



OFFICIAL RECORDS OF THE GENERAL ASSEMBLY

THIRTY-SECOND SESSION

ANNEXES

VOLUME II
(of two volumes)
AGENDA ITEMS 76 - 131
20 SEPTEMBER-21 DECEMBER 1977

UNITED NATIONS



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UNITED NATIONS
New York, 1980

INTRODUCTORY NOTE

Since the thirty-first session, the *Official Records of the General Assembly* have consisted of records of meetings, sessional fascicles for each of the Main Committees, annexes to the meeting records, supplements, the *List of Delegations* and the *Check List of Documents*. Information on other documents is given in the *Check List* and in the relevant annex fascicles. The annexes are printed in fascicles by agenda item. The present volume contains the annex fascicles of the thirty-second session.

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Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 76:* Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms: reports of the Secretary-General**

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** This question was previously discussed by the General Assembly at its thirtieth session (agenda item 73).

DOCUMENT A/32/423

Report of the Third Committee

[Original: English]
[13 December 1977]

Introduction

1. The item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms: reports of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with paragraph 5 of its resolution 3451 (XXX) of 9 December 1975.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 42nd to 44th, 49th to 55th, 64th, 65th and 67th to 69th meetings, between 9 November and 6 December 1977. The views expressed by the representatives of Member States on the item are contained in the summary records of those meetings.

4. For the consideration of the item, the Committee had before it the following documents:

(a) The report of the Secretary-General (A/32/178) prepared in accordance with paragraph 3 of General Assembly resolution 3451 (XXX);

(b) The report of the Secretary-General (A/32/179) on the status of the international conventions in the field of human rights, prepared in accordance with paragraph 4 of General Assembly resolution 3451 (XXX);

(c) A letter dated 15 March 1977 from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt to the Secretary-General (A/32/61).

5. At the 42nd meeting, on 9 November, the Deputy Director of the Division of Human Rights introduced the item.

Consideration of draft resolutions

A. Draft resolution A/C.3/32/L.17

6. At the 54th meeting, on 22 November, the representative of Yugoslavia introduced a draft resolution (A/C.3/32/L.17) which was sponsored by Argentina, Cuba, Egypt, India, Iran, Iraq, Jordan, the Libyan Arab Jamahiriya, Madagascar, Mali, Pakistan, Peru, the Philippines, Senegal, the United Republic of Tanzania, Yemen, Yugoslavia and Zambia, subsequently joined by Angola, Bangladesh, Benin, Burundi, the Comoros, Ethiopia, Kenya, Papua New Guinea, the Syrian Arab Republic and Viet Nam. Senegal later withdrew as sponsor. The draft resolution read as follows:

"The General Assembly,

"Convinced that the observance by all States of the purposes and principles of the United Nations Charter is fundamental for the promotion and respect of human rights and fundamental freedoms and for the realization of the full dignity and worth of the human person,

"Conscious that it is the duty of all Member States to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

“*Convinced* that such co-operation should be based on a profound understanding of the variety of problems existing in different societies and on the full respect for their economic, social and cultural realities,

“*Bearing in mind* the Universal Declaration of Human Rights,

“*Acknowledging* the progress achieved by the international community in the promotion and protection of human rights and fundamental freedoms, particularly, with respect to the standard-setting work within the United Nations system,

“*Noting with satisfaction* the entry into force of the International Covenants on Human Rights and of a large number of other important international instruments in the field of human rights,

“*Considering* that the acceptance by Member States of the obligations contained in said instruments is an important element for the universal realization and respect of human rights and fundamental freedoms,

“*Profoundly convinced* that all human rights and fundamental freedoms are interrelated and indivisible,

“*Recognizing* that the persistence of *apartheid* and all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of all peoples to self-determination, and of every nation to exercise full sovereignty over its national wealth and resources constitute situations which in themselves are and generate mass and flagrant violations of all human rights and fundamental freedoms,

“*Deeply concerned* at the continuing existence of an unjust international economic order which constitutes a major obstacle to the realization of the economic, social and cultural rights in developing countries,

“*Considering* that the approach to the future work within the United Nations system in the field of human rights should take into due account the experiences and the general situation of, as well as the efforts made by, the developing countries to implement human rights and fundamental freedoms,

“*Considering* that the thirtieth anniversary of the Universal Declaration of Human Rights should be marked by an over-all analysis of existing problems in the field of human rights and by increased efforts in finding appropriate solutions for the effective promotion and protection of human rights and fundamental freedoms taking into account the experiences and contributions of both developed and developing countries,

“*Having considered* the reports¹ by the Secretary-General on this item,

“1. *Decides* that the approach to the future work within the United Nations system with respect to human rights questions should take into account the following concepts:

“(a) All human rights and fundamental freedoms are indivisible and interdependent; equal at-

ention and urgent consideration should be given to the implementation of both civil and political, and economic, social and cultural rights;

“(b) The full realization of civil and political rights without the enjoyment of economic, social and cultural rights is impossible, as recognized by the Proclamation of Teheran (1968);

“(c) Consequently, human rights questions should be examined globally, taking into account both the over-all context of the various realities in which they present themselves, as well as the need for the promotion of the full dignity of the human person and the development of the society;

“(d) In this revaluation of the approach to human rights within the United Nations system, the international community should accord priority to the search of solutions to the mass and flagrant violations of human rights of peoples, such as those resulting from the persistence of *apartheid* and all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, as well as of the refusal to recognize the fundamental rights of peoples to self-determination, and of every nation to exercise full sovereignty over its wealth and natural resources;

“(e) The implementation of the New International Economic Order is an essential element for the effective promotion of human rights and fundamental freedoms and should also be accorded priority;

“(f) It is of paramount importance for the promotion of human rights and fundamental freedoms that Member States undertake specific obligations through accession or ratification of international instruments in this field. Consequently, the standard-setting work within the United Nations system in the field of human rights and the universal acceptance and implementation of the relevant international instruments should be encouraged;

“(g) The experience and contribution of both developed and developing countries should be taken into account by all organs of the United Nations system in their work related to human rights and fundamental freedoms;

“2. *Requests* the Commission on Human Rights:

“(a) To undertake, as a matter of priority at its thirty-fourth session an over-all analysis of the alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms, in the light of the above concepts;

“(b) To comply with the mandate established in Economic and Social Council resolution 1992 (LX) and its decision 4 (XXXIII), also in the light of this resolution;

“(c) To submit to the General Assembly, at its thirty-fourth session, a report with its conclusions and recommendations on the work done with respect to (a) and (b) above, and to present a progress report to the General Assembly, at its thirty-third session;

“3. *Requests* the Secretary-General to transmit this resolution to all United Nations organs and specialized agencies concerned;

¹ A/10235, A/32/178 and A/32/179.

"4. *Decides* to include in the provisional agenda of its thirty-third session the item "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms."

7. At the 55th meeting, on 23 November, the representative of Morocco submitted amendments (A/C.3/32/L.33) to the draft resolution by which the following changes were proposed:

(a) The insertion, between the seventh and eighth preambular paragraphs, of the following new paragraph:

"*Recognizing* that, in accordance with the Universal Declaration of Human Rights, the ideal of a free human being, liberated from fear and poverty, can be achieved only if conditions are created which permit everyone to enjoy his economic, social and cultural as well as his civil and political rights,";

(b) The insertion, in the tenth preambular paragraph, of the word "full" before the word "realization";

(c) The insertion, in the twelfth preambular paragraph, of the words "of individuals" after the words "fundamental freedoms";

(d) The replacement, in operative paragraph 1 (a), of the words "to the implementation of both civil and political, and economic, social and cultural rights" by the words "to the implementation, promotion and protection of civil and political as well as economic, social and cultural rights for all, without distinction as to race, sex, colour, language or religion";

(e) The insertion, in operative paragraph 1 (b), of the word "effective" before the word "enjoyment";

(f) The replacement, in operative paragraph 1 (c), of the words "human rights questions" by the words "questions relating to the promotion and protection of the human rights of individuals" and the insertion of the words "and well-being" after the word "development";

(g) The insertion, in operative paragraph 1 (d), of the words "a certain degree of" before the word "priority";

(h) The replacement of operative paragraph 1 (e) by the following:

"(e) Although every Government has the primary role in and the ultimate responsibility for ensuring the social progress and well-being of its people, the implementation of the new international economic order is likely to facilitate the effective promotion of the rights of individuals, particularly their economic, social and cultural rights, and should also be accorded priority";

(i) The replacement, in operative paragraph 1 (g), of the words "human rights and fundamental freedoms" by the words "the protection and promotion of human rights for all, without distinction as to race, sex, language or religion".

8. At the 67th meeting, on 5 December, the representative of Yugoslavia introduced a revised draft resolution (A/C.3/32/L.17/Rev. 1) which was sponsored by Angola, Argentina, Bangladesh, Benin, Bulgaria, Burundi, the Comoros, Cuba, Egypt, Ethiopia, Finland, Hungary, India, Iran, Iraq, Jordan, Kenya, the Libyan Arab Jamahiriya, Madagascar, Mali, New Zealand, Pakistan, Papua New Guinea, Peru, the Philippines,

Sweden, the Syrian Arab Republic, the United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia and Zambia, subsequently joined by Democratic Yemen, Equatorial Guinea and Guinea (for the text, see para. 24 below).

9. At the same meeting, the representative of Morocco withdrew the first, fifth, sixth and seventh amendments (see paras. 7 (a), (e), (f) and (g) above). In view of the changes made in the order of the paragraphs in the revised draft resolution, the representative of Morocco announced some consequential changes in the remaining amendments (see paras. 7 (b), (c), (d), (h) and (i) above).

10. At the 68th meeting, on 5 December, the Committee voted on the revised draft resolution (A/C.3/32/L.17/Rev.1) and amendments (A/C.3/32/L.33) thereto, as follows:

(a) The second amendment (see para. 7 (b) above) was rejected by a recorded vote of 63 to 48, with 24 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Germany, Federal Republic of, Ghana, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Japan, Lebanon, Lesotho, Liberia, Luxembourg, Mauritania, Mexico, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Rwanda, Senegal, Singapore, Spain, Surinam, Swaziland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Zaire.²

Against: Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, India, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mongolia, Mozambique, New Zealand, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Samoa, Saudi Arabia, Somalia, Sudan, Sweden, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Bahamas, Barbados, Burma, Central African Empire, Chad, Gambia, Greece, Grenada, Haiti, Indonesia, Ivory Coast, Jamaica, Malawi, Malaysia, Nepal, Niger, Oman, Portugal, Romania, Sierra Leone, Thailand, Tunisia, United Republic of Cameroon.

(b) The third amendment (see para. 7 (c) above) was rejected by a recorded vote of 63 to 54, with 20 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Grenada, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Lebanon, Lesotho, Liberia, Luxembourg, Malawi, Mauritania, Mexico, Morocco, Nether-

² The representative of Gabon subsequently indicated that her delegation had intended to vote in favour of the second amendment.

lands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Surinam, Swaziland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Zaire.

Against: Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Comoros, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, India, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mongolia, Mozambique, New Zealand, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Samoa, Saudi Arabia, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Bahamas, Barbados, Burma, Central African Empire, Chad, Congo, Greece, Haiti, Indonesia, Jamaica, Malaysia, Nepal, Niger, Oman, Portugal, Romania, Thailand, Tunisia, United Republic of Cameroon.

(c) The fourth amendment (see para. 7 (d) above) was rejected by a recorded vote of 63 to 49, with 23 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Germany, Federal Republic of, Ghana, Guatemala, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Lebanon, Lesotho, Liberia, Luxembourg, Malawi, Mauritania, Mexico, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Rwanda, Senegal, Singapore, Spain, Surinam, Swaziland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zaire.

Against: Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Comoros, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, India, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mongolia, Mozambique, New Zealand, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Samoa, Saudi Arabia, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Bahamas, Barbados, Burma, Central African Empire, Chad, Congo, Gambia, Greece, Haiti, Honduras, Indonesia, Jamaica, Malaysia, Nepal, Niger, Oman, Portugal, Romania, Sierra Leone, Thailand, United Republic of Cameroon, Upper Volta.

(d) The eighth amendment (see para. 7 (h) above) was rejected by a recorded vote of 65 to 44, with 25 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Germany, Federal Republic of, Ghana, Guatemala, Iceland, Ireland, Israel, Italy, Ivory Coast, Lebanon, Liberia, Luxembourg, Mauritania, Morocco, Netherlands, Nicaragua, Norway, Panama, Paraguay, Rwanda, Senegal, Singapore, Spain, Surinam, Swaziland, Turkey, United Kingdom of Great Britain and Northern Ireland, Upper Volta, Uruguay, Venezuela, Zaire.

Against: Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, India, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mongolia, Mozambique, New Zealand, Niger, Nigeria, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Samoa, Saudi Arabia, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Bahamas, Barbados, Burma, Central African Empire, Chad, Gambia, Greece, Grenada, Haiti, Honduras, Indonesia, Jamaica, Japan, Malawi, Malaysia, Nepal, Oman, Portugal, Romania, Sierra Leone, Thailand, Trinidad and Tobago, United Republic of Cameroon, United States of America.

(e) The ninth amendment (see para. 7 (i) above) was rejected by a recorded vote of 64 to 51, with 22 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Guatemala, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Lebanon, Lesotho, Liberia, Luxembourg, Malawi, Mauritania, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Rwanda, Senegal, Singapore, Spain, Surinam, Swaziland, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Zaire.

Against: Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, India, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mexico, Mongolia, Mozambique, New Zealand, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Samoa, Saudi Arabia, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Bahamas, Barbados, Burma, Central African Empire, Chad, Greece, Grenada, Haiti, Honduras, Indonesia, Jamaica, Malaysia, Nepal, Niger, Oman, Portugal, Romania, Sierra Leone, Thailand, Trinidad and Tobago, United Republic of Cameroon.

(f) The revised draft resolution (A/C.3/32/L.17/Rev.1) was adopted by a recorded vote of 126 to none, with 11 abstentions (see para. 24 below). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Empire, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Austria, Belgium, France, Germany, Federal Republic of, Ireland, Italy, Luxembourg, Netherlands, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

B. Draft resolution A/C.3/32/L.25

11. The Committee had before it a draft resolution (A/C.3/32/L.25) which was sponsored by Bolivia, Botswana, Colombia, Costa Rica, Denmark, the Gambia, Honduras, Ireland, Italy, Lesotho, the Netherlands, Norway, Panama, Senegal, Spain and Venezuela. Botswana later withdrew as sponsor. The draft resolution read as follows:

"The General Assembly,

... [Same text as the revised draft resolution contained in paragraph 12 below, with the exception of the seventh preambular paragraph and operative paragraphs 2 (a) (iii), 2 (b), 3 and 5, which read as follows:

"Having considered the recommendation contained in Economic and Social Council resolution 1237 (XLII) of 6 June 1967,

"2. ...

"(a) ...

"(iii) Actively promote the understanding of the basic human rights inherent in the

establishment of a new international economic order and of the necessity to link the traditional concept of human rights with the rights of all to have their basic needs met;

"(b) Render, at the specific request of any State assistance and services, including good offices, to that State; the High Commissioner may submit a report on such assistance and services and on its results with the consent of the State or States concerned;

"3. Stresses that the High Commissioner will have to exercise his functions in full compliance with the provisions of the Charter of the United Nations, and that the authority given to the High Commissioner by the present resolution shall not prejudice or authorize interference in the functions and powers of organs already in existence or which may be established for the promotion or protection of human rights and fundamental freedoms;

"5. Requests the Secretary-General to keep the High Commissioner informed of the work of all organs of the United Nations and specialized agencies concerned with human rights, including the struggle against colonialism, apartheid, racism and racial discrimination, colonial domination, foreign occupation and alien subjugation, and to supply the facilities and information required for carrying out his functions;"]

12. At the 50th meeting, on 17 November, the representative of Italy introduced a revised draft resolution (A/C.3/32/L.25/Rev.1) which was sponsored by Bolivia, Colombia, Costa Rica, Denmark, El Salvador, the Gambia, Honduras, Ireland, Italy, Lesotho, the Netherlands, Norway, Panama, Senegal, Spain, Surinam and Venezuela, subsequently joined by Australia, Canada, Finland, Iceland, New Zealand, Sweden, and the United Kingdom of Great Britain and Northern Ireland. The revised draft resolution read as follows:

"The General Assembly,

"Recalling that Member States under the Charter of the United Nations have pledged themselves to take joint and separate action in co-operation with the Organization for the achievement of universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion,

"Bearing in mind the entry into force of a number of international instruments in the field of human rights, the implementation of which has involved the establishment of new procedures and new committees or other organs,

"Recalling that important work is being carried out in the field of human rights by a number of United Nations specialized agencies and other United Nations bodies and organs,

"Noting the importance of the role of the Secretary-General in providing good offices and other assistance and services at the request of States and United Nations organs,

"Noting that there is a need to make full and more effective use of all United Nations resources in the field of human rights and also that there is a need to facilitate the co-operative fulfilment by

Member States of their Charter commitments to human rights,

“*Convinced* that these functions could be most usefully combined and carried out by a permanent mechanism mandated with the resources to enhance and co-ordinate human rights activities within the United Nations system and to act in a consultative capacity providing advice and assistance in human rights questions at the specific request of States,

“*Having considered* the report of the Working Group to study the proposal to create the institution of a United Nations High Commissioner for Human Rights contained in document E/CN.4/AC.21/L.1 of 30 December 1966 and the recommendation contained in Economic and Social Council resolution 1237 (XLII) of 6 June 1967,

“1. *Decides* to establish, under the authority of the Secretary-General, a United Nations High Commissioner for Human Rights, who will possess the degree of personal independence, prestige and integrity required for the discreet and impartial performance of his functions;

“2. *Decides* that the High Commissioner shall act within the framework of the Charter of the United Nations in order to:

“(a) Promote and strengthen universal and effective understanding and respect for human rights and fundamental freedoms for all without distinction as to race, religion, sex or language, as set forth in the Charter of the United Nations, the Universal Declaration of Human Rights and other instruments of the United Nations and in particular:

“(i) Consider as areas of special concern and attention such massive violations of human rights as *apartheid*, racism and racial discrimination, colonial domination, foreign occupation and alien subjugation;

“(ii) Give special attention to the critical importance of ensuring the effective enjoyment by all of their civil and political rights and their economic, social and cultural rights and such other rights as are recognized by the Charter of the United Nations and by the General Assembly, bearing in mind that all human rights and fundamental freedoms are indivisible and interdependent;

“(iii) Actively promote the understanding of the basic human rights inherent in the establishment of a new international economic order and of the necessity to link the traditional concept of human rights with the rights of all to have their economic, social and cultural needs met;

“(b) Render, at the specific request of any State, assistance and services, including good offices, to that State; the High Commissioner may submit a report on such assistance and services and on its results with the consent of the State concerned;

“(c) Maintain close relations with the Secretary-General and all other organs of the United Nations, specialized agencies and other intergovernmental organizations concerned with human rights, and give advice and assistance in order to ensure co-ordination of their activities in the human rights field;

“(d) Report annually to the General Assembly on his activities and on developments in the field of human rights;

“3. *Stresses* that the High Commissioner will have to exercise his functions in full compliance with the provisions of the Charter of the United Nations, and that the authority given to the High Commissioner by the present resolution shall not prejudice or authorize interference in the functions and powers of organs already in existence or which may be established for the promotion or protection of human rights and fundamental freedoms, in particular those bodies within the United Nations system entrusted with a specific mandate and competence in the areas listed in paragraph 2 (a) (i) of the present resolution;

“4. *Emphasizes* that, in the accomplishment of his task, the High Commissioner will have to give the most careful consideration to the economic and social situation and the cultural and religious values of the different countries;

“5. *Requests* the High Commissioner to keep in close contact with the Secretary-General in order to be informed of the work of all organs of the United Nations and specialized agencies concerned with human rights, including the struggle against colonialism, *apartheid*, racism and racial discrimination, colonial domination, foreign occupation and alien subjugation, and for the supply of facilities and information required for carrying out his functions;

“6. *Decides* that:

“(a) The High Commissioner shall be appointed by the Secretary-General and confirmed by the General Assembly for a term of five years and that his emoluments shall not be less favourable than those of an Under-Secretary;

“(b) The emoluments of the High Commissioner shall be financed under the regular budget of the United Nations;

“7. *Requests* the Secretary-General to submit at its thirty-third session concrete proposals on the organization of the UNHC's office, taking into account the need to make full use of the existing resources;

“8. *Decides* to hold, at its thirty-eighth session, a comprehensive review of the question of the United Nations High Commissioner for Human Rights in the light of the activities undertaken and the results achieved by the High Commissioner.”

13. A note on the administrative and financial implications of the draft resolution was submitted by the Secretary-General (A/C.3/32/L.34). At the 67th meeting, on 5 December, the Controller made a statement in that connexion.

14. Amendments to the revised draft resolution (A/C.3/32/L.25/Rev.1) were proposed as follows:

(a) At the 55th meeting, on 23 November, the representative of the German Democratic Republic, on behalf of the German Democratic Republic and Madagascar, introduced amendments (A/C.3/32/L.35) to the revised draft resolution, proposing the following changes:

(i) The replacement of operative paragraphs 1 and 2 by the following text:

"1. *Decides* to defer the establishment of the Office of a High Commissioner for Human Rights until a consensus is reached;

"2. *Decides* that the High Commissioner, if the Office is established, shall act within the framework of the Charter of the United Nations, and according to a mandate agreed upon by consensus in the General Assembly in order to:";

- (ii) The replacement of operative paragraph 6 by the following text:

"6. *Requests* the Secretary-General to undertake consultations with regional groups in order to ascertain the feasibility of a consensus on the establishment of the Office of a High Commissioner for Human Rights or any other mechanism to enhance human rights activities within the United Nations system and to report to the Commission on Human Rights at its thirty-fourth session";

- (iii) The deletion of operative paragraphs 7 and 8.

(b) A revised text of the amendments (A/C.3/32/L.35/Rev.1) was submitted by the same sponsors who proposed the following changes:

- (i) The replacement of operative paragraph 1 by the following text:

"1. *Decides* to defer the consideration of the establishment of the Office of a High Commissioner for Human Rights until the feasibility of a general agreement between Member States is ascertained";

- (ii) The deletion of operative paragraph 2;

- (iii) The replacement of operative paragraph 6 by the following text:

"6. *Requests* the Secretary-General to undertake consultations with regional groups in order to ascertain the feasibility of a general agreement on the establishment of the Office of a High Commissioner for Human Rights or any other mechanism to enhance human rights activities within the United Nations system and to report to the Commission on Human Rights at its thirty-fourth session";

- (iv) The deletion of operative paragraphs 7 and 8.

(c) Amendments (A/C.3/32/L.36) to the revised draft resolution were also submitted by Angola, Benin, Bulgaria, Burundi, Mongolia and the Ukrainian Soviet Socialist Republic, whereby the following changes would be made:

- (i) The replacement of the words "act in a consultative capacity providing" by the word "provide" in the sixth preambular paragraph;

- (ii) The insertion, after the seventh preambular paragraph, of the following new paragraph:

"*Recalling* Economic and Social Council resolution 1995 (LX) of 14 May 1976 in which it commended the Commission on Human Rights for its contribution to the promotion of respect for human rights and fundamental freedoms";

- (iii) The replacement of operative paragraph 1 by the following text:

"1. *Determines* that the Commission on Human Rights possesses the prestige and integrity required for performance of its functions";

- (iv) The replacement of the beginning of operative paragraph 2 by the following:

"2. *Requests* the Commission on Human Rights to act within the framework of the Charter of the United Nations in order to:";

- (v) The replacement of operative paragraph 2 (b) by the following:

"(b) *Requests* the Secretary-General to continue and strengthen advisory services in accordance with General Assembly resolution 926 (X);"

- (vi) The deletion, in operative paragraph 2 (c), of the words "the Secretary-General and" of the phrase "and give advice and assistance in order to ensure co-ordination of their activities in the human rights field";

- (vii) The replacement, in operative paragraph 2 (d) of the words "General Assembly" by the words "Economic and Social Council" and of the word "his" by the word "its";

- (viii) The replacement, in operative paragraph 3, of the words "High Commissioner" by the word "Commission" and of the word "his" by the word "its";

- (ix) The replacement, in operative paragraph 4, of the words "his" and "High Commissioner" by the words "its" and "Commission";

- (x) The replacement of the beginning of operative paragraph 5 up to the word "work" by the following:

"5. *Requests* the Secretary-General to keep the Commission informed of the work" and the deletion, also in operative paragraph 5, of the words "and for the supply of the facilities and information required for carrying out his functions";

- (xi) The deletion of operative paragraphs 6, 7 and 8.

(d) Revised amendments (A/C.3/32/L.36/Rev.1) were then submitted by the same sponsors and comprised only two changes to the 11 amendments initially proposed, as follows:

- (i) The fifth amendment, as revised, proposed the deletion of operative paragraph 2 (b);

- (ii) A twelfth amendment was added whereby a new operative paragraph 6 would be added to the draft resolution to read as follows:

"6. *Requests* the Secretary-General to continue and strengthen advisory services in accordance with General Assembly resolution 926 (X)."

(e) At the 68th meeting, on 5 December, the representative of Saudi Arabia proposed the following oral amendments to the draft resolution:

- (i) The addition, after the word "functions" in operative paragraph 1, of the following text: "taking into account that, notwithstanding all

these high qualities, he will do his utmost to be impervious to any campaign that may be waged by a State or its mass media aimed at besmirching the reputation of another State Member of the United Nations”;

- (ii) The addition, at the end of operative paragraph 4, after the word “countries” of the following text:

“taking into account that, in the discharge of his duties, he will refrain from resorting to any action which may jeopardize the development of friendly relations among nations and he should scrupulously observe paragraph 7 of Article 2 of the Charter of the United Nations which states:

“Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter”;

15. At the same meeting, the sponsors of the revised draft resolution (A/C.3/32/L.25/Rev.1) accepted the first amendment of Saudi Arabia (see para. 14 (e) (i), above).

16. At the same meeting, the representative of Cuba orally proposed the following draft decision:

“The Committee decides not to vote on the draft resolution contained in document A/C.3/32/L.25/Rev.1 on the understanding that the draft resolution and all documents related to it that were before the Third Committee at the thirty-second session of the General Assembly, as well as the opinions advanced in the course of the debate on the draft resolution are to be transmitted to the Commission on Human Rights to be considered at its thirty-fourth session during the over-all analysis to be undertaken on the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms.”

17. Also at the same meeting, the Committee adopted the proposal by Cuba by a recorded vote of 62 to 49, with 21 abstentions (see para. 23 below). The voting was as follows:

In favour: Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Comoros, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, German Democratic Republic, Guinea, Guinea-Bissau, Haiti, Hungary, Indonesia, Iraq, Jamaica, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mongolia, Mozambique, Oman, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Samoa, Saudi Arabia, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zambia.

Against: Australia, Austria, Bahamas, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, France, Gambia, Germany, Federal Republic of,

Ghana, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Lesotho, Liberia, Luxembourg, Malawi, Mauritania, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Portugal, Senegal, Spain, Surinam, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zaire.

Abstaining: Afghanistan, Barbados, Burma, Chad, Cyprus, Ecuador, Greece, India, Iran, Jordan, Lebanon, Mexico, Nepal, Nigeria, Rwanda, Singapore, Thailand, Tunisia, Turkey, United Republic of Cameroon, Upper Volta.

C. Draft resolution A/C.3/32/L.28

18. At the 49th meeting, on 16 November, the representative of Belgium introduced a draft resolution (A/C.3/32/L.28) which was sponsored by Austria, Belgium, Denmark, Ireland, Rwanda and Senegal, subsequently joined by Luxembourg. The draft resolution read as follows:

“The General Assembly,

“*Recalling* Economic and Social Council resolution 1503 (XLVIII) setting out ‘the procedure . . . for dealing with communications relating to violations of human rights and fundamental freedoms’, and in particular article 6 thereof, which provides, *inter alia*, for the appointment of an *ad hoc* committee to investigate any situation which appears to reveal a consistent pattern of gross violations of human rights,

“*Recognizing* that it is essential to make substantial progress towards better safeguards of the inviolability of human rights and fundamental freedoms,

“1. *Notes* that such progress would be made if States voluntarily consented to the holding of an investigation requested by the Commission on Human Rights pursuant to resolution 1503 (XLVIII), including access to their territory by the *ad hoc* committee appointed by the Commission for the purpose of carrying out the investigation;

“2. *Requests* States voluntarily to waive the right accorded to them by resolution 1503 (XLVIII), and in particular article 6 thereof, to withhold consent for the holding of such an investigation and for access to their territory by the *ad hoc* committee as appointed by the Commission on Human Rights, and to communicate to the Secretary-General their statement of intent to that effect;

“3. *Requests* the Secretary-General to list the names of States which have transmitted such communications to him in a report to be submitted annually by him to the General Assembly as from the thirty-third session.”

19. At the 69th meeting, on 6 December, the Committee rejected the draft resolution by a recorded vote of 45 to 29, with 51 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Dominican Republic, Ecuador, Finland, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Portugal, Rwanda, Senegal, Singapore, Spain, Surinam, Swaziland, Sweden, United States of America, Venezuela.

Against: Algeria, Argentina, Bahrain, Benin, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chile, Comoros, Cuba, Czechoslovakia, Democratic Yemen, Equatorial Guinea, Ethiopia, German Democratic Republic, Guinea, Hungary, Indonesia, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Madagascar, Mongolia, Mozambique, Oman, Paraguay, Poland, Qatar, Romania, Sudan, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Bahamas, Bangladesh, Barbados, Bhutan, Botswana, Burma, Cape Verde, Central African Empire, Chad, Colombia, Congo, Cyprus, Egypt, El Salvador, Fiji, France, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, India, Iran, Israel, Ivory Coast, Lebanon, Liberia, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Nepal, Niger, Pakistan, Papua New Guinea, Peru, Philippines, Saudi Arabia, Sri Lanka, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Uruguay, Zaire.

