be adequately served by inviting the non-governmental organizations to submit their views through the existing channels. There was no justification for increasing expenditure in the area of decolonization where the scale of the problem was decreasing. If the total requirements for the two draft resolutions had been put to a vote, his delegation would also have voted against.

60. The CHAIRMAN proposed that, on the basis of the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolutions A/38/L.33 and A/38/L.34, the related expenditure would be absorbed within the resources already approved under sections 3 and 27 of the programme budget for the biennium 1984-1985 and that, consequently, no additional appropriations would be required.

61. The Chairman's proposal was adopted without a vote.

Population activities in the regional commissions (A/38/7/Add.14; A/C.5/38/43)

62. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the subject of the Advisory Committee's report (A/38/7/Add.14) had been a matter of comment and observation in the Fifth Committee from the very beginning of the session. When he had introduced the first report of the Advisory Committee on the proposed programme budget for the biennium 1984-1985 (A/38/7), he had indicated the reasons which had led the Advisory Committee to recommend the provisional deletion of 15 posts requested by the Secretary-General for the regional economic commissions. The Advisory Committee had requested the Secretary-General to submit a special report on that subject, and the report had been circulated in document A/C.5/38/43. Even though the Advisory Committee's report was brief, it had not been an easy one to prepare, particularly because of the history of the question of the transfer of posts from extrabudgetary financing to the regular budget.

63. In its first report on the programme budget for 1976-1977 (A/10008), the Advisory Committee had made a number of relevant observations, particularly in paragraphs 49 to 54. Those paragraphs had been endorsed by the General Assembly, and the Advisory Committee had applied the criteria set out in them in its examination of the Secretary-General's proposals. The Advisory Committee had

(Mr. Mselle)

examined each post requested in the light of its proposed functions and the number of population posts already available in the regional commissions. It had also borne in mind the fact that the adoption of General Assembly resolution 37/136 had been a clear expression of the Assembly's intention to continue the infrastructure activities relating to population in the regional commissions. The resolution had not specified how those activities should be continued but had requested the Secretary-General to submit proposals on the matter in his programme budget for the biennium 1984-1985.

64. Paragraphs 7 and 8 of the Advisory Committee's report contained the additional information it had received from the Secretariat. In paragraphs 9 and 10, the Advisory Committee provided information on the functions which the incumbents of the posts in question would be carrying out in the regional commissions. In paragraph 11, it outlined the criteria which it had employed in examining the Secretary-General's proposals. The Advisory Committee recommended in paragraph 12 the approval of all the population posts requested by the Secretary-General, with the exception of one Professional and one local-level post. If the Advisory Committee's recommendation was adopted, there would be 13 population posts in ESCAP, 12 in ECLA, 10 in ECA and 11 in ECWA.

65. In paragraph 13, the Advisory Committee drew the attention of the Fifth Committee to its view that the transfer of posts from extrabudgetary financing to the regular budget was an important issue on which not all Member States were in full agreement. Lastly, in paragraph 14, the Advisory Committee expressed some dissatisfaction with the way in which the matter had been dealt with and its hope that, when similar situations arose in future, statements of administrative and financial implications would be submitted to the Advisory Committee and the Fifth Committee.

The meeting rose at 1.10 p.m.