D. Draft resolution A/C.3/32/L.32

20. At the 53rd meeting, on 22 November, the representative of Chile introduced a draft resolution (A/C.3/32/L.32) which read as follows:

"The General Assembly,

"Recalling that Articles 55 and 56 of the Charter of the United Nations provide that the Organization shall promote universal respect for human rights and that all Member States pledge themselves to take joint and separate action for that purpose,

"Bearing in mind the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Declaration drawn up by the International Conference on Human Rights held at Teheran in 1968, and other universal and regional instruments promoting human rights and establishing machinery for their protection,

"Noting the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (resolution 2625 (XXV)), especially in so far as relates to the duty of States to co-operate in the promotion of universal respect for human rights and fundamental freedoms for all,

"Also noting, inter alia, General Assembly resolutions 2144 (XXI), 3136 (XXVIII) and 3221 (XXIX), Economic and Social Council resolution 1164 (XLI) and resolution 2 (XXII) of the Commission on Human Rights, which call for strengthening the United Nations system in order to ensure universal realization of human rights without distinction of any kind and for determining the ways and means of strengthening it,

"Considering that resolution 3221 (XXIX) called for soliciting the views of Member States, the specialized agencies and regional intergovernmental organizations on possible ways and means within the

United Nations system for improving the effective enjoyment of human rights and fundamental freedoms and that resolution 3451 (XXX) requested the Secretary-General to submit an updated version of his report to the General Assembly at its thirty-second session,

"Having considered the reports of the Secretary-General on this subject,¹

"Bearing in mind Economic and Social Council resolution 1159 (XLI), the report of the Ad Hoc Working Group on regional human rights commissions³ and other agreements and documents referring to the activities and functions of the above-mentioned regional commissions,

"Noting that the only existing system for the investigating of specific allegations of violations of human rights (resolution 1503 (XLVIII)) has not completely fulfilled the purposes for which it was created,

"Believing that it is essential to establish a general and universally applicable system which will permit the effective investigation of all reliably attested allegations of violations of human rights,

"1. Requests the Secretary-General to appoint a group of 10 experts of recognized competence and proven experience in human rights matters, including representatives of the different geographical areas and legal systems, to prepare a study with a view to the establishment of a system for the investigation of allegations of violations of human rights;

"2. Decides that that system, while universal in nature, should take into account the characteristics of each geographical area and recognize the primary and decisive participation of regional organizations, avoid overlapping of competence, provide suitable machinery for co-operation between the United Nations and the States under investigation, and provide the latter with appropriate guarantees of equity and discretion;

"3. Requests the group of experts to submit its report for consideration by the Economic and Social Council at its sixty-sixth session and for subsequent consideration by the General Assembly at its thirty-fourth session, bearing in mind the material accumulated during the consideration of this subject by the United Nations and the views recently expressed by Member States in that regard;

"4. Decides to include in the provisional agenda of its thirty-fourth session an item entitled 'Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms'."

21. A note by the Secretary-General (A/C.3/32/L.44) on the administrative and financial implications of draft resolution A/C.3/32/L.32 was submitted in accordance with rule 153 of the rules of procedure.

22. At the 69th meeting, the Committee rejected the draft resolution by a recorded vote of 50 to 15, with 65 abstentions. The voting was as follows:

In favour: Bolivia, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Nicaragua, Paraguay, Peru, Singapore, Spain, Surinam, Uruguay.

³ E/CN.4/966 and Add.1.

Against: Algeria, Bahrain, Bangladesh, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Iraq, Jamaica, Lao People's Democratic Republic, Mexico, Mongolia, Mozambique, Niger, Oman, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United States of America, Upper Volta, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bhutan, Botswana, Brazil, Burma, Central African Empire, Chad, Comoros, Cyprus, Denmark, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Grenada, Honduras, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Philippines, Portugal, Sierra Leone, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Zaire.

Decision of the Third Committee

23. The Committee decided not to vote on the draft resolution contained in document A/C.3/32/L.25/Rev.1 on the understanding that the draft resolution and all documents related to it that were before the Third Committee at the thirty-second session of the General Assembly, as well as the opinions advanced in the course of the debate on the draft resolution, would be transmitted to the Commission on Human Rights to be considered at its thirty-fourth session during the over-all analysis to be undertaken on the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms.

Recommendation of the Third Committee

24. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms The General Assembly,

Convinced that the obligation of all States to observe the purposes and principles of the Charter of the United Nations is fundamental for the promotion and respect of human rights and fundamental freedoms and for the realization of the full dignity and worth of the human person,

Conscious that it is the duty of the United Nations and of all Member States to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

Convinced that such co-operation should be based on a profound understanding of the variety of problems

existing in different societies and on the full respect for their economic, social and cultural realities,

Bearing in mind the Universal Declaration of Human Rights,⁴

Acknowledging the progress achieved by the international community in the promotion and protection of human rights and fundamental freedoms, particularly, with respect to the standard-setting work within the United Nations system,

Noting with satisfaction the entry into force of the International Covenants on Human Rights⁵ and of a large number of other important international instruments in the field of human rights,

Considering that the acceptance by Member States of the obligations contained in those instruments is an important element for the universal realization and respect of human rights and fundamental freedoms,

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

Profoundly convinced that all human rights and fundamental freedoms are interrelated and indivisible,

Recognizing that *apartheid*, all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of all peoples to self-determination and of every nation to exercise full sovereignty over its natural wealth and resources constitute situations which in themselves are and generate mass and flagrant violations of all human rights and fundamental freedoms of peoples as well as of individuals,

Deeply concerned at the continuing existence of an unjust international economic order which constitutes a major obstacle to the realization of the economic, social and cultural rights in developing countries,

Considering that the approach to the future work within the United Nations system in the field of human rights should take into due account the experiences and the general situation of, as well as the efforts made by, the developing countries to implement human rights and fundamental freedoms,

Considering that the thirtieth anniversary of the Universal Declaration of Human Rights should be marked by an over-all analysis of existing problems in the field of human rights and by increased efforts in finding appropriate solutions for the effective promotion and protection of human rights and fundamental freedoms, taking into account the experiences and contributions of both developed and developing countries,

Having considered the reports of the Secretary-General on this item,¹

1. *Decides* that the approach to the future work within the United Nations system with respect to human rights questions should take into account the following concepts:

(a) All human rights and fundamental freedoms are indivisible and interdependent; equal attention and

⁴ General Assembly resolution 217 A (III).

⁵ General Assembly resolution 2200 A (XXI), annex.

urgent consideration should be given to the implementation, promotion and protection of both civil and political, and economic, social and cultural rights;

(b) The full realization of civil and political rights without the enjoyment of economic, social and cultural rights is impossible; the achievement of lasting progress in the implementation of human rights is dependent upon sound and effective national and international policies of economic and social development, as recognized by the Proclamation of Teheran (1968);⁶

(c) All human rights and fundamental freedoms of the human person and of peoples are inalienable;

(d) Consequently, human rights questions should be examined globally, taking into account both the over-all context of the various societies in which they present themselves, as well as the need for the promotion of the full dignity of the human person and the development and well-being of the society;

(e) In the approaching human rights questions within the United Nations system, the international community should accord, or continue to accord, priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by situations such as those resulting from *apartheid*, from all forms of racial discrimination, from colonialism, from foreign domination and occupation, from aggression and threats against national sovereignty, national unity and territorial integrity, as well as from the refusal to recognize the fundamental rights of peoples to self-determination and of every nation to the exercise of full sovereignty over its wealth and natural resources;

(f) The realization of the new international economic order is an essential element for the effective promotion of human rights and fundamental freedoms and should also be accorded priority;

(g) It is of paramount importance for the promotion of human rights and fundamental freedoms that Member States undertake specific obligations through

⁶ See *Final Act of the International Conference of Human Rights* (United Nations publication, Sales No. E.68.XIV.2), p. 3.

accession to or ratification of international instruments in this field; consequently, the standard-setting work within the United Nations system in the field of human rights and the universal acceptance and implementation of the relevant international instruments should be encouraged;

(h) The experience and contribution of both developed and developing countries should be taken into account by all organs of the United Nations system in their work related to human rights and fundamental freedoms;

2. Requests the Commission on Human Rights:

(a) To undertake at its thirty-fourth session, as a matter of priority, an over-all analysis of the alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms in the light of the above concepts;

(b) To comply with the mandate established by the Economic and Social Council in its resolution 1992 (LX) of 12 May 1976 and the Commission in its decision 4 (XXXIII) of 21 February 1977,⁷ and also in the light of the present resolution;

(c) To submit to the General Assembly at its thirty-fourth session, through the Economic and Social Council, a report with its conclusions and recommendations of the work done with respect to paragraph 2 (a) and (b) above, and to submit a progress report to the Assembly, at its thirty-third session, through the Council;

3. Requests the Secretary-General to transmit the present resolution to all United Nations organs and specialized agencies concerned;

4. Decides to include in the provisional agenda of its thirty-third session the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

⁷ See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 6*, chap. XXI, sect. B.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly, by a recorded vote of 123 to none, with 15 abstentions, adopted the draft resolution submitted by the Third Committee in its report (A/32/423, para. 24). For the final text, see resolution 32/130.⁸

⁸ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 76 which are not reproduced in the present fascicle.

Document No.	Title or description	Observations and references
A/32/61	Letter dated 15 March 1977 from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt to the Secretary-General	Mimeographed
A/32/178	Report of the Secretary-General	Ditto
A/32/179	Report of the Secretary-General	Ditto
A/C.3/32/L.17	Draft resolution	For the sponsors and the text, see A/32/423, para. 6

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.3/32/L.17/Rev.1	Revised draft resolution	<i>Idem</i> , paras. 8 and 24
A/C.3/32/L.25	Draft resolution	<i>Idem</i> , paras. 11 and 12
A/C.3/32/L.25/Rev.1	Revised draft resolution	<i>Idem</i> , para. 12
A/C.3/32/L.28	Draft resolution	<i>Idem</i> , para. 18
A/C.3/32/L.32	Draft resolution	<i>Idem</i> , para. 20
A/C.3/32/L.33	Amendments to document A/C.3/32/L.17	<i>Idem</i> , para. 7
A/C.3/32/L.34	Administrative and financial implications of the draft resolution contained in document A/C.3/32/L.25/Rev.1: note by the Secretary-General	Mimeographed
A/C.3/32/L.35	Amendments to document A/C.3/32/L.25/Rev.1	For the sponsors and the text, see A/32/423, para. 14 (a)
A/C.3/32/L.35/Rev.1	Revised amendments to document A/C.3/32/L.25/Rev.1	<i>Idem</i> , para. 14 (b)
A/C.3/32/L.36	Amendments to document A/C.3/32/L.25/Rev.1	<i>Idem</i> , para. 14 (c)
A/C.3/32/L.36/Rev.1	Revised amendments to document A/C.3/32/L.25/Rev.1	<i>Idem</i> , para. 14 (d)
A/C.3/32/L.44	Administrative and financial implications of the draft resolution contained in document A/C.3/32/L.32: note by the Secretary-General	Mimeographed

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 77:* Crime prevention and control:** report of the Secretary-General

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Second Committee*, 38th to 41st, and 49th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 51st meeting; *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 98th meeting.

** This question was discussed by the General Assembly at the twenty-seventh session (agenda item 53) and at the twenty-eighth session (item 61).

DOCUMENT A/32/359

Report of the Third Committee

[Original: English]
[25 November 1977]

Introduction

1. The item entitled "Crime prevention and control: report of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with its resolution 3021 (XXVII) of 18 December 1972 and Economic and Social Council resolutions 1924 (LVIII) of 6 May 1975 and 2075 (LXII) of 13 May 1977.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 38th to 41st and 49th meetings, between 3 and 16 November 1977. The views expressed by the representatives of Member States on the item are contained in the summary records of those meetings.

4. For the consideration of the item, the Committee had before it the following documents:

(a) The relevant part of the report of the Economic and Social Council (A/32/3, chap. VI, sect. A);

(b) A note by the Secretary-General (A/32/163) containing the draft resolutions submitted by the Economic and Social Council for adoption by the General Assembly;

(c) The report of the Secretary-General (A/32/199) containing a world-wide analysis of the problems of crime and the administration of justice based on information received from Governments;

(d) The report of the Committee on Crime Prevention and Control on its fourth session (21 June-2 July 1976) (E/CN.5/536);

(e) A letter dated 28 October 1977 from the representative of Portugal to the Secretary-General (A/C.3/32/5 and Corr.1).

5. At the 38th meeting, on 3 November 1977, the Assistant Director in charge of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs introduced the item.

Consideration of draft resolutions

A. Draft resolutions in document A/32/163

6. The Committee had before it the draft resolutions submitted by the Economic and Social Council for adoption by the General Assembly (A/32/163, annex), which read as follows.

"A

"Methods and ways likely to be most effective in preventing crime and improving the treatment of offenders

"The General Assembly,

"Recalling its resolution 3021 (XXVII) of 18 December 1972, in which it instructed the Committee on Crime Prevention and Control to consider the methods and ways likely to be most effective in preventing crime and improving the treatment of offenders, including recommendations on the measures most appropriate in such areas as law enforcement, judicial procedures and correctional practices,

"Concerned about the prevailing trends of criminality in many countries of the world, which show the spread of emerging new forms of serious and organized crimes,

"Having considered the report entitled "Methods and ways likely to be most effective in preventing crime and improving the treatment of offenders", contained in annex IV to the report of the Committee on Crime Prevention and Control on its fourth session (E/CN.5/536),

"1. *Takes note* of the above-mentioned report as a guideline for future United Nations activities directed towards the prevention and control of crime and delinquency and the treatment of offenders;

"2. *Invites* Member States to make use of the report in formulating and implementing national crime prevention policies and strategies;

"3. *Calls upon* Member States, as well as international governmental and non-governmental organizations and specialized agencies, to collaborate fully with the United Nations Secretariat and with each other in pursuance of the goals set out in the report;

"4. *Urges* all Member States, as well as international governmental and non-governmental organizations, to support the United Nations Trust Fund for Social Defence and the international and regional institutes in crime prevention and control;

"5. *Recommends* that the Secretary-General should draw on the report in formulating proposals for future medium-term plans in crime prevention and criminal justice.

"B

"*Report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*

"*The General Assembly,*

"*Conscious* of the seriousness of crime problems which have assumed new forms and dimensions in many countries of the world and are transcending national boundaries,

"*Concerned* about the high social and material cost which crime exacts and the impediment it presents to more wholesome development and a better quality of life for all,

"*Alarmed* at the excesses of those crime control policies which, in certain countries, extend to torture and other abuses negating the basic principles of human rights and of criminal justice itself,

"*Reaffirming* the need to develop effective and equitable policies for crime prevention and control consonant with fundamental human rights and a more rational use of available resources, both human and material,

"*Recognizing* that the various forms of social control for the prevention of crime should take into account differences in traditions, economic and political structures, available resources and levels of development existing among Member States,

"*Recalling* the responsibility assumed by the United Nations in the field of crime prevention in General Assembly resolution 415 (V) of 1 December 1950, the affirmation of United Nations leadership in crime prevention as reflected in Economic and Social Council resolutions 731 F (XXVIII) of 30 July 1959 and 830 D (XXXII) of 2 August 1961 and the call for strengthening international co-operation in crime prevention contained in Assembly resolution 3021 (XXVII) of 18 December 1972,

"*Having considered* the report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹ held at Geneva from 1 to 12 September 1975, and the recommendation made by the Committee on Crime Prevention and Control at its fourth session (E/CN.5/536, chap. I sect. B),

"1. *Endorses* the conclusions of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

"2. *Requests* that, in the light of the needs emphasized at the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the Secretary-General implement to the fullest extent possible the conclusions of the Fifth Congress, especially by:

"(a) Giving them the widest possible circulation and dissemination and by stimulating international efforts to exchange experience and knowledge;

"(b) Gathering and disseminating information concerning crime trends and criminal policies, with special emphasis on economic criminality and abuse of economic power that have a detrimental effect on national economies and international trade, and developing strategies to deal with them;

"(c) Providing, to Member States requesting them, advice and assistance for the re-evaluation of their criminal justice systems and for reassessment of the purposes as well as the effectiveness of such systems in relation to national and local requirements;

"(d) Elaborating guidelines for the development and implementation of policies designed to make criminal justice systems more responsive to current social needs, to ensure the strict observance of fundamental human rights and to promote a more rational and integrated approach to the prevention of crime and the treatment of offenders;

"(e) Fostering the exchange among countries of information relating to crime and to the functioning of the criminal justice systems and establishing an international system for a unified informational database;

"(f) Transmitting for appropriate action to the Economic and Social Council and its functional commissions, as well as to all other United Nations organs and organizations concerned, those conclusions of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders that fall within their spheres of competence;

"3. *Stresses* the need for intensive co-operation and co-ordination in crime prevention and control among all the United Nations organs and organizations concerned, especially the United Nations Development Programme, the various regional commissions and institutes and the specialized agencies;

"4. *Urges* that technical assistance in crime prevention and control be made available to Governments requesting it as a matter of urgency, and that high priority be given to the provision of regional and interregional technical advisory services and co-operation, particularly in the light of recent directives of the policy-making bodies of the United Nations focusing on regional and intercountry activities, and the proven success of this approach to crime prevention;

¹ A/CONF.56/10 (United Nations publication, Sales No. E.76.IV.2 and corrigendum).

"5. *Invites* Member States to give maximum attention and support to the conclusions of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to secure their utmost effect on national laws and practices;

"6. *Draws the attention* of Member States to the existence of the United Nations Trust Fund for Social Defence, established in pursuance of Economic and Social Council resolution 1086 B (XXXIX) of 30 July 1965, and urges them to contribute to it;

"7. *Appeals* to all Member States to support international action for crime prevention, especially through the sharing of costs of international meetings, seminars, workshops and training courses and by acting as hosts to regional research centres, and to furnish to the Secretary-General, in time for submission to the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held at Sydney in 1980, information relating to the measures taken to implement the conclusions of the Fifth Congress;

"8. *Requests* the Secretary-General to take the necessary measures for the preparation of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to prepare a report on the information received under paragraph 7 above for submission to the Sixth Congress and to the General Assembly."

7. At the 40th meeting, on 8 November, the representative of Australia, on behalf of the sponsors, introduced amendments (A/C.3/32/L.18 and A/C.32/20) relating to draft resolution B (see para. 6 above).

8. The amendment contained in document A/C.3/L.18, sponsored by Australia, Austria, Argentina, Costa Rica, the Federal Republic of Germany, Ghana, Guyana, Malaysia, Papua New Guinea, the Philippines, Sweden, Thailand and Uruguay, subsequently joined Paraguay, proposed the replacement of operative paragraph 8 by the following text:

"8. *Requests* the Secretary-General to prepare a report on the information received under paragraph 7 above for submission to the Sixth Congress and to the General Assembly;

"9. *Further requests* the Secretary-General to take the necessary measures for the preparation of the Sixth Congress, especially through the commissioning of consultant reports by experts, selected with due regard for equitable geographic representation, and the organization of regional preparatory meetings, pursuant to past practice, for Africa, Asia and Latin America, to which all Governments of the region may send experts, and to which the Secretary-General shall invite expert consultants from the region."

9. The amendment contained in document A/C.3/L.20, sponsored by Australia and Austria, proposed the addition of a new fourth preambular paragraph to read as follows:

"*Recalling also* in this context the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in its resolution 3452 (XXX) of 9 December 1975,"

10. At the 49th meeting, on 16 November, the Chairman submitted two draft resolutions (A/C.3/32/31) replacing those submitted by the Economic and

Social Council (A/32/163, annex) and the amendments thereto (A/C.3/32/L.18 and A/C.3/32/L.20) (for the texts, see para. 23 below, draft resolution I and II).

11. The Committee had before it a note by the Secretary-General (A/C.3/32/L.24) on the administrative and financial implications pertaining to operative paragraph 8 of draft resolution B proposed by the Chairman in document A/C.3/32/L.31.

12. At the 49th meeting, the Committee adopted the draft resolutions proposed by the Chairman, without a vote.

B. *Draft resolution A/C.3/32/L.19*

13. At the 41st meeting, on 9 November, the representative of the Ukrainian Soviet Socialist Republic introduced a draft resolution (A/C.3/32/L.19), sponsored by Argentina, Benin, Cyprus, the German Democratic Republic, Ghana, Guinea, Iraq, the Libyan Arab Jamahiriya, Mauritius, Mexico, Poland, the Ukrainian Soviet Socialist Republic and Viet Nam, subsequently joined by Cuba, Lesotho, Mali, the Upper Volta and Uruguay, which read as follows:

"*The General Assembly,*

"... [*Same text as draft resolution III contained in paragraph 23 below, with the exception of the sixth preambular paragraph and operative paragraphs 1, 2 and 4, which read as follows:*

"*Taking into account* that considerable changes in the field of the United Nations activity on crime prevention and control have taken place since General Assembly resolution 415 (V) was adopted,

"1. *Requests* the Economic and Social Council to consider at its sixty-fourth session in a comprehensive manner the question of crime prevention and control with the purpose of further co-ordination of the activities of the United Nations bodies in this field, and in particular the preparation every five years of a United Nations congress on the prevention of crime and the treatment of offenders, the publication of the *International Review of Criminal Policy*, and the provision of technical assistance to interested Member States at their request;

"2. *Entrusts* the Committee on Crime Prevention and Control with the functions of preparing the United Nations congresses on the prevention of crime and the treatment of offenders by submitting appropriate proposals to the Economic and Social Council through the Commission for Social Development, concerning, *inter alia*, the place and time of the congresses, the provisional agenda, participation and preparation of the necessary documentation;

...

"4. *Decides* further that the members of the Committee should be elected for a term of four years by the Commission for Social Development, on the basis of the principle of equitable geographical distribution, from among experts, who possess necessary qualifications and professional or scientific knowledge in the field, on the nomination by Member States;"]

14. At the 39th meeting, on 7 November, the representative of the Federal Republic of Germany submitted an oral amendment to the draft resolution whereby in operative paragraph 1 the words "keeping in mind General Assembly resolution 415 (V)" would be added after the word "Council".

15. At the 40th meeting, on 8 November, the representative of Australia introduced amendments (A/C.3/32/L.22) to the draft resolution whereby:

(a) The sixth preambular paragraph would be amended to read:

“*Recalling* its resolution 415 (V) of 1 December 1950 concerning United Nations activities in the field of crime prevention and control, and taking into account the considerable changes which have taken place in the United Nations since that time”;

(b) Operative paragraph 2 would be amended to read:

“2. *Entrusts* the Economic and Social Council with the function of preparing the quinquennial international congresses on the prevention of crime and the treatment of offenders, and requests the Committee on Crime Prevention and Control to submit appropriate proposals to the Council concerning, *inter alia*, the place and time of the congresses and their preliminary agenda”;

(c) In operative paragraph 4 the words “Commission for Social Development” would be replaced by the words “Economic and Social Council”.

16. At the 49th meeting, the representative of the United States of America proposed an oral amendment to operative paragraph 4 of the draft resolution whereby the words “with half the membership being elected every two years” would be inserted after the words “a term of four years”.

17. At the same meeting, the representative of the Federal Republic of Germany withdrew his oral amendment (see para. 14 above) and the sponsors of the draft resolution accepted the oral amendment of the United States of America (see para. 16 above) as well as the first and third amendments of Australia (A/C.3/32/L.22) (see para. 15 (a) and (c) above). The sponsors then revised operative paragraph 2 by deleting the words “through the Commission for Social Development”.

18. At the same meeting, the Committee adopted the draft resolution (A/C.3/32/L.19), as revised, without a vote (see para. 23 below, draft resolution III).

C. *Draft resolutions A/C.3/32/L.21 and Rev.1*

19. At the 40th meeting, on 8 November, the representative of Sweden introduced a draft resolution (A/C.3/32/L.21), sponsored by Austria, Costa Rica, Denmark, Ecuador, Finland, Honduras, Italy, the Netherlands, New Zealand, Norway, Portugal, Senegal, Sweden and Venezuela, which read as follows:

“*The General Assembly,*

. . . [*Same text as draft resolution IV contained in paragraph 23 below, with the exception of the fifth preambular paragraph and operative paragraphs 1, 4 and 5, which read as follows:*

“*Considering* that the Sixth United Nations Congress on the Prevention of Crime and Treatment of Offenders, to be held in accordance with General Assembly resolution 415 (V), will take place in September 1980 in Sydney, Australia,

. . .

“1. *Endorses* the principle established in General Assembly resolution 2857 (XXVI) and in Economic and Social Council resolutions 1574 (L), 1745 (LIV) and 1930 (LVIII) that the main objective to be pur-

sued in the field of capital punishment is that of progressively restricting the number of offences for which the death penalty might be imposed, with a view to the desirability of abolishing this punishment:

. . .

“4. *Requests* the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to discuss, under the appropriate item on its agenda, the various aspects of the use of capital punishment and the possible restriction thereof, including a more generous application of rules relating to pardon, commutation or reprieve, and to report thereon, with recommendations, to the General Assembly at its thirty-fifth session;

“5. *Decides* to consider, with high priority, at its thirty-fifth session, the question of capital punishment.”]

20. At the 41st meeting, the representative of the Union of Soviet Socialist Republics introduced oral amendments whereby:

(a) The fifth preambular paragraph would be deleted;

(b) The beginning of operative paragraph 1, up to the words “the main objective”, would be replaced by the following text:

“1. *Recalls* that, in accordance with General Assembly resolution 2857 (XXVI) and Economic and Social Council resolutions 1574 (L), 1745 (LIV) and 1930 (LVIII)”;

(c) The beginning of operative paragraph 4, up to the words “under the appropriate item”, would be replaced by the following text:

“4. *Requests* the Committee on Crime Prevention and Control to consider”;

(d) In operative paragraph 5, the words “with high priority” would be replaced by the words “with appropriate priority”.

21. At the 49th meeting, the representative of Sweden introduced a revised draft resolution (A/C.3/32/L.21/Rev.1), subsequently also sponsored by Canada, in addition to the sponsors of the initial text which took into consideration the oral amendment proposed by the Union of Soviet Socialist Republic (see para. 20 above) (for the text of the draft resolution, see para. 23 below, draft resolution IV).

22. At the same meeting, the Committee adopted draft resolution A/C.3/32/L.21/Rev.1 without a vote

Recommendations of the Third Committee

23. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Methods and ways likely to be most effective in preventing crime and improving the treatment of offenders

The General Assembly,

Recalling its resolution 3021 (XXVII) of 18 December 1972, in which it instructed the Committee on Crime Prevention and Control to submit a report on the methods and ways likely to be most effective in preventing crime and improving the treatment of offenders, including recommendations on the measure

most appropriate in such areas as law enforcement, judicial procedures and correctional practices,

Concerned about the prevailing trends of criminality in many countries of the world, which show the spread of emerging new forms of serious and organized crime,

1. *Takes note* of the report entitled "Methods and ways likely to be most effective in preventing crime and improving the treatment of offenders", contained in the report of the Committee on Crime Prevention and Control on its fourth session (E/CN.5/536, annex IV), as a guideline for future United Nations activities directed towards the prevention and control of crime and delinquency and the treatment of offenders;

2. *Invites* Member States to make use of the report, as appropriate, in formulating national crime prevention policies and strategies;

3. *Calls upon* Member States, as well as international governmental organizations and relevant non-governmental organizations in consultative status with the Economic and Social Council and the specialized agencies, to collaborate fully in pursuance of the goals set out in the report;

4. *Requests* the Secretary-General to facilitate the collaboration referred to in paragraph 3 above;

5. *Urges* all Member States, as well as international governmental and non-governmental organizations, to support the United Nations Trust Fund for Social Defence and the international and regional institutes in crime prevention and control;

6. *Recommends* that the Secretary-General should draw on the report in formulating proposals for future medium-term plans in crime prevention and criminal justice.

DRAFT RESOLUTION II

Report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Conscious of the seriousness of crime problems, which have assumed new forms and dimensions in many countries of the world and are transcending national boundaries,

Concerned about the high social and material cost which crime exacts and the impediment it presents to a more wholesome development and a better quality of life for all,

Alarmed at the excesses of those crime control policies which, in certain countries, extend to torture and other abuses, negating the basic principles of human rights and of criminal justice itself,

Recalling in this context the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, contained in the annex to its resolution 3452 (XXX) of 9 December 1975,

Recognizing that the various forms of social control or the prevention of crime should take into account differences in traditions, economic and political structures, available resources and levels of development existing among Member States,

Recalling the responsibility assumed by the United Nations in crime prevention under General Assembly resolution 415 (V) of 1 December 1950, which was affirmed in Economic and Social Council resolu-

tions 731 F (XXVIII) of 30 July 1959 and 830 D (XXXII) of 2 August 1961, and in the promotion and strengthening of international co-operation in this field in accordance with Assembly resolution 3021 (XXVII) of 18 December 1972,

Having considered the report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹ held at Geneva from 1 to 12 September 1975, and the recommendations made by the Committee on Crime Prevention and Control at its fourth session (E/CN.5/536, chap. I, sect. B),

1. *Requests* the Secretary-General to implement to the fullest extent possible the conclusions of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders by:

(a) Transmitting for appropriate action to the Economic and Social Council and its functional commissions, as well as to all other United Nations organs and organizations concerned, those conclusions of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders that fall within their spheres of competence;

(b) Giving them the widest possible circulation and dissemination and stimulating international efforts to exchange experience and knowledge;

(c) Gathering and disseminating information concerning crime trends and criminal policies, with special emphasis on economic criminality and abuses of economic power that have a detrimental effect on national economies and international trade, and developing strategies to deal with them;

(d) Providing to Member States, at their request, advice and assistance for the re-evaluation of their criminal justice systems and for reassessment of the purposes as well as the effectiveness of such systems in relation to national and local requirements;

(e) Elaborating guidelines for the development and implementation of policies designed to make criminal justice systems more responsive to current social needs, to ensure the strict observance of fundamental human rights and to promote a more rational, consistent and integrated approach to the prevention of crime and the treatment of offenders;

(f) Fostering the exchange among countries of information relating to crime and to the functioning of the criminal justice systems;

2. *Stresses* the need for intensive international and regional co-operation in crime prevention and control, as well as co-ordination, among all the United Nations organs and organizations concerned, especially the United Nations Development Programme, the various regional commissions and institutes of the specialized agencies;

3. *Urges* that technical assistance in crime prevention and control be made available to Governments requesting it, as a matter of urgency, and that high priority be given to the provision of regional and inter-regional technical advisory services and co-operation, particularly in the light of recent directives of the policy-making bodies of the United Nations focusing on regional and intercountry activities and the proved success of this approach to crime prevention;

4. *Invites* Member States to give maximum attention and support to the relevant conclusions of the Fifth United Nations Congress on the Prevention of

Crime and the Treatment of Offenders and to provide the Secretary-General, in time for submission to the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held at Sydney in 1980, information relating to the measures taken in this respect;

5. *Draws the attention* of Member States to the existence of the United Nations Trust Fund for Social Defence, established in pursuance of Economic and Social Council resolution 1086 B (XXXIX) of 30 July 1965, and urges them to contribute to it;

6. *Appeals* to all Member States to support international action for crime prevention, especially through the sharing of costs of international meetings, seminars, workshops and training courses and by acting as hosts to regional research centres;

7. *Requests* the Secretary-General to prepare a report on the information received under paragraph 4 above for submission to the Sixth Congress and to the General Assembly at its thirty-fifth session;

8. *Further requests* the Secretary-General to take the necessary measures for the preparation of the Sixth Congress, *inter alia*, through the commissioning of reports by consultant experts, selected with due regard to equitable geographic representation, and the organization of regional preparatory meetings, pursuant to existing practice, for Africa, Asia and Latin America, to which all Governments of the region may send experts and to which the Secretary-General shall invite consultant experts from the region concerned.

DRAFT RESOLUTION III

Crime prevention and control

The General Assembly,

Noting with concern the increase of crime in many parts of the world,

Conscious that crime in its various forms hampers the economic, social and cultural development of peoples and threatens the enjoyment of human rights and fundamental freedoms,

Reaffirming the right of each State to formulate and implement its national policies and programmes in the field of crime prevention and control in accordance with its own needs and priorities,

Recognizing the importance of co-operation among Member States and the efforts made by the international community in the field of crime prevention and control, as well as the need to co-ordinate the action of United Nations bodies in order to achieve greater effectiveness in this field,

Noting the importance of the United Nations congresses on the prevention of crime and the treatment of offenders and the necessity of their thorough preparation,

Recalling its resolution 415 (V) of 1 December 1950 concerning United Nations activities in the field of crime prevention and control, and taking into account the considerable changes which have taken place in the United Nations since that time,

Noting with satisfaction the report of the Secretary-General on crime prevention and control (A/32/199),

1. *Requests* the Economic and Social Council to consider in a comprehensive manner at its sixty-fourth session the question of crime prevention and control

with a view to further co-ordination of the activities of United Nations bodies in this field, and in particular the preparation every five years of a United Nations congress on the prevention of crime and the treatment of offenders, the publication of the *International Review of Criminal Policy* and the provision of technical assistance to interested Member States, at their request;

2. *Entrusts* the Committee on Crime Prevention and Control with the function of preparing the United Nations congresses on the prevention of crime and the treatment of offenders by submitting appropriate proposals to the Economic and Social Council concerning *inter alia*, the place and time of the congresses, the provisional agenda, participation and preparation of the necessary documentation;

3. *Endorses* the recommendation of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹ which requested the Committee on Crime Prevention and Control to review at its fifth session the provisional rules of procedure of the congresses with a view to bringing them into conformity with current practice in other United Nations bodies, conferences and congresses convened under the auspices of the United Nations, and requests the Committee to submit the revised draft rules of procedure to the Economic and Social Council at its sixty-sixth session;

4. *Decides further* that the members of the Committee on Crime Prevention and Control should be elected by the Economic and Social Council for a term of four years, with half the membership being elected every two years, on the basis of the principle of equitable geographical distribution, from among expert who possess the necessary qualifications and professional or scientific knowledge in the field and are nominated by Member States;

5. *Invites* the Economic and Social Council to request the Commission for Social Development to consider the question of the functions and long-term programme of the work of the Committee on Crime Prevention and Control with a view to further improving United Nations activities in this field, and to submit its suggestions and proposals to the Council.

DRAFT RESOLUTION IV

Capital punishment

The General Assembly,

Having regard to article 3 of the Universal Declaration of Human Rights,² which affirms everyone's right to life, and article 6 of the International Covenant on Civil and Political Rights,³ which also affirms the right to life as inherent to every human being,

Recalling its resolutions 1396 (XIV) of 20 November 1959, 2393 (XXIII) of 26 November 1968, 285 (XXVI) of 20 December 1971 and 3011 (XXVII) of 18 December 1972, as well as Economic and Social Council resolutions 934 (XXXV) of 9 April 1963, 1574 (L) of 20 May 1971, 1656 (LII) of 1 June 1972, 1745 (LIV) of 16 May 1973 and 1930 (LVIII) of 6 May 1975, which confirm the continuing interest of the United Nations in the study of the question of capital punishment with a view to promoting full respect for everyone's right to life,

² General Assembly resolution 217 A (III).

³ General Assembly resolution 2200 A (XXI), annex.

Concerned at the fact that only thirty-two Governments responded to the questionnaire on capital punishment addressed to them for the preparation of the first five-year report of 1975 on capital punishment,⁴ submitted in accordance with Economic and Social Council resolution 1745 (LIV),

Noting with concern that, notwithstanding the limited progress mentioned in the first five-year report of the Secretary-General of 1975 on capital punishment, it remains extremely doubtful whether there is any progression towards the restriction of the use of the death penalty, thus justifying the conclusions drawn by the Secretary-General in the aforementioned report,

Considering that the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders is to be held in 1980,

Taking note of the request of the Economic and Social Council, in its resolution 1930 (LVIII), to the Secretary-General, in accordance with General Assembly resolution 2857 (XXVI), to proceed with the report on practices and statutory rules which may govern the right of a person sentenced to capital punishment to petition for pardon, commutation or reprieve, and to report on these questions to the Council at the latest at its sixty-eighth session, together with his basic report of 1980 on capital punishment,

Expressing the desirability of continuing and expanding the consideration of the question of capital punishment by the United Nations,

1. *Reaffirms*³ that, as established by the General Assembly in resolution 2857 (XXVI) and by the Economic and Social Council in resolutions 1574 (L),

⁴ E/5616 and Corr.1 and 2 and Add.1.

1745 (LIV) and 1930 (LVIII), the main objective to be pursued in the field of capital punishment is that of progressively restricting the number of offences for which the death penalty may be imposed with a view to the desirability of abolishing this punishment;

2. *Urges* Member States to provide the Secretary-General with relevant information for his preparation of the second five-year report of 1980 on capital punishment and of the report on practices and statutory rules which may govern the right of a person sentenced to capital punishment to petition for pardon, commutation or reprieve;

3. *Invites* the Economic and Social Council to report to the General Assembly at its thirty-fifth session on its deliberation and recommendations on the basis of the aforementioned reports of the Secretary-General and of the study to be submitted by the Committee on Crime Prevention and Control in accordance with Council resolution 1930 (LVIII);

4. *Calls upon* the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to discuss the various aspects of the use of capital punishment and the possible restriction thereof, including a more generous application of rules relating to pardon, commutation or reprieve, and to report thereon, with recommendations, to the General Assembly at its thirty-fifth session;

5. *Requests* the Committee on Crime Prevention and Control to give consideration to the appropriate place on the agenda of the Sixth Congress of the issue mentioned in paragraph 4 above, and to prepare documentation on the question;

6. *Decides* to consider, with high priority, at its thirty-fifth session the question of capital punishment.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 8 December 1977, the General Assembly adopted draft resolutions I to IV submitted by the Third Committee in its report (A/32/359, para. 23). For the final texts, see resolutions 32/58 to 32/61.⁵

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 77 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
/32/163	Note by the Secretary-General	Mimeographed
/32/199	Report of the Secretary-General	Ditto
/C.3/32/5/ and Corr.1	Letter dated 28 October 1977 from the representative of Portugal to the Secretary-General	Ditto
/C.3/32/L.18	Amendment to draft resolution B contained in document A/32/163, annex	See A/32/359, para. 8
/C.3/32/L.19	Draft resolution	For the sponsors and the text, see A/32/359, para. 13
/C.3/32/L.20	Amendment to draft resolution B contained in document A/32/163, annex	<i>Idem</i> , para. 9

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.3/32/L.21	Draft resolution	<i>Idem</i> , para. 19
A/C.3/32/L.21/Rev.1	Revised draft resolution	<i>Idem</i> , paras. 21 and 23, d resolution IV
A/C.3/32/L.22	Amendments to document A/C.3/32/L.19	<i>Idem</i> , para. 15
A/C.3/32/L.24	Administrative and financial implications of the amendment contained in document A/C.3/32/L.18	Mimeographed
A/C.3/32/L.31	Draft resolutions proposed by the Chairman of the Third Committee	See A/32/359, para. 23, d resolutions I and II
E/CN.5/536	Report of the Committee on Crime Prevention and Control on its fourth session	Mimeographed
<i>Administrative and financial implications of draft resolution II submitted by the Sixth Committee in document A/32/35</i>		
A/C.5/32/52	Note by the Secretary-General	Mimeographed
A/32/414	Report of the Fifth Committee	See <i>Official Records of General Assembly, Thi second Session, Anne agenda item 100</i>

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 78:* Question of the elderly and the aged: report of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee*, 65th, 70th, 71st and 73rd meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 5th meeting.

** This question was also discussed by the General Assembly at the following sessions: twenty-fourth (agenda item 0), twenty-fifth and twenty-sixth (item 52) and twenty-eighth (item 58).

DOCUMENT A/32/436

Report of the Third Committee

[Original: English]
[13 December 1977]

1. The item entitled "Question of the elderly and the aged: report of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with resolution 3137 (XXVIII) of 14 December 1973.
2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.
3. The Committee considered the item at its 63rd, 64th, 70th, 71st and 73rd meetings, between 30 November and 8 December 1977. The views expressed by the representatives of Member States and observers on the item are contained in the summary records of these meetings.
4. The Committee had before it the report of the Secretary-General (A/32/130 and Corr.1) called for under resolution 3137 (XXVIII).
5. The Acting Assistant Director of the Centre for Social Development and Humanitarian Affairs introduced the item at the 63rd meeting, on 30 November.
5. At the 63rd meeting, the representative of Malta introduced a draft resolution (A/C.3/32/L.40) sponsored by Algeria, Austria, Bangladesh, Belgium, Costa Rica, Cyprus, Denmark, Ecuador, Egypt, France, the Federal Republic of Germany, Ghana, Greece, Iceland, India, Italy, the Libyan Arab Jamahiriya, Malta, Mauritania, Mexico, Morocco, New Zealand, Nicaragua, Norway, Pakistan, the Philippines, Spain, Thailand, Tunisia, Venezuela and Zaire, subsequently joined by Bolivia, the Central African Empire, Kuwait, Singa-

pore, the United Arab Emirates, the United States of America and Uruguay.

7. At the same meeting, the representative of Argentina submitted an oral amendment to the draft resolution to insert the following paragraph between the fifth and sixth preambular paragraphs:

"Recognizing the growing interest for developing and developed societies alike in the fuller participation of the elderly in the mainstream of national societies".

8. At the 70th meeting, on 6 December, the sponsors agreed to incorporate the oral amendment by Argentina and revised the text accordingly.

9. At the same meeting, the Committee adopted the draft resolution, as revised, without a vote (see para. 12 below, draft resolution I).

10. At the 71st meeting, on 7 December, the representative of the United States of America introduced a draft resolution (A/C.3/32/L.58) entitled "International Year and World Assembly on Aging". [For the text, see para. 12 below, draft resolution II.]

11. At the 73rd meeting, on 8 December, the Committee adopted the draft resolution without a vote.

Recommendations of the Third Committee

12. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Draft resolution I

QUESTION OF THE ELDERLY AND THE AGED

The General Assembly,

Recalling its resolution 3137 (XXVIII) of 14 December 1973 on the question of the elderly and the aged,

Noting Economic and Social Council resolution 2077 (LXII) of 13 May 1977 on the elderly, and the views expressed during the debate on the question at the twenty-fifth session of the Commission for Social Development,¹

Emphasizing that in the Declaration of Social Progress and Development² the General Assembly has proclaimed the necessity of protecting the rights and assuring the welfare of the aged,

Noting also that the World Population Plan of Action,³ in its first recommendation, urged all Governments, when formulating their development policies and programmes, to take fully into account the implications of changing numbers and proportions of the aging, particularly where such changes are rapid,

Bearing in mind that people all over the world now can expect a longer life and that more people reach old age, thus changing the population structure in many countries,

Recognizing the growing interest for developing and developed societies in the fuller participation of the elderly in the mainstream of national societies,

Noting the need for old people to be included in the general social welfare and social security system, where such systems exist, and to provide for their special needs of security, service and care,

Bearing in mind the need to develop policies and programmes for the aging sector of society as an important part of comprehensive plans for economic and social development,

Stressing the importance of the role that the United Nations system should play in providing assistance to countries in carrying out their economic and social development plans, including those concerning the elderly and the aged,

Taking note with appreciation of the report of the Secretary-General on the question of the elderly and the aged (A/32/130 and Corr.1),

1. *Recommends* to Governments concerned, in formulating their national policies and programmes, to take into account the recommendations contained in General Assembly resolution 3137 (XXVIII) and to consider developing, as required and in accordance with their national priorities, policies and programmes for the welfare, including housing and social services, health, humanitarian well-being and economic security, of older people as well as measures aimed at maximizing their economic independence and their social integration into society, especially older people living in slums and uncontrolled settlements;

2. *Requests* the Secretary-General to continue and to expand, within the limits of existing resources, ac-

tivities in this field, in co-operation with the agencies concerned, particularly:

(a) To consider measures for strengthening the activities of the regional commissions designed to assist the planning, establishment and improvement of social and health services for the aging;

(b) To assist Governments, at their request and in accordance with their national priorities, in the planning, establishment and expansion of programme for the older sector of the population in the context of their over-all development programmes;

(c) To conduct seminars and workshops and to undertake studies on special issues in this field, in particular those faced by the developing countries concerned by the problem;

(d) To conduct research into the possibility of preserving and promoting the strengthening of the family unit with a view to facilitating, where appropriate, the care of the elderly and the aged by their own families;

(e) To collect, collate and disseminate the information on aging through the Information Exchange System;

3. *Requests* the competent and concerned specialized agencies of the United Nations system to give continued attention to regional and international meetings on the major problems of concern to the aging and suggests that these organizations should engage in regular exchanges of information about their plans and activities in this field, particularly at the regional levels;

4. *Requests* the concerned United Nations bodies, organs and programmes, as well as the specialized agencies and interested non-governmental organizations in consultative status with the Economic and Social Council, to join with the United Nations in well coordinated activities to assist all Governments concerned especially those of the developing countries, in formulating and implementing policies and programmes for the welfare, including housing and social services, health and protection of older people, aimed at maximizing their economic independence and maintaining a suitable role in society;

5. *Invites* the United Nations Fund for Population Activities, in accordance with its mandate and the recommendations of the World Population Plan of Action and the guidance of its Governing Council, to provide financial assistance to developing countries, upon request, in improving the conditions of the aging;

6. *Requests* the Secretary-General to submit to the Economic and Social Council in 1979, through the Commission for Social Development, a progress report on the action taken on the present resolution and to report to the General Assembly at its thirty-fourth session;

7. *Decides* to include in the provisional agenda of its thirty-fourth session an item entitled "The elderly and the aged".

*Draft resolution II*INTERNATIONAL YEAR AND WORLD ASSEMBLY
ON AGING

The General Assembly,

Recalling the Declaration on Social Progress and Development² and the emphasis therein on the digni-

¹ See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 5.*

² General Assembly resolution 2542 (XXIV).

³ *Report of the World Population Conference, 1974* (United Nations publication, Sales No. E.75.XIII.3), para. 63.

and worth of the human being and the rights of the aged,

Reaffirming its resolution 3137 (XXVIII) of 14 December 1973, entitled "Question of the elderly and the aged", and the recommendation therein to Governments on the need for well-designed policies and programmes relating to older people,

Noting Economic and Social Council resolution 2077 (LXII) of 13 May 1977, by which the Council approved the progress report of the Secretary-General,⁴

Recognizing that the concerns of aged persons in national populations must be addressed when considering economic and social development,

Convinced of the need for interchange and international review of policy alternatives affecting the elderly,

1. *Invites* all States to make known their views to the Secretary-General by 1 July 1978 concerning the usefulness of proclaiming an international year on

⁴ E/CN.5/531.

aging for the purpose of calling world-wide attention to the serious problems besetting a growing portion of the populations of the world;

2. *Further invites* all States to communicate their views to the Secretary-General by 1 July 1978 regarding the desirability of convening a world assembly on aging in order to permit national leaders and government specialists to exchange experiences, explore solutions and devise programmes for amelioration of the problems unique to the elderly;

3. *Requests* the Secretary-General to prepare a report on the reactions of Member States to the proclamation of an international year on aging as well as to the convening of a world assembly on aging, including appropriate proposals on ways in which either or both of these undertakings might be carried out;

4. *Decides* to include in the provisional agenda of its thirty-third session an item entitled "Problems of the elderly and the aged" under which the Secretary-General's report and pertinent observations by Member States would be considered.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolutions submitted by the Third Committee in its report (A/32/436, para. 12). For the final texts, see resolutions 32/131 and 32/132.⁵

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 78 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/130 and Corr.1	Report of the Secretary-General	Mimeographed
A/C.3/32/L.40	Draft resolution	For the sponsors and the text, see A/32/436, paras. 6, 7 and 12, draft resolution I
A/C.3/32/L.58	Draft resolution	<i>Idem</i> , paras. 10 and 12, draft resolution II

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 79:* Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General**

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A/32/318	Report of the Third Committee	1
A/32/L.17	Belgium, Canada, Denmark, Germany, Federal Republic of, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland and United States of America: amendment to the draft resolution submitted by the Third Committee in document A/32/318	4
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee*, 12th to 19th and 26th and 28th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 60th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 51), twenty-eighth (item 59), twenty-ninth (item 55), thirtieth (item 77) and thirty-first (item 76).

DOCUMENT A/32/318

Report of the Third Committee

[Original: English]
[4 November 1977]

1. The item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with Assembly resolution 31/34 of 30 November 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered this item at its 12th to 19th, 26th and 28th meetings, between 6 and 24 October 1977. The views expressed by the representatives of Member States on this item are contained in the summary records of those meetings.

4. In connexion with item 79, the Committee had before it the following documents:

(a) A letter dated 15 March 1977 (A/32/61) from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt to the Secretary-General;

(b) A report of the Secretary-General (A/32/147 and Add.1-3).

5. At the 12th meeting, on 6 October, the Director of the Division of Human Rights introduced the item.

6. A draft resolution (A/C.3/32/L.8) was submitted by Algeria, Angola, Benin, the Comoros, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Jordan, Kenya, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mali, the Niger, Nigeria, Rwanda, Senegal, Sierra Leone, the Sudan, the Syrian Arab Republic, Togo, Tunisia, Uganda and the United Republic of Tanzania, subsequently joined by Bulgaria, Burundi, Cape Verde, Chad, the Congo, Cuba, Czechoslovakia, Democratic Yemen, the German Democratic Republic, Haiti, Hungary, Iraq, the Lao People's Democratic Republic, Mauritania, Mongolia, Mozambique, Somalia, the United Republic of Cameroon, the Upper Volta, Yemen and Zambia. The draft resolution, which was introduced by the representative of Tunisia at the 26th meeting, on 20 October, read as follows:

[Same text as the draft resolution contained in paragraph 13 below, with the exception of the third pre-ambular paragraph, which read:

"Recalling the Declaration and Programme of Action adopted at the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, and the Programme of Action adopted by the World Conference for Action

against *Apartheid*, held at Lagos from 22 to 26 August 1977.”.]

7. At the 28th meeting, on 24 October, the representative of Tunisia orally revised the draft resolution by replacing, in the third preambular paragraph, the words “Programme of Action” by the word “declaration.”

8. At the same meeting, the representative of Viet Nam introduced oral amendments which provided for:

(a) The insertion after the word “resolutions” in the first preambular paragraph, of the words “2105 (XX) of 20 December 1965”;

(b) The insertion of a new operative paragraph 3 reading as follows:

3. “*Emphasizes* the right of all States to provide material, moral and other assistance to peoples who are still under colonial domination and struggling for their right to self-determination and national independence;”

and the renumbering of the following paragraphs accordingly.

9. Also at the 28th meeting, the representative of Argentina proposed the following subamendments to the amendments of Viet Nam:

(a) The insertion, after the word “resolutions” in the first preambular paragraph, of the words “1514 (XV) of 14 December 1960”;

(b) The insertion in the new operative paragraph 3 proposed by Viet Nam, after the words “to self-determination”, of the words “to territorial integrity”.

10. Subsequently, at the same meeting, the representative of Viet Nam withdrew her amendments and subsequently, the representative of Argentina withdrew her subamendments thereto.

11. At the 28th meeting, the representative of Belgium introduced an amendment (A/C.3/32/L.10) to draft resolution A/C.3/32/L.8 sponsored by Belgium, Canada, Denmark, Germany, Federal Republic of, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The amendment concerned the deletion of the words “those members of the North Atlantic Treaty Organization and other”.

12. The result of the voting on the draft resolution and the amendment thereto was as follows:

(a) The amendment was rejected by a roll-call vote of 61 to 25, with 41 abstentions. The voting was as follows:

In favour: Belgium, Canada, Denmark, El Salvador, Fiji, France, Gabon, Germany, Federal Republic of, Greece, Grenada, Honduras, Iceland, Ireland, Israel, Italy, Liberia, Luxembourg, Netherlands, Norway, Papua New Guinea, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Albania, Algeria, Bahrain, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Hun-

gary, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mali, Mongolia, Mozambique, Nigeria, Oman, Pakistan, Poland, Qatar, Romania, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zambia.

Abstaining: Argentina, Australia, Austria, Bahamas, Bangladesh, Bhutan, Brazil, Burma, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Finland, India, Indonesia, Iran, Japan, Lebanon, Lesotho, Malaysia, Maldives, Mexico, Morocco, Nepal, New Zealand, Peru, Philippines, Rwanda, Saudi Arabia, Singapore, Sri Lanka, Surinam, Swaziland, Sweden, Thailand, Trinidad and Tobago, Tunisia, Uruguay, Venezuela, Zaire.

(b) The draft resolution, as orally revised, was adopted by a roll-call vote of 108 to 3, with 18 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: France, Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

Recommendation of the Third Committee

13. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS

The General Assembly,

Recalling its resolutions 2649 (XXV) of 30 November 1970, 2955 (XXVII) of 12 December 1972,

3070 (XXVIII) of 30 November 1973, 3246 (XXIX) of 29 November 1974, 3382 (XXX) of 10 November 1975 and 31/34 of 3 November 1976;

Recalling also its resolutions 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970, 3103 (XXVIII) of 12 December 1973 and 3314 (XXIX) of 14 December 1974 on the use and recruitment of mercenaries against national liberation movements and sovereign States,

Recalling the Declaration and the Programme of Action adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977,¹ and the declaration adopted by the World Conference for Action against *Apartheid*, held at Lagos from 22 to 26 August 1977,²

Taking note of the declaration of the First Afro-Arab Summit Conference, held at Cairo from 7 to 9 March 1977 (A/32/61, annex I),

Reaffirming its faith in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the importance of its implementation,

Reaffirming the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the enjoyment of human rights,

Affirming that "bantustanization" is incompatible with genuine independence, unity and national sovereignty and would have the effect of perpetuating the power of the white minority and the racist system of *apartheid* in South Africa,

Reaffirming the obligation of all Member States to comply with the principles of the Charter and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and alien domination,

Welcoming the independence of Djibouti,

Reaffirming the national unity and territorial integrity of the Comoros,

Indignant at the continued violations of the human rights of the peoples still under colonial and foreign domination and alien subjugation, the continuation of the illegal occupation of Namibia and South Africa's attempts to dismember its territory, the perpetuation of the racist minority régimes in Zimbabwe and South Africa and the denial to the Palestinian people of their inalienable national rights,

1. *Calls upon* all States to implement fully and faithfully the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and alien domination;

2. *Reaffirms* the legitimacy of the people's struggle for independence, territorial integrity, national unity and liberation from colonial and foreign domination and alien subjugation by all available means, including armed struggle;

3. *Reaffirms* the inalienable right of the peoples of Namibia and Zimbabwe, of the Palestinian people and of all peoples under alien and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without external interference;

4. *Demands* the immediate evacuation of the French administration and forces from the Comorian territory of Mayotte;

5. *Condemns* the policy of "bantustanization" and reiterates its support for the oppressed people of South Africa in their just and legitimate struggle against the racist minority régime in Pretoria;

6. *Reaffirms* that the practice of using mercenaries against national liberation movements and sovereign States constitutes a criminal act and that the mercenaries themselves are criminals, and calls upon the Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territory and the transit of mercenaries through their territory to be punishable offences and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

7. *Condemns* the policies of those members of the North Atlantic Treaty Organization and of other countries whose political, economic, military or sporting relations with the racist régimes in southern Africa and elsewhere encourage these régimes to persist in their suppression of the aspirations of peoples for self-determination and independence;

8. *Strongly condemns* all Governments which do not recognize the right to self-determination and independence of all peoples still under colonial and foreign domination and alien subjugation, notably the peoples of Africa and the Palestinian people;

9. *Strongly condemns* the ever-increasing massacres of innocent and defenceless people, including women and children, by the racist minority régimes of southern Africa in their desperate attempt to thwart the legitimate demands of the people;

10. *Demands* the immediate release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental personal rights and the observance of article 5 of the Universal Declaration of Human Rights, under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;³

11. *Notes with appreciation* the material and other forms of assistance that peoples under colonial and foreign rule continue to receive from Governments, United Nations agencies and intergovernmental and non-governmental organizations, and calls for a maximization of this assistance;

12. *Looks forward* to the publication of the following studies by the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

(a) Historical and current development of the right to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to

¹ A/32/109/Rev.1-S/12344/Rev.1, annex V.

² A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2), chap. X.

³ General Assembly resolution 217 A (III).

the promotion and protection of human rights and fundamental freedoms;

(b) Implementation of United Nations resolutions relating to the right of peoples under colonial and foreign domination to self-determination;

13. *Requests* the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle

being waged by oppressed peoples for the realization of their self-determination and national independence;

14. *Decides* to consider this item again at its thirty-third session on the basis of the reports that Governments, United Nations agencies and intergovernmental and non-governmental organizations have been requested to submit concerning the strengthening of assistance to colonial Territories and peoples under foreign domination and control.

DOCUMENT A/32/L.17

Belgium, Canada, Denmark, Germany, Federal Republic of, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland and United States of America: amendment to the draft resolution submitted by the Third Committee in document A/32/318

[Original: French]
[7 November 1977]

In operative paragraph 7 delete the words "members of the North Atlantic Treaty Organization and other".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 60th plenary meeting, on 7 November 1977, the General Assembly voted on the draft resolution submitted by the Third Committee in its report (A/32/318, para. 13) and on the amendment thereto (A/32/L.17). After rejecting the amendment by a recorded vote of 58 to 21, with 53 abstentions, the Assembly adopted the draft resolution by a recorded vote of 113 to 3, with 18 abstentions. For the final text, see resolution 32/14.⁴

⁴ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 79 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/61	Letter dated 15 March 1977 from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt to the Secretary-General	Mimeographed
A/32/147 and Add.1-3	Report of the Secretary-General	Ditto
A/32/348	Letter dated 16 November 1977 from the representative of Turkey to the Secretary-General	Ditto
A/C.3/32/L.8	Draft resolution	For the sponsors and the text, see A/32/318, para. 6
A/C.3/32/L.10	Amendment to document A/C.3/32/L.8	<i>Idem</i> , para. 11

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 80:* Torture and other cruel, inhuman or degrading treatment or punishment**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee*, 34th to 38th, 41st and 42nd meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 98th meeting.

** This question was previously discussed by the General Assembly at the twenty-eighth session (under agenda item 56), at the twenty-ninth session (under agenda item 12) and at the thirtieth and thirty-first sessions (agenda item 74).

DOCUMENT A/32/355

Report of the Third Committee

[Original: English]
[25 November 1977]

Introduction

1. The item entitled "Torture and other cruel, inhuman or degrading treatment or punishment" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with Assembly resolution 31/85 of 13 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 34th to 38th, 41st and 42nd meetings, between 31 October and 9 November 1977. The views expressed by the representatives of Member States, representatives of specialized agencies and observers are contained in the summary records of those meetings.

4. In connexion with this item, the Committee had before it the following documents:

(a) The relevant part of the report of the Economic and Social Council (A/32/3, chap. VI, sect. A);

(b) A note by the Secretary-General (A/32/138) containing the text of the draft resolution on a code of conduct for law enforcement officials submitted by the Economic and Social Council for adoption by the General Assembly;

(c) A note by the Secretary-General (A/32/180) containing a letter dated 15 July 1977 from the Director-General of the World Health Organization to the Secretary-General transmitting the resolution adopted by the thirtieth World Health Assembly on 18 May 1977 entitled "Development of codes of medical ethics";

(d) A note by the Secretary-General (A/32/222) containing information on the action taken by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities regarding the question of torture and other cruel, inhuman or degrading treatment or punishment since the adoption by the General Assembly of resolution 31/85 of 13 December 1976;

(e) A note verbale dated 19 September 1977 from the representative of Egypt to the Secretary-General (A/32/225).

5. At the 34th meeting, on 31 October, the Director of the Division of Human Rights introduced the item. At the same meeting, the Assistant Director in charge of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs also made an introductory statement.

Consideration of draft resolutions

DRAFT RESOLUTION RECOMMENDED BY THE ECONOMIC AND SOCIAL COUNCIL

6. The Committee had before it the text of a draft resolution (A/32/138, annex) submitted by the Economic and Social Council for adoption by the General Assembly which read as follows:

"Code of conduct for law enforcement officials

"The General Assembly,

"Considering that, in accordance with the principles proclaimed in the Charter of the United Na-

tions, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

“*Recalling*, in particular, the rights and freedoms proclaimed in the Universal Declaration of Human Rights¹ and the International Covenant on Civil and Political Rights,²

“*Recalling also* the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in its resolution 3452 (XXX) of 9 December 1975,

“*Recalling further* paragraph 3 of its resolution 3453 (XXX) of 9 December 1975, in which it requested the Committee on Crime Prevention and Control to elaborate a draft code of conduct for law enforcement officials,

“*Mindful* that the nature of the functions of law enforcement and the manner in which these are exercised have a direct impact on the quality of life of individuals as well as of society as a whole,

“*Conscious* of the difficult task which law enforcement officials are performing conscientiously and with dignity, in compliance with the principles of human rights,

“*Aware*, nevertheless, of the potential of abuse which the exercise of such awesome duties entails,

“*Recognizing* that the establishment of a code of conduct for law enforcement officials is only one of several important measures for providing the citizenry served by law enforcement officials with protection of all their rights and interests,

“*Aware* that there are additional important principles and prerequisites for the humane performance of law enforcement functions, namely:

“(a) That, like all agencies of the criminal justice system, every law enforcement agency should be representative of and responsive and accountable to the community as a whole;

“(b) That the effective maintenance of ethical standards among law enforcement officials depends on the existence of a well-conceived, popularly accepted and humane system of laws;

“(c) That every law enforcement official is part of the criminal justice system, the aim of which is to prevent and control crime, and that the conduct of every functionary within the system has an impact on the entire system;

“(d) That every law enforcement agency, in fulfilment of the first premise of every profession, should be held to the duty of disciplining itself in complete conformity with the principles and standards herein provided and that the actions of law enforcement officials should be responsive to public scrutiny, whether exercised by a review board, a ministry, a procuracy, the judiciary, an ombudsman, a citizens' committee, or any combination thereof, or any other reviewing agency;

“(e) That standards as such remain moot unless their content and meaning, through education and

training, and through monitoring, become part of the creed of every law enforcement official;

“*Adopts* the Code of Conduct for Law Enforcement Officials below, drafted by the Committee on Crime Prevention and Control at its fourth session, to serve as a body of principles for observance by law enforcement officials of all nations.

“ANNEX

“CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICIALS

“Article 1

“Law enforcement officials must at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

“Commentary:

“(a) The term law enforcement official includes all officers of the law whether appointed or elected, who exercise police powers, especially the powers of arrest and detention;

“(b) In countries where police powers are exercised by military authorities, whether uniformed or not, or by state security forces, the definition of law enforcement officials shall be regarded as including officers of such services;

“(c) Service to the community is intended to include particularly the rendition of services of assistance to those members of the community who by reason of personal, economic, social or other emergencies are in need of immediate aid;

“(d) This provision is intended to cover not only all violent, predatory and harmful acts, but extends to the full range of prohibitions under penal statutes. It extends to conduct by persons not capable of incurring criminal liability.

“Article 2

“In the performance of their duty, law enforcement officials should respect and protect human dignity and maintain and uphold the human rights of all persons.

“Commentary:

“(a) The human rights in question derive from national and international law. The human rights under international law are guaranteed under the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, the Standard Minimum Rules for the Treatment of Prisoners, the Vienna Convention on Consular Relations, and other international instruments.

“(b) National commentaries to this provision should identify regional or national provisions identifying these rights.

“Article 3

“Law enforcement officials may never use more force than necessary in the performance of their duty.

“Commentary:

“(a) This provision emphasizes that the use of force by law enforcement officials should be exceptional;

“(b) While it implies that law enforcement officials may be authorized to use such force as is reasonable under the circumstances for the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected of-

¹ General Assembly resolution 217 A (III).

² General Assembly resolution 2200 A (XXI), annex.

fenders, any force used beyond what is essential for these purposes is not tolerable;

"(c) National law ordinarily restricts the use of force by law enforcement officials in accordance with a principle of proportionality. It is to be understood that such national principles of proportionality are to be respected in the interpretation of this provision. In no case, however, should this provision be interpreted to authorize the use of force which is disproportionate to the legitimate objective to be achieved.

"Article 4

"Matters of a confidential nature in the possession of law enforcement officials should be kept confidential, unless the performance of duty, or the needs of justice, require otherwise.

"Commentary:

"By the nature of their duties, law enforcement officials obtain information which may be potentially harmful to the interests, and especially the reputation, of others. By law, such information can be utilized only for the conduct of legal proceedings. Any divulgence not made in the performance of duty and not serving the needs of justice is improper.

"Article 5

"No law enforcement officials may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

"Commentary:

"(a) This prohibition derives from the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly, according to which:

"[Such acts] are an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights [and other international human rights instruments];

"(b) The Declaration defines torture as follows:

"... torture means any act by which severe pain or suffering whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners";

"(c) The terms 'cruel, inhuman or degrading treatment or punishment' have not been defined by the General Assembly, but should be interpreted to extend the widest possible protection against abuses, whether physical or mental;

"(d) The provision is intended to cover all persons who are in any way involved in conduct covered by this provision.

"Article 6

"Law enforcement officials having custody of persons needing medical attention should secure such attention and take immediate action to meet the needs of the person in custody.

"Commentary:

"(a) 'Medical attention' refers to services rendered by any medical personnel, including certified medical practi-

tioners and paramedics. While in practice the medical personnel referred to is likely to be attached to the law enforcement operation, the provision should be understood to require law enforcement officials to take into account the judgement of medical personnel from outside the law enforcement operation. This envisages that the person in question has access to medical attention from other medical personnel, including that person's own physician;

"(b) All medical personnel must act in conformity with principles of medical ethics.

"Article 7

"Law enforcement officials must refrain from and rigorously oppose and pursue all acts of corruption.

"Commentary:

"(a) Corruption is intolerable in all phases of life, particularly in the public service agencies. Governments cannot expect to enforce the law among their citizens if they cannot, or will not, enforce their law against their own agents and within their own agencies;

"(b) While the definition of corruption must be subject to national law, it should be understood to encompass the commission or omission of an act in the performance of or in connexion with one's duties, in response to gifts, promises or incentives demanded or accepted, or the wrongful receipt of these once the act has been committed or omitted.

"Article 8

"Law enforcement officials must refrain from and prevent and rigorously oppose all violations of this code by taking appropriate action, to the best of their capability. When violations have occurred, or can be expected to occur, law enforcement officials should report the matter within the chain of command, or take such other actions as are lawfully open to them, including, when necessary, the reporting to any agency with reviewing or remedial power.

"Commentary:

"(a) The provision seeks to preserve the balance between the need for internal discipline of the agency on which the public safety is largely dependent, on the one hand, and the need for dealing with violations of basic human rights, on the other. A law enforcement official should report violations within the chain of command and take legal action outside the chain of command only when no other remedies are available;

"(b) The terms 'agency with reviewing or remedial power' refers to any agency existing under national law, whether internal to the law enforcement agency, or independent thereof, with statutory, customary or other power to review grievances and complaints arising out of violations within the purview of this code;

"(c) While in most countries such agencies are statutory bodies, in some countries the mass media may be regarded as performing similar complaint review functions so that a law enforcement official, on his own initiative, may be justified in bringing his report to public attention by such means, as a last resort, consistent with the laws and customs of the country in question.

"Article 9

"A law enforcement official who, in fulfilling the obligation of this code, erroneously exceeds the limits of law despite honest and conscientious assessment, is entitled to the full protection afforded by national law.

"Article 10

"A law enforcement official who complies with the provisions of this code deserves the respect, the full support and the collaboration of the community and of the law enforcement agency in which such official serves, as well as the support of the law enforcement profession."

7. At the 42nd meeting, on 9 November, the Committee, upon the proposal of the Chairman, adopted

without a vote a draft decision on this subject (see para. 22 below).

DRAFT RESOLUTION A/C.3/32/L.13

8. At the 35th meeting, on 1 November, the representative of Sweden introduced a draft resolution (A/C.3/32/L.13), which was sponsored by Austria, Cuba, Denmark, Ecuador, Egypt, Ghana, Greece, India, Iran, Jamaica, Kenya, Mexico, Morocco, the Netherlands, New Zealand, Portugal, Spain, Sweden and Yugoslavia, subsequently joined by Angola, Australia, Colombia, Costa Rica, Cyprus, the German Democratic Republic, Hungary, Iraq, Ireland, Italy, Lesotho, Mali, Mozambique, Nigeria, Norway, Panama, Poland, the United Republic of Cameroon, the United Republic of Tanzania, the Upper Volta and Zambia. [*For the text, see para. 21 below, draft resolution I.*]

9. At the 38th meeting, on 3 November, the representative of Peru introduced an oral amendment to insert a new preambular paragraph between the fourth and fifth preambular paragraphs which read as follows:

“Also having regard to the code of conduct for law enforcement officials drafted by the Committee on Crime Prevention and Control,”.

10. At the 42nd meeting, the representative of Peru withdrew the amendment.

11. At the same meeting, the Committee adopted the draft resolution without a vote.

DRAFT RESOLUTION A/C.3/32/L.14

12. At the 35th meeting, the representative of the Netherlands introduced a draft resolution (A/C.3/32/L.14), which was sponsored by Australia, Austria, Canada, Colombia, Costa Rica, Denmark, Ecuador, the Federal Republic of Germany, Mexico, the Netherlands, New Zealand, Norway, Portugal and Sweden, subsequently joined by Belgium, Ireland, Italy and Nigeria. The text read as follows:

[*Same text as draft resolution II contained in paragraph 21 below, with the exception of an operative paragraph 3 which read as follows:*

“3. *Decides* to include in the provisional agenda of its thirty-third session the item entitled ‘Torture and other cruel, inhuman or degrading treatment or punishment’.”]

13. At the 42nd meeting, the representative of Argentina proposed an oral amendment to delete the last operative paragraph of the draft resolution. The sponsors of the draft resolution agreed to the amendment.

14. At the same meeting, the Committee adopted the draft resolution, as revised, without a vote.

DRAFT RESOLUTION A/C.3/32/L.15

15. At the 37th meeting, on 2 November, the representative of India introduced a draft resolution (A/C.3/32/L.15), which was sponsored by Australia, Bangladesh, Cyprus, Ecuador, Egypt, Finland, India, Iran, Jordan, Kenya, the Libyan Arab Jamahiriya, New Zealand, Papua New Guinea, Senegal, Sweden, Yugoslavia and Zambia, subsequently joined by Austria, Belgium, the Federal Republic of Germany, Italy, Nigeria and Tunisia. The text read as follows:

[*Same text as draft resolution III contained in paragraph 21 below, with the exception of an operative paragraph 4 which read as follows:*

“4. *Decides* to include in the provisional agenda of its thirty-third session the item entitled ‘Torture and other cruel, inhuman or degrading treatment or punishment’.”]

16. At the 42nd meeting, the representative of the Union of Soviet Socialist Republics proposed an oral amendment to delete the last operative paragraph of the draft resolution. The sponsors of the draft resolution agreed to the amendment.

17. At the same meeting, the Committee adopted the draft resolution, as revised, without a vote.

DRAFT RESOLUTION A/C.3/32/L.23

18. At the 41st meeting, on 9 November, the representative of Togo introduced a draft resolution (A/C.3/32/L.23) sponsored by Democratic Yemen, Hungary, Iraq, Italy, Jamaica, Jordan, Kuwait, Norway, Pakistan, the Philippines, Sweden, the Syrian Arab Republic, Togo,³ Trinidad and Tobago and Viet Nam, subsequently joined by Costa Rica, Cuba, Cyprus, India, Mexico and Yugoslavia. [*For the text, see para. 21 below, draft resolution IV.*]

19. At the 42nd meeting, the Committee adopted the draft resolution without a vote.

Decision of the Third Committee

20. In view of the deletion of the last operative paragraph in draft resolutions A/C.3/32/L.14 and A/C.3/32/L.15 (see paras. 12 and 15 above), the Committee agreed that the annotations on the item at the thirty-third session of the General Assembly should make it clear that the reports to be prepared by the Secretary-General under the item would take account of all the resolutions adopted at the present session under the item and that the discussion on the item at the thirty-third session would include the item in all its aspects as well as the specific issues mentioned in the various resolutions adopted.

Recommendations of the Third Committee

21. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

DRAFT CONVENTION ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

The General Assembly,

Having regard to article 5 of the Universal Declaration of Human Rights¹ and article 7 of the International Covenant on Civil and Political Rights,² both of which provide that no one may be subjected to torture or cruel, inhuman or degrading treatment or punishment,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, contained in the annex to its resolution 3452 (XXX) of 9 December 1975,

Believing that further international efforts are needed to ensure adequate protection for all against torture

³ On behalf of the States members of the African Group.

and other cruel, inhuman or degrading treatment or punishment,

Welcoming in that regard the work that has been done, or is being done, on the basis of General Assembly resolution 3453 (XXX) of 9 December 1975,

Considering that a further significant step would be the adoption of an international convention against torture and other cruel, inhuman or degrading treatment or punishment,

1. *Requests* the Commission on Human Rights to draw up a draft convention on torture and other cruel, inhuman or degrading treatment or punishment, in the light of the principles embodied in the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. *Further requests* the Commission on Human Rights to submit a progress report on its work to the General Assembly at its thirty-third session;

3. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment" for the purpose of reviewing the progress achieved in accordance with the present resolution.

Draft resolution II

QUESTIONNAIRE ON THE DECLARATION ON THE PROTECTION OF ALL PERSONS FROM BEING SUBJECTED TO TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

The General Assembly,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, contained in the annex to its resolution 3452 (XXX) of 9 December 1975,

Recalling its resolutions 3453 (XXX) of 9 December 1975 and 31/85 of 13 December 1976,

Having regard to article 7 of the International Covenant on Civil and Political Rights² which provides that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Taking note of resolution 7 (XXVII) of 20 August 1974 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities regarding its annual review of developments in the field of human rights of persons subjected to any form of detention or imprisonment,

Reiterating that the Declaration should serve as a guideline for all States and other entities exercising effective power,

Gravely concerned over continued reports from which it appears that in some countries State authorities are systematically resorting to torture and other cruel, inhuman or degrading treatment or punishment,

1. *Requests* the Secretary-General to draw up and circulate among Member States a questionnaire soliciting information concerning steps they have taken, including legislative and administrative measures, to put into practice the principles of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment while giving special attention to the following subjects:

(a) Publicity given to the Declaration, not only in governmental bodies and services but also among the public at large;

(b) Effective measures for the prevention of torture;

(c) Training of law enforcement personnel and other public officials responsible for persons deprived of their liberty;

(d) Any pertinent legislative or administrative action taken since the adoption of the Declaration;

(e) Effective legal remedies for victims of torture or cruel, inhuman or degrading treatment or punishment;

2. *Requests* the Secretary-General to submit the information provided in response to the questionnaire to the General Assembly at its thirty-third session, and furthermore to submit such information to the Commission on Human Rights and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-second session.

Draft resolution III

UNILATERAL DECLARATION BY MEMBER STATES AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

The General Assembly,

Bearing in mind that the principles proclaimed in the Charter of the United Nations concerning the dignity and worth of the human person place upon Member States the obligation to promote universal respect for, and observance of, human rights and fundamental freedoms for all,

Recalling article 5 of the Universal Declaration on Human Rights¹ and article 7 of the International Covenant on Civil and Political Rights² which stipulate that no one shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, unanimously adopted in its resolution 3452 (XXX) of 9 December 1975, as well as its resolution 31/85 of 13 December 1976,

Recognizing the necessity for further international action in the form of a convention for the elimination of torture and other cruel, inhuman or degrading treatment or punishment,

Recognizing also the importance of action by Member States to develop and utilize their national machinery to eliminate torture and other cruel, inhuman or degrading treatment or punishment,

1. *Calls upon* all Member States to reinforce their support of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by making unilateral declarations against torture and other cruel, inhuman or degrading treatment or punishment, along the lines of the text which is annexed to the present resolution, and depositing it with the Secretary-General;

2. *Urges* all Member States to give maximum publicity to their unilateral declarations against torture and other cruel, inhuman or degrading treatment or punishment;

3. *Requests* the Secretary-General to inform the General Assembly, in annual reports, of such unilateral

declarations against torture and other cruel, inhuman or degrading treatment or punishment as may be deposited by Member States.

ANNEX

MODEL UNILATERAL DECLARATION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

The Government of hereby declares its intention:

(a) To comply with the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX), annex);

(b) To implement, through legislation and other effective measures, the provisions of the said Declaration.

Draft resolution IV

TORTURE OF POLITICAL PRISONERS AND DETAINEES IN SOUTHERN AFRICA

The General Assembly,

Recalling the Universal Declaration of Human Rights,¹ in particular article 5,

Bearing in mind the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, contained in the annex to its resolution 3452 (XXX) of 9 December 1975,

Taking note of the report of the *Ad Hoc* Working Group of Experts on Southern Africa,⁴ established pursuant to resolution 2 (XXIII) of the Commission on Human Rights, on the deaths of detainees and police brutality in South Africa since the Soweto massacre of 16 June 1976,

Gravely concerned about the reports regarding the torture of political prisoners and the deaths of a number of detainees and about the growing wave of acts of repression against individuals, organizations and information media in South Africa,

Deeply shocked by the cowardly and dastardly murder in detention of Stephen Biko,

⁴ A/32/226, annex.

1. *Condemns* the South African régime for its continuing violation of the Universal Declaration of Human Rights and the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. *Reiterates* its deep aversion to the practice whereby the South African régime persistently subjects all opponents of *apartheid* to summary banning, detention, imprisonment and sometimes murder;

3. *Strongly condemns* the practice of subjecting political detainees and other victims of *apartheid* in South Africa to torture and other cruel, inhuman or degrading treatment or punishment;

4. *Strongly condemns* in particular the arbitrary arrest, detention and torture which led to the murder of Stephen Biko by agents of the racist minority régime of South Africa;

5. *Demands* that the minority *apartheid* régime of South Africa;

(a) Release all political prisoners without precondition;

(b) Lift all banning and house arrest orders imposed on opponents of *apartheid*;

(c) Put an immediate end to the indiscriminate use of violence against peaceful demonstrators against *apartheid* and to the persistent recourse to torture of political detainees;

6. *Expresses its conviction* that the martyrdom of Stephen Biko and all other nationalists murdered in South African prisons and the ideals for which they fought will continue to enrich the faith of the peoples of southern Africa and other parts of the world in their struggle against *apartheid* and for racial equality and the dignity of the human person.

* * *

22. The Third Committee also recommends that the General Assembly should request the Secretary-General to transmit to all Governments the draft Code of Conduct for Law Enforcement Officials for their examination and comments and to examine the draft Code, together with the replies received from Governments, at its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 8 December 1977, the General Assembly adopted draft resolutions I to IV submitted by the Third Committee in its report (A/32/355, para. 21). For the final texts, see resolutions 32/62 to 32/65.⁵

At the same meeting, the Assembly took note of the decision of the Third Committee contained in its reports (*ibid.*, para. 20).

Also at the same meeting, the Assembly adopted the recommendation of the Third Committee contained in its report (*ibid.*, para. 22) (see decision 32/419⁵).

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 80 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
A/32/138	Draft code of conduct for law enforcement officials: note by the Secretary-General	Mimeographed
A/32/180	Note by the Secretary-General transmitting a letter dated 15 July 1977 from the Director-General of the World Health Organization	Ditto
A/32/222	Note by the Secretary-General	Ditto
A/32/225	Note verbale dated 19 September 1977 from the representative of Egypt to the Secretary-General	Ditto
A/C.3/32/L.13	Draft resolution	For the sponsors and the text, see A/32/355, paras. 8 and 21, draft resolution I
A/C.3/32/L.14	Draft resolution	<i>Idem</i> , paras. 12 and 21, draft resolution II
A/C.3/32/L.15	Draft resolution	<i>Idem</i> , paras. 15 and 21, draft resolution III
A/C.3/32/L.23	Draft resolution	<i>Idem</i> , paras. 18 and 21, draft resolution IV

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 81:* International Covenants on Human Rights:**

- (a) Report of the Human Rights Committee;
 - (b) Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights: report of the Secretary-General
-

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee*, 20th, 22nd, 24th, 30th to 34th, and 37th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 98th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 55), twenty-eighth (item 65), twenty-ninth (item 58), thirtieth (item 84) and thirty-first (item 81).

DOCUMENT A/32/333

Report of the Third Committee

[Original: English]
[11 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly allocated to the Third Committee agenda item 81 entitled:

“International Covenants on Human Rights:

“(a) Report of the Human Rights Committee;

“(b) Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights: report of the Secretary-General”.

2. The Committee considered the item at its 20th, 22nd, 24th, 30th to 34th, and 37th meetings, held between 20 October and 2 November 1977. The views expressed by representatives of Member States on the item are contained in the summary records of those meetings.

3. The Committee had before it the following documents:

(a) The relevant part of the report of the Economic and Social Council (A/32/3/Add.1 (Part II));

(b) The report of the Human Rights Committee for the year 1977, submitted to the General Assembly in accordance with article 45 of the International Covenant on Civil and Political Rights (A/32/44 and Corr.1);

(c) The report of the Secretary-General on the Status of the International Covenants (A/32/188);

(d) A letter dated 18 October 1977 from the representative of the United States of America to the Secretary-General (A/C.3/32/4);

(e) A note by the Secretary-General on the financial implications of the work of the Human Rights Committee (A/C.3/32/L.11).

4. The Director of the Division of Human Rights introduced the item at the 30th meeting, on 26 October.

5. At the 30th meeting, on 26 October, the representative of Denmark, on behalf of Costa Rica, Denmark, Ecuador, the Federal Republic of Germany and Norway, introduced a draft resolution (A/C.3/32/L.7), which was subsequently sponsored also by Canada, Colombia, Haiti, Italy, the Netherlands and Peru. The text read as follows:

“The General Assembly,

“Having noted the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (A/32/188),

“Recalling its resolution 31/86 of 13 December 1976 and in particular its belief that the entry into force of the International Covenants on Human Rights is a major step in the international efforts to promote and encourage respect for human rights and fundamental freedoms for all, thereby contribut-

ing greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

“*Noting with appreciation* that following its appeal several Member States have acceded to the International Covenants on Human Rights,

“*Recognizing* the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocol thereto,

“*Bearing in mind* the important responsibilities of the Economic and Social Council in the implementation of the International Covenant on Economic, Social and Cultural Rights,

“1. *Notes with appreciation* the report of the Human Rights Committee on its first and second sessions (A/32/44 and Corr.1) and expresses its satisfaction at the serious manner in which the Committee is undertaking its functions;

“2. *Recommends* that the Human Rights Committee strive for uniform standards of implementation of the provisions of the International Covenant on Civil and Political Rights and of the Optional Protocol thereto;

“3. *Requests* the Human Rights Committee, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination to take appropriate measures to keep one another informed of their respective activities;

“4. *Appeals once again* to all States which have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and the Optional Protocol thereto;

“5. *Invites* the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of that Covenant;

“6. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;

“7. *Recognizes* that such resources as may be necessary should be allocated to enable the Secretary-General to provide the appropriate staff and facilities for the effective servicing of the International Covenants and the Optional Protocol.”

6. At the 31st meeting, on 26 October, the representative of Bulgaria, on behalf of Bulgaria, the German Democratic Republic, Guyana, Iraq, Madagascar, Poland, the Syrian Arab Republic and the United Republic of Tanzania, introduced a draft resolution (A/C.3/32/L.9), which was subsequently sponsored also by Iran, Kenya and Mali. The text read as follows:

“*The General Assembly,*

“*Convinced* that the International Covenants on Human Rights constitute the first all-embracing and

legally binding international treaties in the field of human rights,

“*Recognizing* the importance of the entry into force of the International Covenants which will undoubtedly enhance the ability of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all, and will thus contribute greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

“*Recalling* in this respect its resolution 2200 (A) (XXI) of 16 December 1966 and 3270 (XXIX) of 10 December 1974, as well as resolution 31/86 of 13 December 1976,

“*Bearing in mind* the important responsibilities of the Economic and Social Council in the implementation of the International Covenant on Economic, Social and Cultural Rights,

“*Recognizing* the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights,

“*Having noted with appreciation* the report of the Human Rights Committee (A/32/44 and Corr.1),

“*Having noted* the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (A/32/188),

“*Expressing its appreciation* to those States which have become parties to the International Covenants,

“1. *Recognizes* the importance of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights as a major step in the international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

“2. *Expresses its appreciation* for the work done by the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights;

“3. *Expresses its appreciation* to States parties to the International Covenant on Civil and Political Rights which have extended their co-operation to the Human Rights Committee;

“4. *Invites once again* those States which have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights;

“5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights.”

7. At the 37th meeting, on 2 November, the Chairman introduced a draft resolution (A/C.3/32/L.16) which was a consolidation of draft resolutions A/C.3/32/L.7 and A/C.3/32/L.9. At that meeting the Committee adopted the text without objection (see para. 8 below).

Recommendation of the Third Committee

8. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

STATUS OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND THE OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

The General Assembly,

Convinced that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights,

Recalling its resolution 31/86 of 13 December 1976 and in particular the importance of the entry into force of the International Covenants on Human Rights as a major step in the international efforts to promote and encourage respect for human rights and fundamental freedoms for all, thereby contributing greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

Recalling in this respect its resolutions 2200 A (XXI) of 16 December 1966 and 3270 (XXIX) of 3 December 1974,

Noting with appreciation that following its appeal several Member States have acceded to the International Covenants on Human Rights,

Having noted the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (A/32/188),

Bearing in mind the important responsibilities of the Economic and Social Council in relation to the International Covenants on Human Rights,

Recognizing the important role of the Human Rights Committee in the implementation of the International

Covenant on Civil and Political Rights and the Optional Protocol thereto,

1. *Recognizes* the importance of the International Covenants on Human Rights as a major step in the international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Notes with appreciation* the report of the Human Rights Committee on its first and second sessions (A/32/44 and Corr.1) and expresses its satisfaction at the serious manner in which the Committee is undertaking its functions;

3. *Expresses its appreciation* to States parties to the International Covenant on Civil and Political Rights which have extended their co-operation to the Human Rights Committee;

4. *Invites again* all States which have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights as well as to consider the possibilities of acceding to the Optional Protocol thereto;

5. *Appreciates* that the Human Rights Committee strives for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and of the Optional Protocol thereto;

6. *Requests* the Secretary-General to keep the Human Rights Committee informed of the activities of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination;

7. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;

8. *Recalls* that the International Covenant on Civil and Political Rights envisages that the Secretary-General shall provide the necessary staff and facilities for the effective performance of the Human Rights Committee.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 8 December 1977, the General Assembly adopted the draft resolution submitted by the Third Committee in its report (A/32/333, para. 8). For the final text, see resolution 32/66.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 81 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3/Add.1	Addendum to the report of the Economic and Social Council	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3A</i>
A/32/44 and Corr.1	Report of the Human Rights Committee	<i>Ibid.</i> , Supplement No. 44 and corrigendum
A/32/188	Report of the Secretary-General	Mimeographed
A/C.3/32/4	Letter dated 18 October 1977 from the representative of the United States of America to the Secretary-General	Ditto
A/C.3/32/L.7	Draft resolution	For the sponsors and the text see A/32/333, para. 5
A/C.3/32/L.9	Draft resolution	<i>Idem</i> , para. 6
A/C.3/32/L.11	Financial implications of the work of the Human Rights Committee: note by the Secretary-General	Mimeographed
A/C.3/32/L.16	Draft resolution proposed by the Chairman	See A/32/333, paras. 7 and

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 82:* International Year for Disabled Persons: report of the Secretary-General

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee, 73rd and 75th meetings; ibid., Third Committee, Sessional Fascicle, corrigendum; ibid., Fifth Committee, 64th meeting; and ibid., Plenary Meetings, 105th meeting.*

DOCUMENT A/32/437

Report of the Third Committee

[Original: English]
[14 December 1977]

1. The item entitled "International Year for Disabled Persons: report of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with its resolution 31/123 of 16 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee had before it a report of the Secretary-General (A/32/288) prepared in accordance with resolution 31/123.

4. The Committee considered the item at its 73rd and 75th meetings, on 8 and 9 December 1977. The views expressed by the representatives of Member States and of the specialized agencies on the item are contained in the summary records of those meetings.

5. The Acting Assistant Director of the Centre for Social Development and Humanitarian Affairs introduced the item at the 73rd meeting.

6. At the 73rd meeting, the representative of the Libyan Arab Jamahiriya introduced a draft resolution (A/C.3/32/L.51), sponsored by Algeria, Argentina, Belgium, Canada, Costa Rica, Cuba, Democratic Yemen, Egypt, Finland, the Federal Republic of Germany, Greece, India, Iraq, Jordan, Lesotho, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Malta, Mauritania, Morocco, Norway, Oman, Pakistan, the Philippines, Romania, Sweden, Tunisia, Turkey, Uganda, the United Arab Emirates, the United States of America, Viet Nam and Yugoslavia, subsequently joined by Bangladesh, Denmark, Ireland, the Lao People's Democratic Republic and Qatar. The text read as follows:

[Same text as draft resolution contained in paragraph 10 below, with the exception of operative paragraph 2, which read as follows:

"2. Authorizes the Secretary-General to undertake the measures required to implement these proposals;"]

7. At the 75th meeting, the sponsors revised the text by adding the following phrase at the end of the paragraph "including the necessary information activities prior to and during the International Year for Disabled Persons".

8. The Committee had before it a note by the Secretary-General (A/C.3/32/L.68) on the administrative and financial implications of the draft resolution.

9. At the same meeting, the Committee adopted the draft resolution, as revised, without a vote.

Recommendation of the Third Committee

10. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

INTERNATIONAL YEAR FOR DISABLED PERSONS

The General Assembly,

Recalling its resolution 31/123 of 16 December 1976 by which it proclaimed the year 1981 International Year for Disabled Persons and decided to devote that year to the realization of a set of objectives, including:

(a) Helping disabled persons in their physical and psychological adjustment to society,

(b) Promoting all national and international efforts to provide disabled persons with proper assistance, training, care and guidance, to make available to them opportunities for suitable work and to ensure their full integration in society,

(c) Encouraging study and research projects designed to facilitate the practical participation of disabled persons in daily life, for example by improving their access to public buildings and transportation systems,

(d) Educating and informing the public of the rights of disabled persons to participate in and contribute to various aspects of economic, social and political life,

(e) Promoting effective measures for the prevention of disability and for the rehabilitation of disabled persons,

Recalling in particular paragraph 4 of its resolution 31/123, in which it requested the Secretary-General to elaborate, in consultation with Member States, specialized agencies and the organizations concerned, a draft programme for the International Year for Disabled Persons,

Recalling its resolution 31/93 of 14 December 1976 on the medium-term plan, in paragraph 6 of which it urged organs to refrain from undertaking new activities not programmed in the medium-term plan and the subsequent programme budget unless a pressing need of an unforeseeable nature arises as determined by the General Assembly,

Having considered with satisfaction the report of the Secretary-General on and the annexed draft programme for the International Year for Disabled Persons (A/32/288),

1. *Approves* the proposals of the Secretary-General, contained in his report, for preparatory work for the period 1978-1979;

2. *Authorizes* the Secretary-General to undertake the measures required to implement these proposals, including the necessary information activities prior to and during the International Year for Disabled Persons;

3. *Decides* that the International Year for Disabled Persons represents such a pressing need of an unforeseeable nature;

4. *Decides* to establish an Advisory Committee for the International Year for Disabled Persons, composed of the representatives of fifteen Member States who shall be appointed, on the basis of equitable geographical distribution, by the Chairman of the Third Committee, in concurrence with the regional groups;

5. *Decides* that the task of the Advisory Committee shall be to consider, and to consult with Member States and specialized agencies on, the draft programme for the International Year for Disabled Persons prepared by the Secretary-General;

6. *Requests* the Secretary-General to convene the Advisory Committee no later than March 1979 at the Headquarters of the United Nations and to submit the report on that meeting to the General Assembly for consideration at its thirty-fourth session;

7. *Appeals* to Member States to make in due time generous voluntary contributions for the International Year for Disabled Persons;

8. *Encourages* Member States and organizations concerned to take specific action in the preparation of the observance of the International Year for Disabled Persons;

9. *Decides* to include in the provisional agenda of its thirty-fourth session the item entitled "International Year for Disabled Persons".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolution submitted by the Third Committee in its report (A/32/437, para. 10). For the final text, see resolution 32/133.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 82 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/288	Report of the Secretary-General	Mimeographed
A/C.3/32/L.51	Draft resolution	For the sponsors and the text, see A/32/437, paras. 6 and 10
A/C.3/32/L.68	Administrative and financial implications of the draft resolution contained in document A/C.3/32/L.51: note by the Secretary-General <i>Administrative and financial implications of the draft resolution submitted by the Third Committee in document A/32/437</i>	Mimeographed
A/C.5/32/89	Note by the Secretary-General	Ditto
A/32/478	Report of the Fifth Committee	See <i>Official Records of the General Assembly, Thirty-second Session, Annexes</i> , agenda item 100

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 83:* Human rights and scientific and technological developments**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee, 16th meeting; ibid., Third Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 105th meeting.*

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 58), twenty-eighth (item 63), twenty-ninth (item 56), thirtieth (item 69) and thirty-first (item 71).

DOCUMENT A/32/438

Report of the Third Committee

[Original: English]
[14 December 1977]

1. The item entitled "Human rights and scientific and technological developments" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with its resolution 31/128 of 16 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 76th meeting, on 9 December 1977. The views expressed by the representatives of Member States on the item are contained in the summary record of that meeting.

4. The Committee had before it a note by the Secretary-General (A/32/135 and Corr.1) containing relevant background information on the item.

5. The Committee had before it a draft resolution submitted by the Byelorussian Soviet Socialist Republic (A/C.3/32/L.62), which read as follows:

"The General Assembly,

"Recalling its resolution 3384 (XXX) of 10 November 1975 proclaiming the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind,

"1. Again calls upon Member States, in their programmes and development plans, to take account of the provisions and principles contained in the Declaration;

"2. Instructs the Committee on the Application of Science and Technology to Development to take account of the provisions of the Declaration in preparing the United Nations Conference on Science and Technology for Development planned to be held in 1979."

6. At the 76th meeting, the representative of the Byelorussian Soviet Socialist Republic withdrew the draft resolution.

7. At the same meeting, the representative of France introduced a draft decision (A/C.3/32/L.74), which read as follows:

"The General Assembly,

"Recalling its previous resolutions on this item, particularly resolution 3268 (XXIX) and noting that the item could not be considered at its thirty-second session through lack of time,

"Noting that scientific and technological progress, which is one of the most important factors in the development of human society, may in some circumstances represent a threat to human rights and fundamental freedoms and to human dignity, and may result in situations which endanger the exercise of civil, political, economic, social and cultural rights,

"Taking note of the work of the Economic and Social Council and the Commission on Human Rights in this field,

"1. Requests the Commission on Human Rights at its thirty-fourth session to continue its study of the harmful consequences of new technology as it relates to human rights, and invites the Commission to report on this matter to the Economic and Social Council at its sixty-fourth session;

"2. Decides to include the item "Human rights and scientific and technological developments" in the provisional agenda of its thirty-third session and to give priority to its consideration."

8. Also at the same meeting, the representative of France revised the draft decision, which the Committee adopted without a vote (see para. 9 below).

Recommendation of the Third Committee

9. The Third Committee recommends to the General Assembly the adoption of the following draft decision:

The General Assembly, having been unable, for lack of time, to consider the item entitled "Human rights and scientific and technological developments", decides to include it in the provisional agenda of its thirty-third session and to consider it with appropriate priority.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft decision submitted by the Third Committee in its report (A/32/438, para. 9) (see decision 32/434¹).

¹See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 83 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/135 and Corr.1	Note by the Secretary-General	Mimeographed
A/C.3/32/L.62	Draft resolution	For the sponsor and the text see A/32/438, para. 5
A/C.3/32/L.74	Draft resolution	<i>Idem</i> , para. 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 84:* Policies and programmes relating to youth: reports of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee*, 63rd, 66th, 70th, 71st and 76th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 105th meeting.

** This question was previously discussed by the General Assembly at the thirtieth session (agenda item 72) and at the thirty-first session (agenda item 73).

DOCUMENT A/32/439***

Report of the Third Committee

[Original: English]
[14 December 1977]

1. The item entitled "Policies and programmes relating to youth: reports of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with paragraph 6 of Assembly resolution 31/129 of 16 December 1977.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 63rd, 64th, 66th, 70th, 71st and 76th meetings, between 30 November and 9 December 1977. The views expressed by the representatives of Member States on the item are contained in the summary records of those meetings.

4. The Committee had before it the following documents:

(a) The report of the Secretary-General (see A/32/161) on problems confronting youth and the manner in which these problems are being treated by the organs and executive bodies of the United Nations system, prepared in accordance with General Assembly resolution 3140 (XXVIII) of 14 December 1973;

(b) A note by the Secretary-General (A/32/162) on channels of communication with youth and youth organizations, called for in Assembly resolution 31/131 of 16 December 1976;

(c) The report of the Secretary-General (see (A/32/170) on the present and future role and partici-

tion of youth in the development and nation-building process, as well as in the field of promoting international co-operation and understanding, prepared in accordance with Assembly resolution 31/130 of 16 December 1976;

(d) A note by the Secretary-General (A/32/171) on the establishment of a co-operative arrangement among youth research and information centres prepared in accordance with Assembly resolution 31/129;

(e) The report of the Secretary-General (A/32/205) on the United Nations Volunteers programme, prepared in accordance with Assembly resolution 31/131 of 16 December 1976.

5. The Acting Assistant Director of the Centre for Social Development and Humanitarian Affairs introduced the item at the 63rd meeting, on 30 November.

6. At the 63rd meeting, the representative of Romania introduced a draft resolution (A/C.3/32/L.41) entitled "Youth in the contemporary world", which was sponsored by Afghanistan, Algeria, Bhutan, Colombia, Costa Rica, Cyprus, Ecuador, Egypt, Ghana, Guatemala, Honduras, India, Kenya, Lesotho, the Libyan Arab Jamahiriya, Madagascar, Mali, Mexico, Morocco, Nepal, Nicaragua, Peru, the Philippines, Romania, Rwanda, Senegal, Trinidad and Tobago, Turkey, the United Arab Emirates, the United Republic of Cameroon, Venezuela, Yugoslavia, Zaire, and Zambia, subsequently joined by Bangladesh, Bolivia, the Central African Empire, the Comoros, the Congo, Cuba, Gabon, Malawi, the Sudan and Togo. [For the text, see para. 12 below, draft resolution I.]

7. At the 71st meeting, on 7 December, the Committee adopted the draft resolution without a vote.

*** Incorporating document A/32/439/Corr.1, of 16 December 1977.

8. At the 76th meeting, on 9 December, the representative of the Netherlands introduced a draft resolution (A/C.3/32/L.65) entitled "Channels of communication with youth and youth organizations", which was sponsored by Bangladesh, the Central African Empire, Egypt, the Netherlands and Yugoslavia, subsequently joined by the Congo, Costa Rica, Cyprus, Mali, the Philippines, Romania and Zaire. [For the text, see para. 12 below, draft resolution II.]

9. At the same meeting, the Committee adopted the draft resolution without a vote.

10. Also at the same meeting, the representative of the Sudan introduced a draft decision (A/C.3/32/L.73) entitled "United Nations Volunteers programme". [For the text, see para. 13 below.]

11. At the same meeting, the Committee adopted the draft decision without a vote.

Recommendations of the Third Committee

12. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

YOUTH IN THE CONTEMPORARY WORLD

The General Assembly,

Recalling that since 1965 numerous resolutions on the situation, needs and aspirations of youth have been adopted both by the General Assembly¹ and by the Economic and Social Council,²

Recognizing the profound importance of the direct participation of youth in shaping the future of humanity,

Convinced of the imperative need to harness the energies, enthusiasms and creative abilities of youth to the tasks of nation building, the economic, social and cultural advancement of peoples, the implementation of the new international economic order, the preservation of world peace and the promotion of international co-operation and understanding,

Considering it necessary to disseminate among youth the ideals of peace, respect for human rights and fundamental freedoms, human solidarity and dedication to the objective of progress and development,

Convinced of the necessity of meeting the legitimate needs and aspirations of youth and ensuring their active participation in all fields of national life,

Recognizing the necessity of consolidating the efforts of all States in carrying out specific programmes concerning youth,

Noting the wide variety of proposals that have been made to the General Assembly and the Economic and Social Council to improve channels of communication between the United Nations and youth and youth organizations and to ensure the active participation of

young people in all stages of development at local, national and international levels,

Believing that it is urgently desirable to consolidate the efforts of the United Nations concerning the situation, needs and aspirations of youth into specific, practical and effective means of bringing about such objectives,

Affirming the importance of current and projected United Nations activities designed to increase opportunities for youth to be integrated into development activities and to assess the needs and aspirations of youth, including, *inter alia*, publications designed to disseminate information on programmes of youth participation in development, co-operative arrangements with institutions engaged in youth research, and the preparation of studies on youth organizations and the training of youth workers,

Convinced that an international youth year could usefully serve to mobilize efforts at local, national, regional and international levels in order to promote the best educational, professional and living conditions for young people to ensure their active participation in over-all development of society and to encourage the preparation of new national and local policies and programmes in accordance with each country's experience,

1. *Invites* all States to make known their views concerning the proclamation of an international youth year and to send their proposals and observations in this regard to the Secretary-General before 1 July 1978;

2. *Requests* the Secretary-General to prepare a report containing the views of Member States on the proclamation of an international youth year and to propose possible ways and means for the observance of such a year;

3. *Also requests* the Secretary-General to prepare a brief synopsis of the legislative history and programme activities of the United Nations in the field of youth since 1965, for submission to the General Assembly at its thirty-third session for further discussion;

4. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Policies and programmes relating to youth" and to grant it the highest priority, due consideration being given to the idea of proclaiming an international youth year at that session.

Draft resolution II

CHANNELS OF COMMUNICATION WITH YOUTH AND YOUTH ORGANIZATIONS

The General Assembly,

Recalling its resolutions 31/131 and 31/132 of 16 December 1976 and Economic and Social Council resolution 2078 (LXII) of 13 May 1977,

Convinced of the need to improve the efforts of the United Nations with regard to participation of youth in achieving the objectives of the Charter of the United Nations,

Equally convinced of the valuable contribution that youth can make in promoting co-operation among States and in the implementation of the new international economic order based on equity and justice,

¹ General Assembly resolutions 2037 (XX), 2447 (XXIII), 2497 (XXIV), 2633 (XXV), 2770 (XXVI), 3022 (XXVII), 3023 (XXVII), 3024 (XXVII), 3140 (XXVIII), 3141 (XXVIII), 31/129, 31/130, 31/131 and 31/132.

² Economic and Social Council resolutions 1086 J (XXXIX), 1353 (XLV), 1354 (XLV), 1407 (XLVI), 1752 (LIV), 1922 (LVIII), 1923 (LVIII), 1966 (LIX), 2078 (LXII).

Bearing in mind the importance of the existence of the channels of communication and of practical and effective opportunities for youth and youth organizations to participate in the work of the United Nations at the national, regional, interregional and international levels,

1. *Adopts* the guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations contained in the annex to the present resolution;

2. *Requests* the Secretary-General to transmit the present resolution, together with its annex, to all Member States, regional commissions and regional and international youth organizations in consultative status with the Economic and Social Council;

3. *Invites* Member States to communicate the substance matter of the present resolution and its annex to national youth organizations and ask for their comments and suggestions;

4. *Invites* Member States and the regional commissions to comment upon the guidelines contained in the annex to the present resolution and to offer additional suggestions regarding the further development of these guidelines;

5. *Requests* the Secretary-General to undertake the necessary action for the implementation of the guidelines, in particular through:

(a) Joint consultations with the Administrator of the United Nations Development Programme concerning the youth activities dealt with in the guidelines;

(b) The interagency task force drawn from the Secretariat of the United Nations and the specialized agencies directly concerned with youth policies and programmes, established in accordance with Economic and Social Council resolution 2078 (LXII);

6. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session a report on comments and suggestions offered by Member States and regional commissions relating to the guidelines contained in the annex to the present resolution and on the progress achieved in their implementation with specific, action-oriented recommendations with a view to the further development of the guidelines and of the co-operation between the United Nations system and national and international youth organizations.

ANNEX

GUIDELINES FOR THE IMPROVEMENT OF THE CHANNELS OF COMMUNICATION BETWEEN THE UNITED NATIONS AND YOUTH AND YOUTH ORGANIZATIONS

A. National

1. The Administrator of the United Nations Development Programme should be requested to continue exploring, in

consultation with the Governments concerned, ways to involve youth organizations in development activities of the United Nations at the national level.

2. The Office of Public Information of the Secretariat should continue to work in close co-operation with the Joint United Nations Information Committee to provide information on the issues on which the United Nations is working in such a way as to attract and interest young people at the national level in the ideals and principles of the Charter of the United Nations.

3. Bearing in mind proposals contained in his note on the role of youth in the promotion and protection of human rights,³ the Secretary-General should explore, in consultation with Governments, the feasibility of identifying a national liaison and focal point on youth within each country, taking into consideration the networks of national correspondents which have been set up to facilitate communication between countries and with the United Nations in allied fields of social development.

B. Regional

The regional commissions should be requested to pay special attention to the question of active participation of youth in the process of national development and to consider at their forthcoming sessions appropriate forms in which regional commissions can assist Governments in this field and establish contacts with youth and youth organizations.

C. International

1. The scope of the quarterly *Youth Information Bulletin* should be extended and it should be published in French and Spanish in addition to English, within the existing budgetary allocations. Both governmental and non-governmental bodies dealing with youth should be encouraged to provide material for dissemination through the *Bulletin* and to assist in its distribution so that it may be made available to as many young people and youth organizations as possible.

2. The work of the Office of Public Information and the Centre for Economic and Social Information of the Secretariat, in the creation of suitable radio and television programmes about the United Nations and its activities, should be intensified within their existing budgetary allocations.

3. The Secretary-General may continue to utilize the existing channels of communication between the United Nations and international and regional non-governmental youth organizations.

* * *

13. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

UNITED NATIONS VOLUNTEERS PROGRAMME

The General Assembly takes note of the report of the Secretary-General on the United Nations Volunteers programme (A/32/205) and, noting in particular the proposals made under paragraph 17 (a) to (g), decides to ask the Secretary-General to transmit the report for consideration and review of the above-mentioned proposals to the Economic and Social Council at its sixty-fourth session.

³ E/CN.5/528 and Corr.1.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolutions submitted by the Third Committee in its report (A/32/439, para. 12). For the final text, see resolutions 32/134 and 32/135.⁴

At the same meeting, the Assembly adopted the draft decision submitted by the Third Committee in its report (*ibid.*, para. 13) (see decision 32/435⁴).

⁴ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 84 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/161	Report of the Secretary-General	Mimeographed
A/32/162	Note by the Secretary-General	Ditto
A/32/170	Report of the Secretary-General	Ditto
A/32/171	Note by the Secretary-General	Ditto
A/32/205	Report of the Secretary-General	Ditto
A/C.3/32/L.41	Draft resolution	For the sponsors and the text, see A/32/439, paras. 6 and 12, draft resolution I
A/C.3/32/L.65	Draft resolution	<i>Idem.</i> paras. 8 and 12, draft resolution II
A/C.3/32/L.73	Draft decision	<i>Idem.</i> paras. 10 and 13

**GENERAL
ASSEMBLY**



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 85:* United Nations Decade for Women: Equality, Development and Peace:
reports of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee*, 28th to 28th and 73rd to 75th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 25th meeting.

** This question has been discussed by the General Assembly at the following sessions: twenty-seventh and twenty-ninth under agenda item 12), thirtieth (items 75 and 76) and thirty-first (item 75).

DOCUMENT A/32/440

Report of the Third Committee

[Original: English]
[14 December 1977]

Introduction

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly allocated to the Third Committee agenda item 85, entitled "United Nations Decade for Women: Equality, Development and Peace: reports of the Secretary-General".

2. The Committee considered the item at its 19th, 28th and 73rd to 75th meetings from 13 October to 9 December 1977. The views expressed by representatives of Member States on the item are contained in the summary records of those meetings.

3. The Committee had before it the following documents:

(a) The relevant part of the report of the Economic and Social Council (A/32/3, chap. VI, sect. B);

(b) The report of the Secretary-General (A/32/74) on the Voluntary Fund for the United Nations Decade for Women, prepared in accordance with paragraph 4 of General Assembly resolution 31/133 of 5 December 1976;

(c) The report of the Secretary-General (A/32/75) on measures taken to implement the World Plan of Action and the Programme for the United Nations Decade for Women, prepared in accordance with paragraph 8 of General Assembly resolution 31/136 of 5 December 1976;

(d) The report of the Secretary-General (A/32/11) on women's participation in the strengthening of international peace and security and in the struggle against colonialism, racism, racial discrimination, for-

ign aggression and occupation and all forms of foreign domination, prepared in accordance with paragraph 6 of General Assembly resolution 3519 (XXX) of 15 December 1975;

(e) The report of the Secretary-General (A/32/216 and Corr.1 and Add.1 and 2) on the promotion of full equality of women and men in all spheres of life in accordance with international standards and the Declaration on the Elimination of Discrimination against Women, prepared pursuant to paragraph 12 of General Assembly resolution 3520 (XXX) of 15 December 1975;

(f) The report of the Secretary-General (A/32/218 and Add.1 and 2) concerning the draft Convention on the Elimination of Discrimination against Women and containing the text of the draft Convention as well as general observations from Governments and the specialized agencies. The report had been prepared and transmitted to the General Assembly in accordance with Economic and Social Council resolution 2058 (LXII) of 12 May 1977;

(g) The report of the Secretary-General (A/32/269) on women in rural areas prepared in accordance with paragraph 5 of General Assembly resolution 3523 (XXX) of 15 December 1975;

4. At the 19th meeting, on 13 October, the Assistant Secretary-General for Social Development and Humanitarian Affairs and the Officer-in-Charge of the Advancement of Women Branch of the Centre for Social Development and Humanitarian Affairs made introductory statements.

Proposals

A. *Draft Convention on the Elimination of Discrimination against Women (A/32/218, annex IV)*

5. At its 23rd meeting, on 19 October, the Committee decided to establish an open-ended Working Group to consider the draft Convention on the Elimination of Discrimination against Women submitted by the Economic and Social Council (A/32/218, annex IV).

6. At the 73rd meeting, on 8 December, the Rapporteur of the Working Group on the Drafting of the Convention introduced the report of the Working Group (A/C.3/32/L.59).

7. At the 74th meeting, on 9 December, the representative of Tunisia introduced a draft resolution (A/C.3/32/L.52) entitled "Draft Convention on the Elimination of Discrimination against Women", sponsored by Belgium, Bulgaria, Canada Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, Greece, Hungary, Iran, Italy, Kenya, Mongolia, Norway, the Philippines, Sweden, Togo and Tunisia, subsequently joined by Austria, Benin, Costa Rica, the Federal Republic of Germany, Ghana, Guinea, the Netherlands, New Zealand, Senegal and Zambia. The text read as follows:

"The General Assembly,

. . . [Same text as draft resolution I contained in paragraph 26 below, with the exception of operative paragraph 1, which read as follows:

"1. Takes note with satisfaction of the report of the Third Committee prepared by the Working Group on the draft Convention on the Elimination of Discrimination against Women;".]

8. At the 75th meeting, on 9 December, the sponsors orally revised operative paragraph 1 by replacing the words "of the Third Committee prepared by the Working Group" by the words "of the Working Group of the Third Committee".

9. At the same meeting, the representative of Morocco orally proposed the deletion of the words "with satisfaction" in operative paragraph 1.

10. At the same meeting, the Committee voted on the draft resolution and the oral amendment thereto as follows:

(a) By 89 votes to 6, with 22 abstentions, the Committee decided to retain the words "with satisfaction" in operative paragraph 1;

(b) Operative paragraph 1, on which a separate vote was taken at the request of the representative of Mali, was adopted by 117 votes to none, with 4 abstentions;

(c) Draft resolution A/C.3/32/L.52, as a whole, as orally revised, was adopted without a vote (see para. 26 below, draft resolution I).

B. *Draft resolution A/C.3/32/L.53*

11. At the 74th meeting, the representative of Iran introduced a draft resolution (A/C.3/32/L.53) entitled "International Research and Training Institute for the Advancement of Women", sponsored by Algeria, Argentina, Austria, Bangladesh, Burundi, Egypt, India, Iran, Iraq, Italy, the Ivory Coast, Jordan, Kenya, Mauritania, Mexico, Morocco, Nepal, the Niger, Pakistan, the Philippines, Togo, Tunisia, Turkey and Yugoslavia, subsequently joined by Benin, the Congo, Costa Rica,

Ghana, Guinea, Senegal, the Sudan, the United States of America, the Upper Volta and Zambia (for the text see para. 26 below, draft resolution II).

12. At its 75th meeting, the Committee adopted the draft resolution without a vote.

C. *Draft resolution A/C.3/32/L.54*

13. At the 74th meeting, the representative of Tunisia introduced a draft resolution (A/C.3/32/L.54) entitled "Interagency programme for the United Nations Decade for Women" sponsored by Austria, Bangladesh, Burundi, France, Greece, India, Iran, Iraq, Italy, the Ivory Coast, Jamaica, Jordan, the Libyan Arab Jamahiriya, Mauritania, Morocco, Nepal, New Zealand, the Niger, Norway, Papua New Guinea, the Philippines, Togo, Tunisia, Turkey and Venezuela, subsequently joined by Benin, Gabon, Ghana, Guinea, Madagascar, Mali, Senegal, the Upper Volta and Zambia (for the text, see para. 26 below, draft resolution III).

14. At its 75th meeting, the Committee adopted the draft resolution without a vote.

D. *Draft resolution A/C.3/32/L.55/Rev.1*

15. At the 74th meeting, the representative of Morocco introduced a revised draft resolution (A/C.3/32/L.55/Rev.1) entitled "Pledging Conference for the United Nations Decade for Women", sponsored by Austria, Bangladesh, Burundi, Guinea, Iran, Iraq, the Libyan Arab Jamahiriya, Mauritania, Morocco, the Niger, the Philippines, Togo, Tunisia and Turkey, subsequently joined by Benin, Ghana, Senegal and the Upper Volta (for the text, see para. 26 below, draft resolution IV)

16. At the same meeting, the Secretary of the Committee made a statement concerning the financial implications of the draft resolution.

17. At its 75th meeting, the Committee adopted the revised draft resolution without a vote.

E. *Draft resolution A/C.3/32/L.56*

18. At the 74th meeting, the representative of Egypt introduced a draft resolution (A/C.3/32/L.56) entitled "World Conference of the United Nations Decade for Women", sponsored by Austria, Bangladesh, Bulgaria, Burundi, Egypt, the German Democratic Republic, Hungary, India, Iran, Iraq, the Ivory Coast, Jordan, the Libyan Arab Jamahiriya, Mauritania, Mongolia, Nepal, New Zealand, the Niger, Norway, Papua New Guinea, the Philippines, Togo, Tunisia, Turkey, Venezuela and Yugoslavia, subsequently joined by the Congo, Ghana, Jamaica, Mali, Senegal, the Upper Volta and Zambia (for the text, see para. 26 below draft resolution V).

19. At the same meeting, the Secretary of the Committee made a statement concerning the financial implications of the draft resolution.

20. At its 75th meeting, the Committee adopted the draft resolution without a vote.

F. *Draft resolution A/C.3/32/L.57*

21. At the 74th meeting, the representative of the United States of America introduced a draft resolution (A/C.3/32/L.57) entitled "Voluntary Fund for the United Nations Decade for Women", sponsored by Austria, Bangladesh, Belgium, India, Iran, Iraq, Italy, the Ivory Coast, Jordan, the Libyan Arab Jamahiriya, Mauritania, Morocco, New Zealand, the Niger, Norway, Papua New Guinea, Togo, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, subsequently joined by Costa Rica, Ghana, Mali, the Neth-

lands and Zambia (for the text, see para. 26 below, aft resolution VI).

22. At the 75th meeting, the Committee adopted the draft resolution without a vote.

G. *Draft resolution A/C.3/32/L.66*

23. At the 74th meeting, the representative of the German Democratic Republic introduced a draft resolution (A/C.3/32/L.66) entitled "Women's participation in the strengthening of international peace and security and in the struggle against colonialism, racial discrimination, aggression, occupation and all forms of foreign domination", sponsored by Czechoslovakia, the German Democratic Republic, Hungary and Mongolia, subsequently joined by Cuba, Ethiopia and Madagascar. The text read as follows:

The General Assembly,

. . . [Same text as draft resolution VII contained in paragraph 26 below, with the exception of the second preambular paragraph, which read as follows:

"Taking into account that secure peace and social progress, the establishment of a new international economic order as well as the full enjoyment of human rights and fundamental freedoms are inconceivable without the active participation of women, their equality and development,".]

24. The sponsors of the draft resolution orally revised the second preambular paragraph of the draft replacing the words "are inconceivable without" by "require".

25. At the 75th meeting, the Committee adopted the draft resolution, as orally revised, by a roll-call vote of 53 to 19, with 52 abstentions (see para. 26 below, draft resolution VII). The voting was as follows:

In favour: Algeria, Argentina, Bahrain, Bangladesh, Botswana, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, German Democratic Republic, Guinea, Haiti, Hungary, India, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Mali, Mongolia, Mozambique, Nepal, Oman, Poland, Qatar, Romania, Saudi Arabia, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia.

Against: Australia, Austria, Belgium, Canada, Denmark, France, Germany, Federal Republic of Honduras, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom, Great Britain and Northern Ireland, United States of America.

Abstaining: Afghanistan, Bahamas, Barbados, Bolivia, Brazil, Burundi, Central African Empire, Chile, Colombia, Costa Rica, El Salvador, Fiji, Finland, Gambia, Ghana, Greece, Grenada, Indonesia, Ivory Coast, Jamaica, Japan, Lesotho, Malawi, Malaysia, Maldives, Mexico, Morocco, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Rwanda, Senegal, Spain, Surinam, Swaziland, Thailand, Trinidad and Tobago, Tunisia, Turkey, Upper Volta, Uruguay, Venezuela, Zaire.

The representative of Albania stated that he had not participated in the vote on any of the draft resolutions on this item.

Recommendations of the Third Committee

26. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Draft Convention on the Elimination of Discrimination against Women

The General Assembly,

Recalling its resolution 31/136 of 16 December 1976, in which the General Assembly, *inter alia*, approved the Programme for the United Nations Decade for Women,¹ which entails the adoption by the Assembly of the Convention on the Elimination of Discrimination against Women and its entry into force during the first half of the Decade, between 1976 and 1980,

Convinced that the adoption of that Convention and its entry into force will contribute to the implementation of the principal objectives of the United Nations Decade for Women: Equality, Development and Peace, and to the realization of the principles of equality between men and women,

Noting the work done in 1976 by the Commission on the Status of Women at its twenty-sixth session with a view to the elaboration of the draft Convention on the Elimination of Discrimination against Women (see A/32/218, annex IV),

Recalling Economic and Social Council resolution 2058 (LXII) of 12 May 1977, in which the Council requested the General Assembly to take up consideration of the draft Convention as a matter of urgency at the outset of its thirty-second session with a view to its adoption at that session,

1. *Takes note with satisfaction* of the report of the Working Group of the Third Committee on the Drafting of the Convention on the Elimination of Discrimination against Women (A/C.3/32/L.59);

2. *Recommends* that a working group should be established at the beginning of the thirty-third session to continue consideration of the articles which have not been completed during the current session;

3. *Expresses the hope* that the draft Convention will be adopted during the thirty-third session of the General Assembly;

4. *Decides* to include in the provisional agenda of its thirty-third session, as a matter of high priority, an item entitled "Draft Convention on the Elimination of Discrimination against Women".

DRAFT RESOLUTION II

International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling its resolution 31/135 of 16 December 1976, in which it endorsed the establishment of an International Research and Training Institute for the Advancement of Women, and Economic and Social Council resolution 1998 (LX) of 12 May 1976 concerning the same question,

Recalling further the reports of the Secretary-General on the progress achieved towards the establishment of

¹ Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 3, annex V.

the Institute, submitted to the General Assembly at its thirty-first session² and to the Economic and Social Council at its sixtieth and sixty-second sessions,³

Convinced that the early establishment of the Institute will contribute substantially to the realization of the objectives of the World Plan of Action for the Implementation of the Objectives of the International Women's Year⁴ and the Programme for the United Nations Decade for Women,¹

Noting the preparations already undertaken by the Secretary-General for the establishment of the Institute,

Considering that those preparations should be actively continued and that a preliminary draft document describing the structure and composition of the Institute should be prepared not later than April 1978,

1. *Notes* the efforts made thus far by the Secretary-General with a view to the establishment of the International Research and Training Institute for the Advancement of Women;

2. *Requests* the Secretary-General to continue those efforts and to prepare, in consultation with the competent bodies of the host country, the competent organs and institutions of the United Nations system and the regional commissions concerned, a draft document describing the structure, composition, responsibilities, and programme of the Institute, as well as the co-ordination of the activities of the Institute with those of the organizations concerned, particularly the United Nations Development Programme, the regional commissions and the regional research centres for the advancement of women, having regard to the recommendations of the Group of Experts set forth in the report submitted by the Secretary-General to the Economic and Social Council at its sixtieth session;

3. *Requests* the Secretary-General to report to the Economic and Social Council at its sixty-fourth session on the progress achieved towards the establishment of the Institute, including substantive and administrative preparations, and to submit to it for consideration and adoption the draft document referred to in paragraph 2 above.

DRAFT RESOLUTION III

Interagency programme for the United Nations Decade for Women

The General Assembly,

Recalling its resolution 3520 (XXX) of 15 December 1975, in which it proclaimed the period from 1976 to 1985 United Nations Decade for Women: Equality, Development and Peace, to be devoted to effective and sustained national, regional and international action to implement the World Plan of Action for the Implementation of the Objectives of the International Women's Year,⁴ and related resolutions adopted by the World Conference of the International Women's Year,

Recalling further that in its resolution 31/136 of 16 December 1976, it approved the Programme for the United Nations Decade for Women,¹ which focused on the first half of the Decade, 1976 to 1980,

Noting that the joint interagency programme for the integration of women in development, whose establish-

ment was called for in paragraph 5 (b) of General Assembly resolution 3520 (XXX), has become an interagency programme for the United Nations Decade for Women based on the implementation of the World Plan of Action, for the formulation of which the Centre for Social Development and Humanitarian Affairs serves as focal point,

Noting further that this programme was drawn up in July 1977 in the context of the conceptual framework and the co-ordination of ongoing activities and planned activities of the agencies concerned,

Noting further that this programme, which should be brought up to date every two years, is currently the subject of a study which is to be considered by the special interagency meeting on the United Nations Decade for Women to be held in July 1978 with a view to preparing for the World Conference,

1. *Notes* the measures already taken by the Secretary-General to implement the Programme for the United Nations Decade for Women (see A/32/175

2. *Emphasizes* that constant and increasing effort must be made at the national, regional and international levels to attain the objectives of the Decade;

3. *Requests* the Secretary-General, in consultation with all the participating agencies and organizations of the United Nations, to submit to the General Assembly at its thirty-third session, through the Economic and Social Council, the study of the interagency programme accompanied by the observations formulated by the Council with regard to it;

4. *Further requests* the Secretary-General to transmit to Governments every two years the study of the interagency programme for the Decade;

5. *Urges* the participating agencies and organizations of the United Nations system to identify and undertake as quickly as possible projects to be executed jointly.

DRAFT RESOLUTION IV

Pledging conference for the United Nations Decade for Women

The General Assembly,

Recalling its resolution 31/137 of 16 December 1976, in which it requested the Secretary-General to convene during the thirty-second session of the General Assembly a pledging conference for contributions to be made to the Voluntary Fund for the United Nations Decade for Women and to the International Research and Training Institute for the Advancement of Women

Noting with satisfaction the results of the first Pledging Conference for the United Nations Decade for Women, held at the Headquarters of the United Nations on 8 November 1977,

Convinced that the Programme for the United Nations Decade for Women,¹ if it is to be fully effective, must be translated into the greatest possible number of projects and programmes at the national, regional and interregional levels,

Also convinced that the speedy establishment of the International Research and Training Institute for the Advancement of Women will contribute substantially to the attainment of the research and training objectives of the World Plan of Action for the Implementation of the Objectives of the International Women's Year

² A/31/310.

³ E/5772 and E/5926.

⁴ *Report of the World Conference on the International Women's Year* (United Nations publication, Sales No. E.76.IV.1), chap. II, sect. A.

1. *Expresses its thanks* to the Secretary-General for having convened the first Pledging Conference for the United Nations Decade for Women;

2. *Expresses its warm thanks* to those countries which have already contributed, those which have pledged contributions and those which have expressed their intention of contributing to the Voluntary Fund for the United Nations Decade for Women and/or to the International Research and Training Institute for the Advancement of Women;

3. *Requests* the Secretary-General to convene during the thirty-third session of the General Assembly a second pledging conference for voluntary contributions for the purpose of financing:

(a) The Voluntary Fund for the United Nations Decade for Women;

(b) The International Research and Training Institute for the Advancement of Women;

4. *Further requests* the Secretary-General to organize an information campaign with a view to stimulating the interest of Governments, organizations and individuals likely to contribute to the Voluntary Fund for the United Nations Decade for Women and the International Research and Training Institute for the Advancement of Women.

DRAFT RESOLUTION V

World Conference of the United Nations Decade for Women

The General Assembly,

Recalling its resolution 3520 (XXX) of 15 December 1975, in paragraph 20 of which it decided to convene at the mid-term of the United Nations Decade for Women a world conference to review and evaluate the progress made in implementing the objectives of the International Women's Year as recommended by the World Conference of the International Women's Year and, where necessary, to readjust existing programmes in the light of new data and research available,

Recalling further that the Economic and Social Council, in its resolution 1999 (LX) of 12 May 1976, requested the Commission on the Status of Women at its twenty-sixth session to consider different aspects of the preparatory work for the World Conference of the United Nations Decade for Women, including its agenda, and also decided to consider at its sixty-fourth session, in the spring of 1978, the preparatory work for the Conference,

Recalling also that, in accordance with the request of the Economic and Social Council, the Commission on the Status of Women has considered various aspects of the material preparations and the organization of the Conference as well as the implications of the Conference for the programme budget, bearing in mind the note by the Secretary-General,⁵

Recalling further that the Economic and Social Council, at its sixty-second session, adopted resolution 2062 (XII) of 12 May 1976, in which it:

(a) Requested the Commission on the Status of Women at its twenty-seventh session to give the highest priority to the consideration of the preparatory work for the World Conference of the United Nations Decade for Women,

(b) Requested the Secretary-General to prepare for the consideration of the Commission on the Status of Women at its twenty-seventh session a report outlining a programme of concrete action for the second half of the Decade,

(c) Decided to establish, not later than June 1978, a preparatory committee to make recommendations concerning the substantive and organizational arrangements for the Conference,

(d) Invited the regional commissions to consider ways and means of contributing effectively to the Conference,

Noting that preliminary exchanges of views on the preparatory work for the Conference have also taken place in the Administrative Committee on Co-ordination at the two special interagency meetings held in September 1976 and July 1977, which were brought to the attention of the Commission on the Status of Women at its twenty-sixth session and will be brought to its attention at its twenty-seventh session,

1. *Accepts* the offer of the Government of Iran to act as host to the World Conference of the United Nations Decade for Women;

2. *Notes* that the Conference will in principle be held at Teheran in May 1980 and will cover a period of two weeks;

3. *Decides* that the first session of the Preparatory Committee for the World Conference of the United Nations Decade for Women, to be convened pursuant to Economic and Social Council resolution 2062 (LXII), shall be held at the Headquarters of the United Nations in June 1978;

4. *Also notes* the efforts made thus far by the Secretary-General and the Commission on the Status of Women with a view to undertaking the preparatory work for the Conference;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-third session, through the Economic and Social Council, on the work of the Preparatory Committee during its first session.

DRAFT RESOLUTION VI

Voluntary Fund for the United Nations Decade for Women

The General Assembly,

Recalling its decision to extend the activities of the Voluntary Fund for the International Women's Year, established by the Economic and Social Council in its resolution 1850 (LVI) of 16 May 1974, to cover the period of the United Nations Decade for Women 1976 to 1985,⁶

Recalling also its resolution 31/133 of 16 December 1976 containing the criteria and arrangements for the management of the Voluntary Fund for the United Nations Decade for Women,

Taking note of the report of the Secretary-General on the management of the Fund submitted to it at its thirty-second session (A/32/174),

1. *Notes with satisfaction* the decisions taken by the Consultative Committee on the Voluntary Fund for the United Nations Decade for Women at its two sessions, held in March and June 1977 (*ibid*; sect. II);

⁶ See *Official Records of the General Assembly, Thirtieth Session, Supplement No. 34*, p. 100, items 75 and 76.

2. *Expresses the hope* that the projects which the Consultative Committee has already approved will be implemented as soon as possible;

3. *Urges* the specialized agencies and other United Nations bodies concerned, including the United Nations Development Programme, to assist the regional commissions in formulating projects drawn up in connexion with the United Nations Decade for Women, with a view to submitting them to the Consultative Committee;

4. *Also urges* the specialized agencies and other United Nations bodies concerned, including the United Nations Development Programme, to co-operate closely with the Consultative Committee with a view to developing programmes which will contribute to the advancement of women;

5. *Requests* the Secretary-General to continue to report annually on the management of the Fund and:

(a) To include in such report a summary of the projects selected by the Consultative Committee for financing by the Fund;

(b) To submit periodically to the General Assembly progress reports on the execution of such projects.

DRAFT RESOLUTION VII

Women's participation in the strengthening of international peace and security and in the struggle against colonialism, racism, racial discrimination, aggression, occupation and all forms of foreign domination

The General Assembly,

Recalling its resolutions 3519 (XXX), 3520 (XXX) and 3521 (XXX) of 15 December 1975 and 31/136 of 16 December 1976,

Taking into account that secure peace and social progress, the establishment of the new international economic order as well as the full enjoyment of human rights and fundamental freedoms require the active participation of women, their equality and development,

Appreciating the contribution of women to the strengthening of international peace and security and to the struggle against colonialism, racism, racial discrimination, aggression, occupation and all forms of foreign domination,

Emphasizing its grave concern that in some regions of the world colonialism, *apartheid*, racial discrimination and aggression continue to exist and territories are still occupied, which represents a most serious infringement of the principles of the Charter of the United Nations and of human rights of both women and men, and of the people's right to self-determination,

Reaffirming the objectives of the United Nations Decade for Women, the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, 1975,⁷ and the World Plan of Action for the Implementation of the Objectives of the International Women's Year,⁴

1. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 3519 (XXX) (A/32/211);

2. *Calls upon* all States to continue to make the contribution to creating favourable conditions for the elimination of discrimination against women and for their full and equal participation in the social development process and to encourage broad participation of women in the effort to strengthen international peace and to extend the process of international détente, curb the arms race and take measures for disarmament;

3. *Seizes the occasion* of the International Anti-Apartheid Year to be observed in 1978 to invite all States fully to support women exposed to colonialism, racism and *apartheid* in their just struggle against the racist régimes in southern Africa;

4. *Invites* all States to proclaim, in accordance with their historical and national traditions and customs, on the day of the year as United Nations Day for Women's Rights and International Peace and to inform the Secretary-General thereon;

5. *Requests* the Commission on the Status of Women to consider, as a contribution to the preparatory work of the World Conference of the United Nations Decade for Women, to be held in 1980, the elaboration of a draft declaration on the participation of women in the struggle for the strengthening of international peace and security and against colonialism, racism, racial discrimination, aggression, occupation and all forms of foreign domination and to report therein to the Economic and Social Council at its sixty-fourth session;

6. *Invites* the Secretary-General to submit to the General Assembly at its thirty-fourth session a progress report on the implementation of resolution 3519 (XXX);

7. *Decides* to include in the provisional agenda of its thirty-fourth session, under the item "United Nations Decade for Women: Equality, Development and Peace", a subitem entitled "Implementation of General Assembly resolution 3519 (XXX): report of the Secretary-General".

⁷ *Report of the World Conference of the International Women's Year* (United Nations publication, Sales No. E.76.IV.1) chap. I.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted draft resolutions I to VII submitted by the Third Committee in its report (A/32/440, para. 26). Draft resolutions I to VI were adopted without a vote; draft resolution VII was adopted by a recorded vote of 71 to 19, with 46 abstentions. For the final texts, see resolutions 32/136 to 32/142.⁸

⁸ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 85 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
A/32/174	Report of the Secretary-General	Mimeographed
A/32/175	Report of the Secretary-General	Ditto
A/32/211	Report of the Secretary-General	Ditto
A/32/216 and Corr.1 and Add.1 and 2	Report of the Secretary-General	Ditto
A/32/218 and Add.1 and 2	Report of the Secretary-General	Ditto
A/32/269	Report of the Secretary-General	Ditto
A/C.3/32/L.52	Draft resolution	For the sponsors and the text, see A/32/440, paras. 7, 8 and 26, draft resolution I
A/C.3/32/L.53	Draft resolution	<i>Idem</i> , paras. 11 and 26, draft resolution II
A/C.3/32/L.54	Draft resolution	<i>Idem</i> , paras. 13 and 26, draft resolution III
A/C.3/32/L.55	Draft resolution	Replaced by A/C.3/32/L.55/Rev.1
A/C.3/32/L.55/Rev.1	Revised draft resolution	For the sponsors and the text, see A/32/440, paras. 15 and 26, draft resolution IV
A/C.3/32/L.56	Draft resolution	<i>Idem</i> , paras. 18 and 26, draft resolution V
A/C.3/32/L.57	Draft resolution	<i>Idem</i> , paras. 21 and 26, draft resolution VI
A/C.3/32/L.59	Report of the Working Group of the Third Committee on the Drafting of the Convention on the Elimination of Discrimination against Women	Mimeographed
A/C.3/32/L.66	Draft resolution	For the sponsors and the text, see A/32/440, paras. 23, 24 and 26, draft resolution VII

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 86:* Elimination of all forms of religious intolerance**

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A/32/441	Report of the Third Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee, 76th meeting; ibid., Third Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings*, 105th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 59), twenty-eighth (item 55), twenty-ninth (item 54), thirtieth (item 79) and thirty-first (item 77).

DOCUMENT A/32/441

Report of the Third Committee

[Original: English]
[15 December 1977]

1. The item entitled "Elimination of all forms of religious intolerance" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with its resolution 31/138 of 16 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 76th meeting, on 9 December 1977. The views expressed by the representatives of Member States on the item are contained in the summary records of that meeting.

4. For the consideration of the item, the Committee had before it the following documents:

(a) A note by the Secretary-General containing background information on the item (A/32/120);

(b) A letter dated 6 July 1977 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General (A/32/133);

(c) A letter dated 23 September 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General (A/32/235).

5. At the 76th meeting, the representative of the Netherlands introduced a draft resolution (A/C.3/32/L.64), sponsored by Austria, Canada, Denmark, France, the Federal Republic of Germany, the Netherlands, Norway, Senegal, Sweden and the United States of America, later joined by Ireland, which read as follows:

[Same text as the draft resolution contained in paragraph 8 below, with the exception of the fourth and fifth preambular paragraphs, which read as follows:

"Recalling also its resolution 31/138 of 16 December 1976 to consider, at its thirty-second session, the question of the elimination of all forms of religious intolerance,

"Noting that the Commission on Human Rights has been so far unable to present the text of such a Declaration, despite the fact that the General Assembly had previously requested that it speed up its work on the elaboration of a single draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,".]

6. At the same meeting, the representative of the Byelorussian Soviet Socialist Republic orally proposed two amendments to the draft resolution as follows:

(a) To delete, at the end of the fourth preambular paragraph, everything after "1976";

(b) To delete, at the end of the fifth preambular paragraph, everything after "Declaration".

The sponsors of the draft resolution agreed to the amendments, and revised the text accordingly.

7. At the same meeting, the Committee adopted the draft resolution, as revised, without a vote (see para. 8 below).

Recommendation of the Third Committee

8. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE

The General Assembly,

Recalling its resolutions 1781 (XVII) of 7 December 1962 and 3069 (XXVIII) of 30 November

1973, as well as its resolution 3267 (XXIX) of 10 December 1974, in which it requested the Commission on Human Rights to submit to the General Assembly, through the Economic and Social Council, a single draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Noting the actions of the Working Group established by the Commission on Human Rights at its thirtieth, thirty-first, thirty-second and thirty-third sessions with a view to elaborating a draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Noting also Commission on Human Rights resolution 11 (XXXIII) of 11 March 1977,¹ by which the Commission established an open-ended working group

¹ See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 6*, chap. XXI, sect. A.

which would meet three times a week during its thirty-fourth session, beginning in the first week of the session, and requested the Secretary-General to provide the necessary facilities for the work of the group,

Recalling also its resolution 31/138 of 16 December 1976,

Noting that the Commission on Human Rights has been so far unable to present the text of such a Declaration,

1. *Requests* the Commission on Human Rights to give this matter the priority necessary to finalize the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;

2. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Elimination of all forms of religious intolerance".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolution submitted by the Third Committee in its report (A/32/441, para. 8). For the final text, see resolution 32/143.²

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 86 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/120	Note by the Secretary-General	Mimeographed
A/32/133	Letter dated 6 July 1977 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General	Ditto
A/32/235	Letter dated 23 September 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General	Ditto
A/C.3/32/L.64	Draft resolution	For the sponsors and the text, see A/32/441, para. 5

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 87:* Office of the United Nations High Commissioner for Refugees:**

- (a) Report of the High Commissioner;
- (b) Question of the continuation of the Office of the High Commissioner;
- (c) Election of the High Commissioner

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee*, 45th to 49th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 98th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 56), twenty-eighth (item 67), twenty-ninth (item 59), thirtieth (item 80) and thirty-first (item 78).

DOCUMENT A/32/352

Report of the Third Committee

[Original: English]
[22 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to allocate to the Third Committee agenda item 87 entitled "Office of the United Nations High Commissioner for Refugees: (a) Report of the High Commissioner; (b) Question of the continuation of the Office of the High Commissioner".¹

2. The Third Committee considered the item at its 45th to 49th meetings, from 14 to 16 November 1977. The summary records of those meetings contain the views expressed by the representatives of Member States on the item.

3. The Committee had before it the report of the United Nations High Commissioner for Refugees (A/32/12 and Corr.1), which was supplemented by his oral statement at the Committee's 45th meeting. The Committee also had before it an addendum containing the report of the Executive Committee of the High Commissioner's Programme on its twenty-eighth session (A/32/12/Add.1).

Consideration of draft resolutions

Draft resolution A/C.3/32/L.26

4. At the 46th meeting, on 14 November, the representative of Norway introduced a draft resolution

¹ At its 93rd plenary meeting, on 6 December 1977, the General Assembly decided to add subitem (c) entitled "Election of the High Commissioner", to the list of items to be considered directly in plenary meetings.

(A/C.3/32/L.26), entitled "Report of the United Nations High Commissioner for Refugees", sponsored by Angola, Australia, Austria, Bangladesh, Belgium, Botswana, Canada, Colombia, the Congo, Costa Rica, Cyprus, Denmark, Ecuador, Egypt, Finland, France, the Federal Republic of Germany, Ghana, Greece, Guinea-Bissau, Honduras, Iceland, India, Iran, Italy, Lesotho, Liberia, Malawi, Morocco, Mozambique, Nepal, the Netherlands, New Zealand, the Niger, Nigeria, Norway, Senegal, the Sudan, Swaziland, Sweden, Thailand, Togo, Tunisia, the United Republic of Cameroon, the United Republic of Tanzania, the United States of America, Uruguay, Venezuela, Yugoslavia, Zaire and Zambia. [For the text, see para. 14 below, draft resolution I.]

5. At its 49th meeting, on 16 November, the Committee adopted the draft resolution by consensus.

Draft resolution A/C.3/32/L.27

6. At the 46th meeting, the representative of Norway introduced a draft resolution (A/C.3/32/L.27) entitled "Question of the continuation of the Office of the United Nations High Commissioner for Refugees", sponsored by Angola, Australia, Austria, Bangladesh, Belgium, Botswana, Canada, the Central African Empire, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, Finland, France, the Federal Republic of Germany, Ghana, Greece, Guinea-Bissau, Honduras, Iceland, Iran, Italy, Japan, Lesotho, Liberia, Malawi, Malaysia, Morocco, Mozambique, Nepal, the Netherlands, New Zealand, the Niger, Nigeria, Norway, Pa-

kistan, Senegal, the Sudan, Swaziland, Sweden, Thailand, Togo, Tunisia, the United Republic of Tanzania, the United States of America, Uruguay, Venezuela, Yugoslavia, Zaire and Zambia. [For the text, see para. 14 below, draft resolution II.]

7. At its 49th meeting, the Committee adopted the draft resolution by consensus.

Draft resolution A/C.3/32/L.29

8. At the 47th meeting, on 15 November, the representative of Pakistan introduced a draft resolution (A/C.3/32/L.29), entitled "Expression of appreciation to the United Nations High Commissioner for Refugees", sponsored by Australia, Austria, Bangladesh, Belgium, Canada, the Central African Empire, Colombia, the Congo, Costa Rica, Cuba, Cyprus, Denmark, Fiji, Finland, France, the Federal Republic of Germany, Ghana, Greece, Guinea-Bissau, Honduras, Iceland, India, Iran, Italy, Jamaica, Japan, Kenya, the Lao People's Democratic Republic, Lesotho, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Mozambique, New Zealand, the Niger, Nigeria, Norway, Oman, Pakistan, the Philippines, Portugal, Qatar, Senegal, Somalia, Spain, the Sudan, Swaziland, Sweden, the Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, the Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire and Zambia. [For the text, see para. 14 below, draft resolution III.]

9. At its 49th meeting, the Committee adopted the draft resolution by acclamation.

Draft resolution A/C.3/32/L.30

10. At the 47th meeting, the representative of Denmark introduced a draft resolution (A/C.3/32/L.30), entitled "Assistance to refugees in southern Africa", sponsored by Angola, Austria, Bangladesh, Belgium, Botswana, Canada, the Central African Empire, Colombia, the Congo, Costa Rica, Cyprus, Denmark, Egypt, Finland, Ghana, Guinea-Bissau, Iceland, India, Iran, Iraq, Jamaica, Lesotho, Luxembourg, Malawi, Mali, Mauritania, Morocco, Mozambique, the Niger, Nigeria, Norway, the Philippines, Somalia, the Sudan, Swaziland, Sweden, Togo, Trinidad and Tobago, the United Republic of Cameroon, the United Republic of Tanzania, the Upper Volta, Uruguay, Venezuela, Yugoslavia and Zambia. [For the text, see para. 14 below, draft resolution IV.]

11. At its 49th meeting, the Committee adopted the draft resolution by consensus.

12. In the course of the debate, a number of speakers referred to the question of a draft Convention on Territorial Asylum. The Chair noted that, in accordance with General Assembly resolution 3456 (XXX) of 9 December 1975, a Conference of Plenipotentiaries was held at Geneva from 10 January to 4 February 1977. The Conference was not able to carry out fully its mandate within the allocated time and recommended that consideration be given by the Assembly to the question of convening, at an appropriate time, a further session of the Conference.

13. The statements made in the Committee indicated that, while there was a need to reconvene the Conference, it was equally clear that careful and detailed preparation was required. On the basis of in-

formation provided by the High Commissioner that consultations with Governments were continuing in that regard, the Chairman proposed that the High Commissioner keep the Secretary-General informed of progress made in those consultations so that, at its next session, the General Assembly might have more information available to it to decide on the appropriate time to reconvene the Conference. Since no proposal for a formal decision or resolution was before the Committee, the Chairman proposed (49th meeting) that her statement summing up the situation be appropriately reflected in the report of the Third Committee. As there was no objection, it was so decided.

Recommendations of the Third Committee

14. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office (A/32/12 and Corr.1 and Add.1) and having heard his statement,²

Recalling its resolution 31/35 of 30 November 1976 and taking into account the additional responsibilities assumed by the High Commissioner in different parts of the world for the benefit of an increasing number of refugees and displaced persons,

Recognizing the eminently humanitarian character of the various activities of the High Commissioner and the importance of permanent solutions being promoted by his Office, including voluntary repatriation, local integration or resettlement in other countries,

Concerned by infringements of the basic human rights of refugees and the urgent need on the part of Governments to ensure their effective and continued protection,

Recognizing the need for further accessions to and effective implementation by Governments of the relevant international instruments, including in particular the 1951 Convention relating to the Status of Refugees,³ and the 1967 Protocol relating to the Status of Refugees,⁴

Commending the increasing number of Governments contributing to the High Commissioner's programme and emphasizing the need for a wider sharing of the financial burden to provide the vital humanitarian assistance required by refugees and displaced persons,

1. *Expresses its deep satisfaction at the efficient manner in which the United Nations High Commissioner for Refugees and his staff continue to accomplish their humanitarian tasks;*

2. *Requests the High Commissioner to continue to provide humanitarian assistance to refugees and*

² *Official Records of the General Assembly, Thirty-second Session, Third Committee, 45th meeting, paras. 1-9; and ibid Third Committee, Sessional Fascicle, corrigendum.*

³ *United Nations, Treaty Series, vol. 189, No. 2545, p. 137.*

⁴ *Ibid.*, vol. 606, No. 8791, p. 267.

displaced persons of concern to his Office, including those in urgent need of help in Africa, Asia and Latin America;

3. *Further requests* United Nations agencies and programmes to render the fullest possible support to the High Commissioner's humanitarian tasks;

4. *Urges* Governments to extend the necessary co-operation to the High Commissioner in promoting permanent and speedy solutions to the problems facing his Office through voluntary repatriation and assistance in rehabilitation of returnees, integration in countries of asylum or resettlement in other countries as needed;

5. *Further urges* Governments to facilitate the efforts of the High Commissioner in the field of international protection, *inter alia*,

(a) By considering accession to the relevant international and regional instruments established for the benefit of refugees;

(b) By elaborating appropriate procedures at the national level for the effective implementation of the provisions of these instruments;

(c) By following humanitarian principles with respect to the granting of asylum and ensuring that these are scrupulously observed, including the principle of *non-refoulement* of refugees;

6. *Calls upon* Governments to contribute generously towards the financing of the High Commissioner's humanitarian activities in view of the universal character of the problems facing his Office and the need for a wider financial support of the programmes being undertaken by him.

Draft resolution II

CONTINUATION OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

The General Assembly,

Recalling its resolutions 2957 (XXVII) of 12 December 1972, in which it decided to review, not later than at its thirty-second session, the arrangements for the Office of the United Nations High Commissioner for Refugees with a view to determining whether the Office should be continued beyond 31 December 1978,

Recognizing the need for concerted international action on behalf of the increasing numbers of refugees and displaced persons of concern to the High Commissioner,

Considering the outstanding work which has been performed by the Office of the High Commissioner in providing international protection and material assistance to refugees and displaced persons as well as in promoting permanent solutions to their problems,

Noting with deep appreciation the effective manner in which the Office of the High Commissioner has been dealing with various essential humanitarian tasks entrusted to it,

1. *Decides* to continue the Office of the United Nations High Commissioner for Refugees for a further period of five years from 1 January 1979;

2. *Decides* to review, not later than at its thirty-seventh session, the arrangements for the Office of the High Commissioner with a view to determining whether

the Office should be continued beyond 31 December 1983.

Draft resolution III

EXPRESSION OF APPRECIATION TO THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

The General Assembly,

Noting with deep regret that the United Nations High Commissioner for Refugees will shortly be relinquishing his duties,

Recognizing the progress achieved under his guidance in promoting humanitarian solutions to the problems of refugees and displaced persons in various parts of the world,

Considering his unrelenting efforts to alleviate human suffering through the special humanitarian tasks entrusted to him in addition to the original functions of his Office,

1. *Expresses its sincere appreciation and thanks* to Prince Sadruddin Aga Khan for the effective and dedicated manner in which he has performed his functions as the United Nations High Commissioner for Refugees;

2. *Extends* its good wishes to him for success in his future undertakings.

Draft resolution IV

ASSISTANCE TO REFUGEES IN SOUTHERN AFRICA

The General Assembly,

Noting the information provided by the United Nations High Commissioner for Refugees on the assistance activities of his Office on behalf of refugees in southern Africa (A/32/12 and Corr.1, chap. III),

Noting with deep concern the increasing number of refugees from Namibia, South Africa and Zimbabwe and recognizing the burden thus imposed upon the receiving countries,

Noting the continuing efforts of the High Commissioner to extend adequate assistance to these refugees, particularly in neighbouring African States,

Recognizing the close co-operation existing between the Organization of African Unity and the High Commissioner,

1. *Commends* the programmes of assistance already being implemented by the United Nations High Commissioner for Refugees and requests him further to strengthen measures for the benefit of refugees in southern Africa;

2. *Urges* Governments to contribute generously towards the programmes of the High Commissioner and to provide him with the necessary facilities required to assist the refugees in southern Africa, *inter alia* by providing opportunities for local settlement, education and vocational training;

3. *Requests* United Nations agencies and programmes, non-governmental organizations and voluntary agencies to extend maximum support to the High Commissioner in his efforts;

4. *Requests* the High Commissioner to continue his co-operation with the Organization of African Unity and to keep it currently informed of these assistance activities.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 8 December 1977, the General Assembly adopted draft resolutions I to IV submitted by the Third Committee in its report (A/32/352, para. 14). For the final texts, see resolutions 32/67 to 32/70.⁵

At the same meeting, the Assembly, on the proposal of the Secretary-General (A/32/401/Add.1) elected Mr. Poul Hartling United Nations High Commissioner for Refugees for a five-year term beginning on 1 January 1978 (see decision 32/314⁵).

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 87 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
A/32/12 and Corr.1 and Add.1	Report of the United Nations High Commissioner for Refugees and addendum	<i>Ibid.</i> , Supplement No. 12 and corrigendum and No. 12.
A/32/401 and Add.1	Election of the United Nations High Commissioner for Refugees: note by the Secretary-General	Mimeographed
A/C.3/32/L.26	Draft resolution	For the sponsors and the text see A/32/352, paras. 4 and 14, draft resolution I
A/C.3/32/L.27	Draft resolution	<i>Idem</i> , paras. 6 and 14, draft resolution II
A/C.3/32/L.29	Draft resolution	<i>Idem</i> , paras. 8 and 14, draft resolution III
A/C.3/32/L.30	Draft resolution	<i>Idem</i> , paras. 10 and 14, draft resolution IV

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 88:* Freedom of information:**

- (a) Draft Declaration of Freedom of Information;
 - (b) Draft Convention on Freedom of Information
-

DOCUMENT A/32/442

Report of the Third Committee

[Original: English]
[15 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with its decision 31/415 of 16 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 76th meeting, on 9 December 1977. The views expressed by the representatives of Member States on the item are contained in the summary record of that meeting.

4. The Committee had before it a note by the Secretary-General (A/32/231) containing relevant background information on the item.

5. At the 76th meeting, the Committee adopted the draft decision contained in document A/C.3/32/L.71 and Corr.1 without a vote (see para. 6 below).

Recommendation of the Third Committee

6. The Third Committee recommends to the General Assembly the adoption of the following draft decision:

The General Assembly, having been unable, for lack of time, to consider the item entitled "Freedom of information", decides to include it in the provisional agenda of its thirty-third session and to consider it with appropriate priority.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft decision submitted by the Third Committee in its report (A/32/442, para. 6) (see decision 32/436¹).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 88 which are not reproduced in the present fascicle.

Document No.	Title or description	Observations and references
A/32/61	Letter dated 15 March 1977 from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt to the Secretary-General	Mimeographed
A/32/231	Note by the Secretary-General	Ditto
A/C.3/32/L.71 and Corr.1	Draft decision	See A/32/442, paras. 5 and 6

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee, 76th meeting; ibid., Third Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings, 105th meeting*.

** Since 1972, this question has been on the agenda of the General Assembly at the following sessions: twenty-seventh (agenda item 57), twenty-eighth (item 64), twenty-ninth (item 57), thirtieth (item 83) and thirty-first (item 80).

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 89:* United Nations conference for an international convention on adoption law**

DOCUMENT A/32/443

Report of the Third Committee

[Original: English]
[15 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with its decision 31/416 of 16 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 76th meeting, on 9 December 1977. The views expressed by the representatives of Member States on the item are contained in the summary record of that meeting.

4. The Committee had before it a note by the Secretary-General (A/32/131) containing relevant background information on the item.

5. At the 76th meeting, the Committee adopted the draft decision contained in document A/C.3/32/L.72 and Corr.1 without a vote (see para. 6 below).

Recommendation of the Third Committee

6. The Third Committee recommends to the General Assembly the adoption of the following draft decision:

The General Assembly, having been unable, for lack of time, to consider the item entitled "United Nations conference for an international convention on adoption law", decides to include it in the provisional agenda of its thirty-third session and to consider it with appropriate priority.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft decision submitted by the Third Committee in its report (A/32/443, para. 6) (see decision 32/437¹).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 89 which are not reproduced in the present fascicle.

Document No.	Title or description	Observations and references
A/32/61	Letter dated 15 March 1977 from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt to the Secretary-General	Mimeographed
A/32/131	Note by the Secretary-General	Ditto
A/C.3/32/L.72 and Corr.1	Draft decision	See A/32/443, paras. 5 and 6

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Third Committee, 76th meeting; ibid., Third Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings*, 105th meeting.

** This question was previously discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 62), twenty-ninth (item 61), thirtieth (item 85) and thirty-first (item 82).

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 90:* Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations:**

- (a) Report of the Secretary-General;
- (b) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

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A/32/341	Report of the Fourth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fourth Committee, 8th and 10th to 20th meetings; ibid., Fourth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 83rd meeting.*

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 63), twenty-eighth session (item 69), twenty-ninth session (item 64), thirtieth session (item 86) and thirty-first session (item 84).

DOCUMENT A/32/341

Report of the Fourth Committee

[Original: English]
[16 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-second session and to allocate to the Fourth Committee the item entitled:

“Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations:

- “(a) Report of the Secretary-General;
- “(b) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples”.

2. At its 5th meeting, on 7 October 1977, the Fourth Committee decided to hold a general debate covering agenda items 24, 90, 93, 95 and 12, 96 and 97, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

3. The Committee considered item 90 at its 8th and 10th to 20th meetings, between 26 October and 9 November 1977.

4. At the 8th meeting, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of

Independence to Colonial Countries and Peoples introduced chapter XXXII of the report of that Committee (A/32/23/Add.9), relating to the item.

5. The Fourth Committee also had before it the report of the Secretary-General on the item (A/32/253).

6. In addition, the Committee had before it the following communications addressed to the Secretary-General:

(a) Note verbale dated 20 April 1977 from the Permanent Mission of Portugal to the United Nations (A/32/73);

(b) Note verbale dated 11 May 1977 from the Permanent Mission of Indonesia to the United Nations (A/32/90).

7. The general debate covering the items referred to in paragraph 2 above took place at the 10th to 20th meetings, between 31 October and 9 November.

8. At the 15th meeting, on 4 November, the Chairman drew attention to a draft resolution (A/C.4/32/L.2), which was finally sponsored by the following Member States: Angola, Brazil, Burundi, Congo, Cuba, Egypt, Ethiopia, Ghana, Guinea-Bissau, Iraq, Ivory Coast, Jordan, Kenya, Lao People's Democratic Republic, Madagascar, Mali, Pakistan, Sao Tome and Principe, Senegal, Sierra Leone, Syrian Arab Republic,

United Republic of Tanzania, Upper Volta and Viet Nam.

9. At its 20th meeting, on 9 November, the Committee adopted draft resolution A/C.4/32/L.2 by 111 votes to none, with 5 abstentions (see para. 10 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Spain, Sri Lanka, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France, Guatemala, Honduras, United Kingdom of Great Britain and Northern Ireland, United States of America.

Recommendation of the Fourth Committee

10. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 *e* OF THE CHARTER OF THE UNITED NATIONS

The General Assembly,

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special

Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to study the information transmitted to the Secretary-General under Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration,

Recalling also its resolution 31/29 of 29 November 1976, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Having examined the chapter of the report of the Special Committee dealing with the transmittal of information under Article 73 *e* of the Charter (A/32/23/Add.9) and the action taken by the Committee in respect of that information,

Having also examined the report of the Secretary-General on the item (A/32/253),

Deploring that some Member States having responsibilities for the administration of Non-Self-Governing Territories have ceased to transmit information under Article 73 *e* of the Charter,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations;

2. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

3. *Requests* the administering Powers concerned to transmit, or continue to transmit, to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

4. *Requests* the Special Committee to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 28 November 1977, the General Assembly, by 138 votes to none, with 4 abstentions, adopted the draft resolution submitted by the Fourth Committee in its report (A/32/341, para. 10). For the final text, see resolution 32/33.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 90 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/23/Add.9	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (chap. XXXII)	Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 23 (A/32/23/Rev.1)</i> , chap. XXXII
A/32/73	Note verbale dated 20 April 1977 from the Mission of Portugal to the Secretary-General	Mimeographed
A/32/90	Note verbale dated 11 May 1977 from the Mission of Indonesia to the Secretary-General	Ditto
A/32/253	Report of the Secretary-General	Ditto
A/C.4/32/L.2	Draft resolution	For the sponsors and the text, see A/32/341, paras. 8 and 10

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 91:* Question of Namibia:**

- (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
 - (b) Report of the United Nations Council for Namibia;
 - (c) Report of the Secretary-General;
 - (d) Appointment of the United Nations Commissioner for Namibia
-

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A/32/L.5 and Add.1-3	Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Finland, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Morocco, Mozambique, New Zealand, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution	3
A/32/L.6 and Add.1-3	Afghanistan, Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution	4
A/32/L.7 and Add.1-3	Algeria, Angola, Bangladesh, Benin, Bulgaria, Burundi, Chad, Congo, Cuba, Czechoslovakia, Djibouti, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Iraq, Jordan, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Niger, Nigeria, Pakistan, Poland, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution	6
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A/32/L.9/Rev.1 and Add.1 and 2	Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: revised draft resolution	10

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A/32/L.10 and Add.1-3	Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution	11
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 34th and 35th meetings; *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 35th-42nd, 45th, 46th and 57th meetings.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 64), twenty-eighth session (item 70), twenty-ninth session (item 65), thirtieth session (item 87) and thirty-first session (item 85).

DOCUMENT A/32/L.4 AND ADD.1-3*

Afghanistan, Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Finland, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[24 October 1977]

Implementation of the Nationhood Programme for Namibia

The General Assembly,

Recalling its resolution 2145 (XXI) of 27 October 1966, by which it decided to assume direct responsibility for Namibia, as well as resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia to administer the Territory until its independence,

Recalling further its resolution 31/153 of 20 December 1976 by which it decided to establish a comprehensive assistance programme within the United Nations system, covering both the period of struggle for independence and the initial years of independence of Namibia,

* Documents A/32/L.4/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Afghanistan, Bangladesh, Benin, Botswana, Burundi, Chad, the Congo, Djibouti, Egypt, Equatorial Guinea, Guinea-Bissau, Haiti, the Ivory Coast, Jordan, Kenya, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Morocco, Mozambique, Nepal, the Niger, Nigeria, Pakistan, Romania, Senegal, Somalia, the Sudan, Togo, the United Republic of Cameroon and Yemen in document A/32/L.4/Add.1 of 28 October 1977; Colombia, Finland, Iraq, Malaysia, the Philippines, Trinidad and Tobago, the United Republic of Tanzania and the Upper Volta in document A/32/L.4/Add.2 of 3 November 1977; and Lesotho, Maldives, Rwanda and Sao Tome and Principe in document A/32/L.4/Add.3 of 4 November 1977.

Aware of the decisive stage achieved in the struggle of the Namibians for self-determination, freedom and independence under the leadership of the South West Africa People's Organization,

Recognizing that, by assuming direct responsibility for Namibia, the United Nations and its Member States have also assumed the responsibility for assisting the people of Namibia morally and materially,

Recalling its resolution 2679 (XXV) of 9 December 1970, by which it decided to establish the United Nations Fund for Namibia, as well as subsequent resolutions relating to the Fund,

Having examined the report of the United Nations Council for Namibia (A/32/24),

Commending the steps taken by various specialized agencies and other organizations and bodies within the United Nations system to provide assistance to Namibia,

Reaffirming its determination to fulfil its responsibility towards the people and the Territory of Namibia,

1. Approves the report of the United Nations Council for Namibia;

2. Calls upon the United Nations Council for Namibia, as the legal Administering Authority of the Territory, to continue and intensify, in consultation with the South West Africa People's Organization, the direction and co-ordination of the Nationhood Programme for Namibia;

3. *Expresses its appreciation* of the efforts of those specialized agencies and other bodies within the United Nations system which have contributed to the planning of the Nationhood Programme for Namibia;

4. *Calls upon* the specialized agencies and other United Nations bodies to elaborate further their plans for assistance to the Namibian people in order to enable the United Nations Council for Namibia to consolidate all assistance measures in a comprehensive and sustained plan of action, and in particular requests:

(a) The World Health Organization to assist the United Nations Council for Namibia regarding contingency medical plans for Namibia;

(b) The International Labour Organisation, in consultation with the United Nations Council for Namibia and the South West Africa People's Organization, to prepare a programme for the training of Namibians;

(c) The Inter-Governmental Maritime Consultative Organization to assist the United Nations Council for Namibia in enacting a decree on navigation in Namibian waters which would further the cause of the liberation struggle of the Namibian people led by the South West Africa People's Organization and to prepare training programmes in maritime skills for the benefit of suitable Namibian candidates;

(d) The Food and Agriculture Organization of the United Nations to assist the United Nations Council for Namibia in the preparation of legislation on the protection of Namibia's fishery resources;

(e) The International Atomic Energy Agency to take urgent measures to ensure that South Africa does not in any way represent Namibia in the Agency and to assist the United Nations Council for Namibia in the hearings, in 1978, on the question of the exploitation and commercialization of Namibian uranium;

(f) The United Nations Industrial Development Organization to co-operate with the United Nations Council for Namibia in the preparation of an industrial development assistance programme for Namibia;

(g) The United Nations Educational, Scientific and Cultural Organization to intensify its assistance to the United Nations Council for Namibia in the preparation and implementation of the Nationhood Programme for Namibia;

5. *Requests* the Secretary-General to provide the necessary assistance to the United Nations Council for Namibia for the effective planning and implementation of the Nationhood Programme for Namibia;

6. *Requests* the United Nations Council for Namibia to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

DOCUMENT A/32/L.5 AND ADD.1-3*

Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Finland, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Morocco, Mozambique, New Zealand, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[24 October 1977]

United Nations Fund for Namibia

The General Assembly,

Recalling its resolution 2145 (XXI) of 27 October 1966, by which the United Nations decided to terminate the Mandate of South Africa over Namibia and assume direct responsibility for the Territory until its independence, and its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia,

Recalling further its resolution 3112 (XXVIII) of 12 December 1973, by which it appointed the United

Nations Council for Namibia trustee of the United Nations Fund for Namibia,

Reaffirming its determination to continue to discharge its responsibility with regard to the Territory in accordance with resolution 2248 (S-V) and subsequent resolutions of the General Assembly and the Security Council,

Mindful that, by assuming direct responsibility for Namibia, the United Nations accepted a solemn obligation to grant all possible support to the Namibian people in their struggle for self-determination, freedom and national independence in a united Namibia,

Convinced of the need to grant all possible material assistance to Namibians and their dependants who are victims of South Africa's repressive and discriminatory policies,

Having examined the report of the United Nations Council for Namibia on the United Nations Fund for Namibia (A/32/24, annex XIII),

1. *Takes note* of the report of the United Nations Council for Namibia on the United Nations Fund for Namibia and approves the conclusions and recommendations contained therein (*ibid.*, paras. 46-55);

* Documents A/32/L.5/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Bangladesh, Benin, Botswana, Burundi, Chad, the Congo, Djibouti, Egypt, Equatorial Guinea, Guinea-Bissau, Haiti, the Ivory Coast, Jordan, Kenya, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Morocco, Mozambique, the Niger, Nigeria, Pakistan, Romania, Senegal, Somalia, the Sudan, Togo, the United Republic of Cameroon and Yemen in document A/32/L.5/Add.1 of 28 October 1977; Colombia, Finland, Iraq, Malaysia, New Zealand, the Philippines, Trinidad and Tobago, the United Republic of Tanzania and the Upper Volta in document A/32/L.5/Add.2 of 3 November 1977; and Lesotho, Maldives, Rwanda and Sao Tome and Principe in document A/32/L.5/Add.3 of 4 November 1977.

2. *Expresses its appreciation* to all States, the specialized agencies and other organizations within the United Nations system, governmental and non-governmental organizations and individuals that have made voluntary contributions to the United Nations Fund for Namibia;

3. *Decides* that the utilization of resources of the United Nations Fund for Namibia should be considered also in the context of the implementation of the Nationhood Programme for Namibia;

4. *Decides* to allocate as a temporary measure to the United Nations Fund for Namibia the sum of \$US 500,000 from the regular budget of the United Nations for 1978;

5. *Requests* the Secretary-General and the United Nations Council for Namibia to intensify appeals to Governments, intergovernmental and non-governmental organizations and private individuals for generous voluntary contributions to the United Nations Fund for Namibia;

6. *Invites* Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;

7. *Appeals* to all States, the specialized agencies and other organizations within the United Nations system, as well as to governmental and non-governmental organizations, to make financial contributions to the United Nations Institute for Namibia through the United Nations Fund for Namibia;

8. *Expresses its appreciation* to the specialized agencies and other organizations within the United

Nations system for their assistance to Namibians and requests them, in consultation with the United Nations Council for Namibia, to give priority to the allocation of funds for material assistance to the Namibian people;

9. *Requests* all specialized agencies and other organizations within the United Nations system—in particular the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Bank, the International Monetary Fund, the Inter-Governmental Maritime Consultative Organization, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the United Nations Development Programme, the United Nations High Commissioner for Refugees and the United Nations Institute for Training and Research—to provide such assistance as is within their competence, including financial assistance, to the United Nations Institute for Namibia as well as to provide specialists, lecturers and researchers in accordance with the needs of the Institute;

10. *Expresses its appreciation* of the efforts of the United Nations High Commissioner for Refugees to assist Namibian refugees;

11. *Decides* that Namibians shall continue to be eligible for assistance through the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa;

12. *Requests* the United Nations Council for Namibia to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

DOCUMENT A/32/L.6 AND ADD.1-3*

Afghanistan, Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[24 October 1977]

Dissemination of information on Namibia *The General Assembly,*

Having examined the report of the United Nations Council for Namibia (A/32/24) and the relevant

* Documents A/32/L.6/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Afghanistan, Bangladesh, Benin, Botswana, Burundi, Chad, the Congo, Djibouti, Egypt, Equatorial Guinea, Guinea-Bissau, Haiti, the Ivory Coast, Jordan, Kenya, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Mexico, Morocco, Mozambique, Nepal, the Niger, Nigeria, Pakistan, Romania, Senegal, Somalia, the Sudan, Togo, the United Republic of Cameroon and Yemen in document A/32/L.6/Add.1 of 28 October 1977; Colombia, Iraq, Malaysia, the Philippines, Trinidad and Tobago, the United Republic of Tanzania and the Upper Volta in document A/32/L.6/Add.2 of 3 November 1977; and Maldives, Rwanda and Sao Tome and Principe in document A/32/L.6/Add.3 of 4 November 1977.

chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/32/23/Rev.1, chaps. I, II, VI and VIII),

Recalling its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967, as well as subsequent resolutions of the General Assembly and the Security Council relating to the question of Namibia,

Stressing the urgent need to arouse world public opinion on a continuous basis with a view to assisting effectively the people of Namibia to achieve self-determination, freedom and independence in a united Namibia and, in particular, to intensify the widespread and continuous dissemination of information on the

struggle for liberation being waged by the people of Namibia, guided by their liberation movement, the South West Africa People's Organization,

Reiterating the importance of publicity as an instrument for furthering the mandate given by the General Assembly to the United Nations Council for Namibia, and mindful of the pressing need for the Office of Public Information of the Secretariat to intensify its efforts to acquaint world public opinion with all aspects of the question of Namibia,

1. *Approves* the report of the United Nations Council for Namibia;

2. *Decides* that the United Nations map of Namibia prepared by the United Nations Council for Namibia pursuant to General Assembly resolution 31/150 of 20 December 1976 is the official United Nations map of Namibia and supersedes any other map on Namibia or "South West Africa" hitherto prepared and published by South Africa;

3. *Requests* the Secretary-General to direct the Office of Public Information of the Secretariat to continue to make every effort to generate publicity and disseminate information with a view to mobilizing public support for the independence of Namibia;

4. *Requests* all specialized agencies and other organizations of the United Nations system to intensify the dissemination of information on Namibia in consultation with the United Nations Council for Namibia;

5. *Requests* the United Nations Council for Namibia to send a mission to the headquarters of specialized agencies not visited in 1977 to discuss the question of dissemination of information and assistance to Namibians;

6. *Requests* the Secretary-General to direct the Office of Public Information, in consultation with the United Nations Council for Namibia:

(a) To continue publicity through radio, newspaper, television and other media in major Western countries in order to mobilize support in those countries for the genuine national independence of Namibia;

(b) To contract with qualified individuals to make films on the contemporary situation in Namibia, in-

cluding the military build-up of South Africa in that Territory;

7. *Requests* the speedy completion of the action undertaken by the Secretary-General of the United Nations in accordance with General Assembly resolution 3399 (XXX) of 26 November 1975, on the question of a United Nations radio transmitter for Namibia;

8. *Requests* the International Telecommunication Union to assign to the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, an adequate number of frequencies to be used for broadcasting inside Namibia;

9. *Authorizes* the United Nations Council for Namibia, pending the establishment of its own broadcasting service, to assign to the Governments of neighbouring African countries, for use inside Namibia, frequencies allocated to the Council by the International Telecommunication Union;

10. *Requests* the International Telecommunication Union, in consultation with the United Nations Council for Namibia, to investigate the jamming by South Africa of radio broadcasts inside Namibia with a view to instituting legal proceedings against South Africa before the International Frequency Registration Board;

11. *Requests* the Secretary-General to direct the Office of Public Information of the Secretariat to distribute widely, with particular attention to television stations, the new film on Namibia made by the Office of Public Information in 1977;

12. *Requests* the Secretary-General to assist the United Nations Council for Namibia in the dissemination of information related to the activities undertaken by the Council;

13. *Requests* the Secretary-General to direct the Office of Public Information of the Secretariat to prepare a programme of publications on military, political, economic and social conditions in Namibia, including in such publications ample photographic material;

14. *Requests* the United Nations Council for Namibia to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

DOCUMENT A/32/L.7 AND ADD.1-3*

Algeria, Angola, Bangladesh, Benin, Bulgaria, Burundi, Chad, Congo, Cuba, Czechoslovakia, Djibouti, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Iraq, Jordan, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Niger, Nigeria, Pakistan, Poland, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[24 October 1977]

Situation in Namibia resulting from the illegal occupation of the Territory by South Africa

The General Assembly,

Having examined the report of the United Nations Council for Namibia (A/32/24) and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/32/23/Rev.1, chaps. I, II, IV, V and VIII),

Having heard the statement of the President of the South West Africa People's Organization (35th plenary meeting, paras. 55-83),

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of the General Assembly and the Security Council relating to the question of Namibia, as well as the advisory opinion of the International Court of Justice of 21 June 1971,¹ delivered in response to the request addressed to it by the Council in its resolution 284 (1970) of 29 July 1970,

Taking into consideration the relevant resolutions adopted by the Council of Ministers of the Organization of African Unity at its twenty-ninth ordinary session, and subsequently endorsed by the Assembly of Heads of State and Government of the Organization of African Unity at its fourteenth ordinary session, held at Libreville from 2 to 5 July 1977,

Reaffirming that the Territory and people of Namibia are the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence within a united Namibia,

Strongly condemning South Africa's continued refusal to comply with the resolutions and decisions of

* Documents A/32/L.7/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Bangladesh, Benin, Bulgaria, Burundi, Chad, the Congo, Czechoslovakia, Djibouti, Egypt, Equatorial Guinea, Guinea-Bissau, Haiti, Jordan, Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Mexico, Mongolia, Mozambique, Nepal, the Niger, Nigeria, Pakistan, Poland, Romania, Senegal, Somalia, the Sudan, Togo, the United Republic of Cameroon and Yemen in document A/32/L.7/Add.1 of 28 October 1977; the German Democratic Republic, Iraq, the United Republic of Tanzania and the Upper Volta in document A/32/L.7/Add.2 of 3 November 1977; and Maldives, Rwanda and Sao Tome and Principe in document A/32/L.7/Add.3 of 4 November 1977.

¹ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, I.C.J. Reports 1971, p. 16.

the United Nations, its continued illegal occupation of Namibia, its brutal repression of the Namibian people and its persistent violation of their human rights, as well as its efforts to destroy the national unity and territorial integrity of Namibia,

Strongly condemning, as an act of colonial expansion, the decision of South Africa to annex Walvis Bay, thereby undermining the territorial integrity of Namibia,

Strongly deploring the policies of those States which, despite the relevant decisions of the United Nations and the advisory opinion of the International Court of Justice of 21 June 1971, continue to maintain diplomatic, economic, consular and other relations with South Africa, purporting to act on behalf of or concerning Namibia, as well as military or strategic collaboration, all of which has the effect of supporting or encouraging South Africa in its defiance of the United Nations,

Strongly condemning the racist régime of South Africa for its efforts to develop a nuclear capability for military and aggressive purposes,

Gravely concerned at the militarization of Namibia by the illegal occupation régime of South Africa, its threats and acts of aggression against independent African countries and the forceful removal of Namibians from the northern border of the Territory for military purposes,

Recognizing that the situation in Namibia constitutes a threat to international peace and security,

Declaring that the natural resources of Namibia are the birthright of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the repressive racist colonial administration, in violation of the Charter of the United Nations, of the pertinent resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia enacted by the United Nations Council for Namibia on 27 September 1974,² is illegal and contributes to the maintenance of the illegal occupation régime,

Noting with satisfaction the opposition of the Namibian people to South Africa's illegal presence in the Territory and to its oppressive racist policies and, in particular, the progress of their struggle in all its forms for national liberation under the leadership of the South West Africa People's Organization,

Strongly supporting the efforts of the United Nations Council for Namibia in the discharge of the responsi-

² *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24A (A/9624/Add.1)*, para. 84. The Decree has been issued in final form in *Namibia Gazette No. 1*.

bilities entrusted to it by the relevant resolutions of the General Assembly,

1. *Approves* the report of the United Nations Council for Namibia;

2. *Reaffirms* the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and as declared in resolutions 1514 (XV) and 2145 (XXI) as well as subsequent resolutions of the General Assembly and the Security Council relating to Namibia, and the legitimacy of their struggle by all means at their disposal against the illegal occupation of their Territory by South Africa;

3. *Reiterates* that the continued illegal occupation of Namibia by South Africa constitutes an act of aggression against the Namibian people as well as against the United Nations as the legal Administering Authority of the Territory until independence;

4. *Requests* all Member States to co-operate fully with the United Nations Council for Namibia, the sole legal authority for the Territory until independence, in discharging the mandate entrusted to it under the terms and provisions of General Assembly resolution 2248 (S-V) and subsequent resolutions of the Assembly and the Security Council;

5. *Reiterates* that the illegal occupation of Namibia by South Africa and the war of repression waged there, as well as the acts of aggression against neighbouring independent African States from bases in Namibia, constitute a serious threat to international peace and security;

6. *Declares* that the decision of South Africa to annex Walvis Bay is an act of colonial expansion in violation of the purposes and principles of the Charter of the United Nations and of General Assembly resolution 1514 (XV) and that such annexation is illegal, null and void;

7. *Declares* that Walvis Bay is an integral part of Namibia with which it is inextricably linked by geographical, historical, economic, cultural and ethnic bonds;

8. *Categorically condemns* South Africa for the decision to annex Walvis Bay, thereby attempting to undermine the territorial integrity and unity of Namibia;

9. *Declares* that, in order that the people of Namibia shall be enabled freely to determine their own future, it is imperative that all South African armed forces be completely withdrawn so that free elections under the supervision and control of the United Nations may be held urgently in the whole of Namibia as one political entity;

10. *Reiterates* that the national liberation movement of Namibia, the South West Africa People's Organization, is the sole and authentic representative of the Namibian people;

11. *Supports* the armed struggle of the Namibian people, led by the South West Africa People's Organization, to achieve self-determination, freedom and national independence in a united Namibia;

12. *Decides* that any independence talks regarding Namibia must be between the representatives of the South West Africa People's Organization and South Africa, under the auspices of the United Nations, for

the sole purpose of discussing the modalities for the transfer of power to the people of Namibia;

13. *Appeals* to all Member States to grant all necessary support and assistance to the South West Africa People's Organization in its struggle to achieve self-determination, freedom and national independence in a united Namibia;

14. *Strongly condemns* South Africa for its persistent refusal to withdraw from Namibia and for its manoeuvres to consolidate its illegal occupation of the Territory in violation of all pertinent resolutions of the General Assembly and the Security Council;

15. *Strongly condemns* South Africa for its persistent refusal to comply with the pertinent resolutions of the Security Council, in particular resolution 385 (1976) of 30 January 1976;

16. *Strongly condemns* the illegal South African administration for its massive repression of the people of Namibia and their liberation movement with the intention of establishing, among other things, an atmosphere of intimidation and terror for the purpose of imposing upon the Namibian people a political arrangement aimed at subverting the territorial integrity and unity of Namibia and perpetuating a ruthless policy of racial segregation;

17. *Strongly condemns* South Africa for its military build-up in Namibia, its recruitment and training of Namibians and other agents to carry out its policy of military adventurism against Angola, its threats and acts of aggression against all independent African countries and the forceful removal of Namibians from the northern border of the Territory for military purposes;

18. *Demands* the immediate and unconditional withdrawal of all South African military and paramilitary forces from Namibia;

19. *Condemns* the racist régime of South Africa for its current preparations, which have brought it, with the co-operation of certain Western countries, to the threshold of exploding a nuclear device for military and aggressive purposes in the Kalahari Desert region;

20. *Declares* that, in view of South Africa's consistent defiance of the United Nations, its illegal occupation of the Territory of Namibia, its persistent policy of aggression against independent African countries, its present policy of colonial expansionism and its policy of *apartheid*, any development of nuclear weapons by South Africa constitutes a serious threat to international peace and security;

21. *Condemns* those Western States which have assisted South Africa in developing a nuclear weapons capability and urges again all Member States, individually and/or collectively, to frustrate the attempts by South Africa to develop nuclear weapons;

22. *Strongly condemns* the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa which are exploiting illegally the human and natural resources of the Territory, and demands that transnational corporations comply with all pertinent resolutions of the United Nations by immediately abstaining from any new investments in Namibia, by withdrawing from the Territory and generally by putting an end to their co-operation with the illegal South African administration in Namibia;

23. *Declares* that South Africa is liable to pay reparations to Namibia for the damage caused by its illegal occupation of Namibia and its acts of aggression against the Namibian people since the termination of the Mandate of South Africa over Namibia in accordance with General Assembly resolution 2145 (XXI);

24. *Demands* that South Africa put an end to extending *apartheid* in Namibia and to its policy of "bantustanization" of the Territory, aimed at destroying the national unity and territorial integrity of Namibia;

25. *Demands* that South Africa release all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under the so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa;

26. *Demands* that South Africa accord unconditionally to all Namibians currently in exile for political reasons full facilities for their return to their country without risk of arrest, detention, intimidation or imprisonment;

27. *Calls upon* the international community, especially all Member States, to refrain from according any recognition to, or co-operation with, any régime which the illegal South African administration may impose upon the Namibian people in disregard of the provisions of Security Council resolution 385 (1976);

28. *Requests* all States to cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa;

29. *Requests* all States to take effective measures to prevent the recruitment of mercenaries for service in Namibia or South Africa;

30. *Requests once again* all States to take steps to ensure the termination of all arms licensing agreements with South Africa and to prohibit the transfer to South Africa of all information relating to arms and armaments;

31. *Requests* all States to cease and prevent forthwith:

(a) Any supply of arms and ammunition to South Africa;

(b) Any supply of aircraft, vehicles or military equipment for the use of the armed forces and paramilitary or police organizations of South Africa;

(c) Any supply of spare parts for arms, vehicles or military equipment used by the armed forces and paramilitary or police organizations of South Africa;

(d) Any supply of so-called dual-use aircraft, vehicles or equipment which could be converted to military use by South Africa;

(e) Any supply of oil and petroleum products or any other fuel to South Africa;

(f) Any activities in their countries which promote or are calculated to promote the supply of arms, ammunition, military aircraft or military vehicles to South Africa and the supply of equipment or materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia;

(g) Any co-operation or activities by public or private corporations in conjunction with South Africa in the development, directly or indirectly, of nuclear technology, including the development of a nuclear capability by the racist régime in South Africa;

32. *Urges* the Security Council to take up again the question of Namibia, which is still on its agenda, and to consider the application of sanctions against South Africa in accordance with Chapter VII of the Charter;

33. *Endorses* the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia (A/32/109/Rev.1-S/12344/Rev.1, annex V), adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, and commends to Member States the Programme of Action for their consideration and action;

34. *Requests* the United Nations Council for Namibia to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

DOCUMENT A/32/L.8 AND ADD.1-3*

Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Finland, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Iraq, Ivory Coast, Jordan, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mauritius, Morocco, Mozambique, New Zealand, Niger, Nigeria, Pakistan, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[24 October 1977]

Action by intergovernmental and non-governmental organizations with respect to Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia (A/32/24) and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/32/23/Rev.1, chaps. I, II, VI and VIII),

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia with the responsibility of administering Namibia until independence,

Recalling further the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and the programme of action for the full implementation of the Declaration, contained in its resolution 2621 (XXV) of 12 October 1970, as well as all other relevant resolutions of the General Assembly and the Security Council,

Taking into account the statement of the representative of the South West Africa People's Organization (35th plenary meeting, paras. 55-83) and conscious of the urgent and pressing need of Namibians outside Namibia for concrete assistance from the specialized agencies and other institutions within the United Nations system,

Reaffirming the responsibility of the specialized agencies and other organizations within the United

* Documents A/32/L.8/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Bangladesh, Benin, Botswana, Burundi, Chad, the Congo, Djibouti, Egypt, Equatorial Guinea, Guinea-Bissau, Haiti, the Ivory Coast, Jordan, Kenya, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Morocco, Mozambique, the Niger, Nigeria, Pakistan, Romania, Senegal, Somalia, the Sudan, Togo, the United Republic of Cameroon and Yemen in document A/32/L.8/Add.1 of 28 October 1977; Colombia, Finland, Iraq, New Zealand, Trinidad and Tobago, the United Republic of Tanzania and the Upper Volta in document A/32/L.8/Add.2 of 3 November 1977; and Maldives, Rwanda and Sao Tome and Principe in document A/32/L.8/Add.3 of 4 November 1977.

Nations system to take all effective measures, within their respective spheres of competence, to ensure the full and speedy implementation of the Declaration and other relevant resolutions of the United Nations, particularly in the provision of moral and material assistance, on a priority basis, to the peoples of colonial Territories and their national liberation movements,

1. *Requests* the specialized agencies and other organizations and bodies within the United Nations system to participate, in co-operation with the United Nations Council for Namibia, in the planning and implementation of the Nationhood Programme for Namibia;

2. *Requests* the United Nations Development Programme to consider the requirements of the Nationhood Programme for Namibia in the revisions of the indicative planning figure for Namibia and requests it to continue to co-operate with the United Nations Council for Namibia in the elaboration of programmes of assistance to Namibians;

3. *Requests* all specialized agencies and other organizations and conferences within the United Nations system to grant full membership to the United Nations Council for Namibia so that it may participate in that capacity as the legal Administering Authority for Namibia in the work of those agencies, organizations and conferences;

4. *Requests* the specialized agencies and other organizations within the United Nations system to grant a waiver of the assessment of Namibia during the period in which Namibia is represented by the United Nations Council for Namibia;

5. *Requests* all intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia are protected and to invite the United Nations Council for Namibia to participate, in its capacity as the legal Administering Authority for Namibia, whenever such rights and interests are involved;

6. *Requests* the United Nations Council for Namibia to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

DOCUMENT A/32/L.9/REV.1 AND ADD.1* AND 2**

Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: revised draft resolution

[Original: English]
[31 October 1977]

Programme of work of the United Nations Council for Namibia

The General Assembly,

Having considered the question of Namibia,

Having examined the report of the United Nations Council for Namibia (A/32/24) and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/32/23/Rev.1, chaps. I, II, IV-VI and VIII),

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority of Namibia until independence,

Reaffirming that the Territory and people of Namibia are the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence within a united Namibia,

Reaffirming that, in the discharge of its responsibilities entrusted to it by resolution 2248 (S-V) and subsequent resolutions of the General Assembly and the Security Council relating to Namibia, the United Nations Council for Namibia acts as the legal Administering Authority for Namibia until independence,

Noting with appreciation the efforts of the United Nations Council for Namibia to obtain the withdrawal of the illegal presence of South Africa from the Territory and to promote the compliance of Member States with the resolutions of the General Assembly and the Security Council,

1. *Approves* the report of the United Nations Council for Namibia, including the recommendations contained therein, and decides to make adequate financial provisions for their implementation;

2. *Requests* the United Nations Council for Namibia, in the implementation of its responsibilities as an organ of the United Nations:

(a) To continue to mobilize international political support in order to press for the withdrawal of the illegal administration of South Africa from Namibia in accordance with United Nations resolutions on Namibia;

(b) To maintain under continuous review the political, military, economic and social conditions affecting

* Document A/32/L.9/Rev.1/Add.1 of 3 November 1977 was issued to add Iraq, Malaysia and Trinidad and Tobago to the list of sponsors of the draft resolution.

** Document A/32/L.9/Rev.1/Add.2 of 4 November 1977 was issued to add Lesotho, Maldives, Mauritania, Rwanda and Sao Tome and Principe to the list of sponsors of the draft resolution.

the struggle of the Namibian people for self-determination, freedom and national independence in a united Namibia, and, to that effect, request the Secretary-General to submit to the Council reports in the above-mentioned fields to contribute to the formulation of policies and recommendations by the Council in support of Namibian independence;

(c) To represent Namibia to ensure that the rights and interests of Namibia are protected, as appropriate, in all intergovernmental and non-governmental organizations, bodies and conferences;

(d) To formulate policies of assistance to Namibians and co-ordinate aid for Namibia provided by United Nations agencies and other bodies within the United Nations system;

(e) To act as trustee of the United Nations Fund for Namibia and in this capacity administer and manage the Fund;

(f) To function as the policy-making organ of the United Nations in respect to Namibia;

3. *Requests* the United Nations Council for Namibia, in the implementation of its responsibilities as the legal Administering Authority for Namibia:

(a) To hold a series of plenary meetings in Africa in 1978 at the highest possible level, as and when required for the further proper discharge of its functions, and requests the Secretary-General to defray the cost of these meetings in Africa and provide the necessary staff and services for them;

(b) To denounce all fraudulent constitutional schemes through which South Africa may attempt to perpetuate the colonial oppression and exploitation of the people and resources of Namibia;

(c) To endeavour to ensure non-recognition of any administration installed in Windhoek not issuing from free elections in all of Namibia, under the supervision and control of the United Nations, in accordance with Security Council resolution 385 (1976) of 30 January 1976;

(d) To protect the territorial integrity of Namibia, in particular by carrying out all possible activities denouncing the attempts of South Africa to annex Walvis Bay;

(e) To counter the acts of aggression of South Africa against the people of Namibia and against the United Nations and the legal Administering Authority, the United Nations Council for Namibia;

(f) To consult with the South West Africa People's Organization, as appropriate, in the formulation and implementation of its programme of work as well as in any matter of interest to the Namibian people;

(g) To continue to entrust such executive and administrative duties as it deems necessary to the United Nations Commissioner for Namibia, who in the performance of his tasks, shall report to the Council;

4. *Decides* to increase the financial provisions in the budget of the United Nations Council for Namibia to finance the Office of the South West Africa People's Organization in New York, in order to ensure the due and proper representation of the people of Namibia through the South West People's Organization at the United Nations;

5. *Decides* to continue to defray the expenses of a representative of the South West Africa People's Organization, whenever the United Nations Council for Namibia so requires;

6. *Requests* the Secretary-General to implement speedily the measures adopted as a result of the consultations proposed in resolution 31/147 of 20 December 1976 with due regard to the need to include an adequate number of staff members from developing countries, in particular from Africa.

DOCUMENT A/32/L.10 AND ADD.1-3*

Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[24 October 1977]

Intensification and co-ordination of United Nations action in support of Namibia

The General Assembly,

Having considered the question of Namibia,

Having examined the report of the United Nations Council for Namibia (A/32/24) and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/32/23/Rev.1, chaps. I, II, IV-VI, and VIII),

Recalling its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967, as well as subsequent resolutions of the General Assembly relating to Namibia,

Affirming that the natural resources of Namibia are the birthright of the Namibian people and that the depletion of those resources by foreign economic interests under the protection of the repressive illegal administration of South Africa is in violation of the principles of the Charter of the United Nations and of the relevant resolutions of the General Assembly and the Security Council,

Strongly deploring the policies of those States which, despite the relevant decisions of the United Nations and the advisory opinion of the International Court of Jus-

tice of 21 June 1971,³ continue to maintain diplomatic, economic, consular and other relations with South Africa, purporting to act on behalf of or concerning Namibia, as well as military or strategic collaboration, all of which has the effect of supporting or encouraging South Africa in its defiance of the United Nations,

Strongly condemning the support which the illegal South African administration continues to receive from those foreign economic, financial and other interests which are collaborating with it in its exploitation of the human and natural resources of, and in the further entrenchment of its illegal and racist domination over, the international Territory of Namibia,

1. *Approves* the report of the United Nations Council for Namibia;

2. *Calls upon* those States which have not yet done so to comply with the relevant provisions of the resolutions of the General Assembly and the Security Council concerning Namibia and the advisory opinion of the International Court of Justice of 21 June 1971;

3. *Urges* those States which have not yet done so to break off economic relations with South Africa that concern Namibia and to take measures with a view to compelling the Government of South Africa to withdraw immediately from Namibia in accordance with General Assembly resolutions 2145 (XXI) and 2248 (S-V), as well as subsequent resolutions of the Assembly and the Security Council relating to Namibia;

4. *Appeals* to Governments to discourage private investors from their countries from participating in business ventures in Namibia which benefit the South African régime by making available additional resources to meet the military costs of its repressive policies in Namibia;

* Documents A/32/L.10/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Bangladesh, Benin, Botswana, Burundi, Chad, the Congo, Djibouti, Egypt, Equatorial Guinea, Guinea-Bissau, Haiti, the Ivory Coast, Jordan, Kenya, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Mexico, Morocco, Mozambique, Nepal, the Niger, Nigeria, Pakistan, Romania, Senegal, Somalia, the Sudan, Togo, the United Republic of Cameroon and Yemen in document A/32/L.10/Add.1 of 28 October 1977; Iraq, Malaysia, the Philippines, Trinidad and Tobago, the United Republic of Tanzania and the Upper Volta in document A/32/L.10/Add.2 of 3 November 1977; and Lesotho, Maldives, Rwanda and Sao Tome and Principe in document A/32/L.10/Add.3 of 4 November 1977.

³ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

5. *Requests* the United Nations Council for Namibia to communicate with corporations supplying arms, ammunition and oil to South Africa and to urge them to cease doing so;

6. *Requests once again* all Member States to take all appropriate measures to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974,⁴ and such other measures as may be necessary to assist in the protection of the natural resources of Namibia;

7. *Requests* the Secretary-General to make adequate financial appropriations to facilitate the continued implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia during the biennium 1978-1979;

⁴ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24A (A/9624/Add.1)*, para. 84. The Decree has been issued in final form in *Namibia Gazette No. 1*.

8. *Takes note* of the progress report of the United Nations Council for Namibia on the hearings regarding the exploitation and purchase of Namibian uranium (A/32/24, paras. 128-133) and authorizes the necessary budgetary allocations for its full implementation during 1978;

9. *Authorizes* the United Nations Council for Namibia to notify the Governments of States whose corporations, whether public or private, operate in Namibia of the illegality of such operations and of the position of the Council in this regard;

10. *Authorizes* the United Nations Council for Namibia to contact administering and managing bodies of foreign corporations operating in Namibia to warn them of the illegal basis on which they are operating in Namibia and of the position of the Council in this regard;

11. *Requests* the United Nations Council for Namibia to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

DOCUMENT A/32/L.11 AND ADD.1-3*

Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Maldives, Malaysia, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[24 October 1977]

Special session of the General Assembly on the question of Namibia

The General Assembly,

Taking into consideration its resolutions 1514 (XV) of 14 December 1960, 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967, as well as all other resolutions of the General Assembly on the question of Namibia,

Recalling the resolutions of the Security Council on the question of Namibia, in particular resolution 385 (1976) of 30 January 1976,

* Documents A/32/L.11/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Bangladesh, Benin, Botswana, Burundi, Chad, the Congo, Djibouti, Egypt, Equatorial Guinea, Guinea-Bissau, Haiti, Jordan, Kenya, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Mexico, Morocco, Mozambique, Nepal, the Niger, Nigeria, Pakistan, Romania, Senegal, Somalia, the Sudan, Togo, the United Republic of Cameroon and Yemen in document A/32/L.11/Add.1 of 28 October 1977; Iraq, Malaysia, the Philippines, the United Republic of Tanzania and the Upper Volta in document A/32/L.11/Add.2 of 3 November 1977; and Maldives, Rwanda and Sao Tome and Principe in document A/32/L.11/Add.3 of 4 November 1977.

Having heard the statement of the President of the South West Africa People's Organization (35th plenary meeting, paras. 55-83),

Strongly condemning the illegal South African administration in Namibia for its massive repression of the Namibian people and their liberation movement with the intention of establishing, among other things, an atmosphere of intimidation and terror, with the purpose of imposing upon the Namibian people a political arrangement in violation of Security Council resolution 385 (1976),

Strongly condemning South Africa for its persistent refusal to withdraw from Namibia and for its manoeuvres to consolidate its illegal occupation of the Territory in violation of all pertinent resolutions of the General Assembly and the Security Council,

Decides to keep the situation under continuous review and to hold a special session before the thirty-third session on a date to be determined by the Secretary-General in consultation with the United Nations Council for Namibia.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 57th plenary meeting, on 4 November 1977, the General Assembly adopted the following draft resolutions: draft resolution A/32/L.4 and Add.1-3 (for the final text, see resolution 32/9 A⁵); draft resolution A/32/L.5 and Add.1-3

(*idem*, see resolution 32/9 B⁵); by a recorded vote of 135 to none, with 5 abstentions, draft resolution A/32/L.6 and Add.1-3 (*idem*, resolution 32/9 C⁵); by a recorded vote of 117 to none, with 24 abstentions, draft resolution A/32/L.7 and Add.1-3 (*idem*, resolution 32/9 D⁵); by a recorded vote of 136 to none, with 4 abstentions, draft resolution A/32/L.8 and Add.1-3 (*idem*, resolution 32/9 E⁵); by a recorded vote of 136 to none, with 5 abstentions, draft resolution A/32/L.9/Rev.1 and Add.1 and 2 (*idem*, resolution 32/9 F⁵); by a recorded vote of 130 to none, with 11 abstentions, draft resolution A/32/L.10 and Add.1-3 (*idem*, resolution 32/9 G⁵); and, by a recorded vote of 135 to none, with 6 abstentions, draft resolution A/32/L.11 and Add.1-3 (*idem*, resolution 32/9 H⁵).

At the same meeting, the General Assembly, on the proposal of the Secretary-General, decided to extend the appointment of Mr. Martti Ahtisaari as United Nations Commissioner for Namibia for a further one-year term beginning on 1 January 1978 (decision 32/307⁵).

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 91 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/23/Rev.1	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 23</i>
A/32/24	Report of the United Nations Council for Namibia	<i>Ibid.</i> , Supplement No. 24
A/32/109-S/12344	Letter dated 6 June 1977 from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Acting President of the United Nations Council for Namibia, transmitting the text of the report of the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977	Replaced by A/32/109/Rev.1-S/12344/Rev.1
A/32/109/Rev.1-S/12344/Rev.1	<i>Idem</i>	See <i>Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977</i>
A/32/212-S/12397	Letter dated 9 September 1977 from the Acting President of the United Nations Council for Namibia to the Secretary-General	<i>Ibid.</i>
A/32/213-S/12398	<i>Idem</i>	<i>Ibid.</i>
A/32/259	Letter dated 5 October 1977 from the representative of the Union of Soviet Socialist Republics to the Secretary-General	Mimeographed
A/32/266-S/12412	Letter dated 5 October 1977 from the representative of Sri Lanka to the Secretary-General	See <i>Official Records of the Security Council, Thirty-second Year, Supplement for October, November and December 1977</i>
A/32/281	Report of the Secretary-General	Mimeographed
A/32/289-S/12422	Letter dated 21 October 1977 from the representative of Sri Lanka to the Secretary-General	See <i>Official Records of the Security Council, Thirty-second Year, Supplement for October, November and December 1977</i>
A/32/321	Appointment of the United Nations Commissioner for Namibia: note by the Secretary-General	Mimeographed
A/32/L.9 and Add.1	Algeria, Angola, Bangladesh, Benin, Botswana, Burundi, Chad, Congo, Cuba, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Jordan, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Republic of Cameroon, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: draft resolution	Replaced by A/32/L.9/Rev.1 and Add.1 and 2

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
<i>Administrative and financial implications of draft resolutions A/32/L.4-9, A/32/L.9/Rev.1 and A/32/L.10 and 11</i>		
A/32/8/Add.4	Report of the Advisory Committee on Administrative and Budgetary Questions	See <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 8A</i>
A/32/322	Report of the Fifth Committee	<i>Ibid.</i> , <i>Thirty-second Session, Annexes</i> , agenda item 100

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 92:* Question of Southern Rhodesia:** report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

CONTENTS

Document No.	Title	Page
A/32/461	Report of the Fourth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fourth Committee, 25th and 27th to 35th meetings*; *ibid., Fourth Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings, 104th meeting*. See also the annex fascicles for agenda items 24, 90, 94, 95 and 12, 96 and 97.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 66), twenty-eighth session (item 72), twenty-ninth session (item 67), thirtieth session (item 89) and thirty-first session (item 86).

DOCUMENT A/32/461

Report of the Fourth Committee

[Original: English]
[15 December 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-second session and to allocate to the Fourth Committee the item entitled:

“Question of Southern Rhodesia: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples”.

2. The Fourth Committee considered the item at its 25th and 27th to 35th meetings, between 15 November and 12 December 1977.

3. At the 27th meeting, on 30 November, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced chapter VII of the report of that Committee (A/32/23/Add.1), relating to the item.

4. The Fourth Committee also had before it the following communications addressed to the Secretary-General:

(a) Letter dated 15 March 1977 from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt, transmitting the documents of the First Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States (A/32/61);

(b) Letter dated 22 March 1977 from the Chargé d'affaires a.i. of the Permanent Mission of Ghana to the United Nations (A/32/63-S/12305);

(c) Letters dated 28 January, 20 May, 3 June and 5 October 1977 from the Permanent Representative of Sri Lanka to the United Nations (A/32/57, A/32/92, A/32/98-S/12340 and A/32/266-S/12412);

(d) Letter dated 14 June 1977 from the Chargé d'affaires a.i. of the Permanent Mission of Mongolia to the United Nations (A/32/115-S/12347);

(e) Letter dated 23 September 1977 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations, transmitting the texts of the resolutions adopted by the Eighth Islamic Conference of Foreign Ministers (A/32/235);

(f) Letter dated 5 October 1977 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations, transmitting the text of a statement by the Soviet Union on the complete elimination of the vestiges of colonialism, racism and *apartheid* (A/32/259).

In addition, the Committee had before it a letter dated 6 June 1977 from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Acting President of the United Nations Council for Namibia, transmitting the report of the International

Conference in Support of the Peoples of Zimbabwe and Namibia (A/32/109/Rev.1-S/12344/Rev.1).

5. During the Committee's consideration of the item, Mr. Tirivafi Kangai and Mr. Callistus Ndlovu, representatives of the Patriotic Front (Zimbabwe), the national liberation movement of the Territory, participated in an observer capacity in the proceedings of the Committee in accordance with the relevant provisions of General Assembly resolution 3412 (XXX) of 28 November 1975.

6. Mr. Kangai made statements at the 27th and 28th meetings, on 30 November and 1 December. Mr. Ndlovu made statements at the 29th and 35th meetings, on 1 and 12 December.

7. The Committee granted the following requests for hearings in connexion with its consideration of the item:

<i>Petitioner</i>	<i>Meeting at which a hearing was granted</i>
Mr. Romesh Chandra, President, World Peace Council (WPC) (A/C.4/32/6)	9th
The Reverend Michael Scott, International League for Human Rights (A/C.4/32/10)	18th
Mr. Bernard Rivers, Haslemere Group (A/C.4/32/10/Add.1)	23rd
The Reverend Ndabaningi Sithole, President, Zimbabwe African National Union (ZANU) (A/C.4/32/10/Add.2)	28th
Mr. Elton Razemba, North American Chief Representative, African National Council of Zimbabwe (ANC (Zimbabwe)) (A/C.4/32/10/Add.3)	28th

8. Mr. Chandra, Mr. Gordon Schaffer, Mrs. Karen Talbot and Mr. Camillo Perez of WPC made statements relating, *inter alia*, to the item at the 25th meeting, on 15 November. The Reverend Scott and Mr. Rivers made statements at the 27th meeting. Mr. Razemba made a statement at the 28th meeting. The Reverend Sithole made statements at the 28th meeting and, with the Committee's consent, at the 29th meeting, on 1 December.

9. The general debate on the item took place at the 27th to 35th meetings, between 30 November and 12 December.

10. At its 25th meeting, on the proposal of the representative of Angola and following a statement by the Chairman concerning the related financial implications, the Committee decided that the statement made at that meeting by Mr. Chandra should be reproduced *in extenso* (A/C.4/32/L.30).

11. At its 27th meeting, on the proposal of the representative of Ghana and following a statement by the Chairman concerning the related financial implications, the Committee decided that the statement made at that meeting by the representative of the Patriotic Front (Zimbabwe), as well as the statements made by the Reverend Scott and Mr. Rivers, should be reproduced *in extenso* in the record of the meeting. At the same meeting, on the proposal of the representative of the Netherlands and following a statement by the Chairman concerning the related financial implications, the Committee decided that the statement made during the meeting by the representative of the United Kingdom of Great Britain and Northern Ireland should be reproduced *in extenso* in the record of the meeting.

12. At the 34th meeting, on 12 December, the representative of the United Republic of Cameroon introduced draft resolutions A and B on the item (A/C.4/32/L.31) which were finally sponsored by the following Member States: Algeria, Angola, Bangladesh, Benin, Burundi, Chad, Comoros, Congo, Cuba, Cyprus, Egypt, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mali, Mozambique, Nigeria, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, United Republic of Cameroon, United Republic of Tanzania, Viet Nam, Yugoslavia and Zambia.

13. At the 35th meeting, on 12 December, the representative of the United Kingdom submitted an oral amendment to draft resolution A by which the following new paragraph would be added as the eleventh preambular paragraph:

"Taking note of the negotiations following Security Council resolution 415 (1977) of 29 September 1977 and the current initiative of the administering Power for the accession of Zimbabwe to independence".

At the same meeting, the representative of the United Kingdom withdrew his amendment.

14. At the same meeting, the Committee took decisions on draft resolutions A and B (A/C.4/32/L.31) as follows:

(a) Draft resolution A was adopted without a vote (see para. 15 below);

(b) Draft resolution B was adopted by 112 vote to none, with 10 abstentions (see para. 15 below).

Recommendations of the Fourth Committee

15. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolutions:

QUESTION OF SOUTHERN RHODESIA

A

The General Assembly,

Having considered the question of Southern Rhodesia (Zimbabwe),

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/32/23 (parts I-V), chaps. I, II and IV-V; A/32/23/Add.1),

Taking into account the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia (A/32/109/Rev.1-S/12344/Rev.1, annex V), adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia held at Maputo from 16 to 21 May 1977, as well as the Lagos Declaration for Action against *Apartheid*

¹ A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2), sect. X.

adopted by the World Conference for Action against *Apartheid*, held at Lagos from 22 to 26 August 1977,

Having heard the statement of the representative of the administering Power (27th meeting),

Having heard the statements of the representatives of the national liberation movement who participated in an observer capacity in the consideration of the item (27th to 29th and 35th meetings),

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, as well as all other resolutions relating to the question of Southern Rhodesia adopted by the General Assembly, the Security Council and the Special Committee,

Bearing in mind that the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, has the primary responsibility for putting an end to the critical situation in Southern Rhodesia (Zimbabwe) which, as repeatedly affirmed by the Security Council, constitutes a threat to international peace and security,

Reaffirming that any attempts to negotiate the future of Zimbabwe with the illegal régime on the basis of independence before majority rule would be in contravention of the inalienable rights of the people of the Territory and contrary to the provisions of the Charter of the United Nations and of resolution 1514 (XV),

Condemning the deliberate sabotage by the illegal racist minority régime of the numerous, intensive efforts being made to secure a negotiated settlement in Zimbabwe on the basis of majority rule,

Bearing in mind the resolutions on Zimbabwe adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its fourteenth ordinary session, held at Libreville from 2 to 5 July 1977,²

Stressing the grave responsibility of the international community to take all possible measures in support of the people of Zimbabwe in their liberation struggle and in minimizing the hardship and suffering of Zimbabweans in that regard,

Indignant at the arbitrary imprisonment and detention of political leaders and others, the massacre of freedom fighters and the continued denial of fundamental human rights, including in particular the wanton beating, torture and murder of innocent villagers, arbitrary criminal measures of collective punishment and measures designed to create an *apartheid* State in Zimbabwe,

Commending the firm determination of the people of Zimbabwe, under the leadership of their national liberation movement, to achieve freedom and independence and convinced that their unity and solidarity are fundamental to the rapid attainment of that objective,

Outraged and deeply concerned by the continuing acts of aggression against neighbouring independent African States, including the most recent aggression

against Mozambique³ which resulted in loss of human lives and destruction of property,

1. *Reaffirms* the inalienable right of the people of Zimbabwe to self-determination, freedom and independence and the legitimacy of their struggle to secure by all the means at their disposal the enjoyment of that right as set forth in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);

2. *Reaffirms* the principle that there should be no independence before majority rule in Zimbabwe and that any settlement relating to the future of the Territory must be worked out with the full participation of the people of Zimbabwe and in accordance with their true aspirations;

3. *Condemns* the continued war of repression and the intensified oppressive measures against the people of Zimbabwe by the illegal racist minority régime;

4. *Strongly condemns* the illegal racist minority régime for its continuing, brutal acts of aggression and threats against Mozambique, Zambia and Botswana;

5. *Strongly condemns* South Africa for its continued support of the illegal racist minority régime in contravention of the provisions of all the resolutions and decisions of the United Nations on the question of Southern Rhodesia;

6. *Calls upon* the Government of the United Kingdom of Great Britain and Northern Ireland, in the discharge of its primary responsibility as the administering Power, to take all effective measures to enable Zimbabwe to accede to independence in accordance with the aspirations of the majority of the population and not under any circumstances to accord to the illegal régime any of the powers or attributes of sovereignty;

7. *Firmly supports* the people of Zimbabwe in their struggle to exercise their inalienable right to self-determination and independence by all means at their disposal;

8. *Reaffirms* the relevant provisions of the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia, in particular the provisions calling for assistance to those front-line States which are victims of repeated acts of aggression by the racist minority régime (A/32/109/Rev.1-S/12344/Rev.1, annex V, paras. 21 and 39);

9. *Demands*:

(a) The termination forthwith of all repressive measures perpetrated by the illegal racist minority régime against the people of Zimbabwe, in particular the wanton killings and executions of Africans and their freedom fighters carried out by that régime, the brutality committed in the "operational area", the arbitrary closure of African areas, the eviction, transfer and resettlement of Africans and the creation of concentration camps;

(b) The unconditional and immediate release of all political prisoners, detainees and restrictees, the removal of all restrictions on political activity and the

² See A/32/310.

³ See *Official Records of the Security Council, Thirty-second Year, Supplement for October, November and December 1977*, document S/12466.

establishment of full democratic freedom and equality of political rights, as well as the restoration to the population of fundamental human rights;

(c) The cessation of the influx of foreign immigrants into the Territory and the immediate withdrawal of all mercenaries therefrom;

(d) The immediate cessation of all acts of aggression and threats against neighbouring African States;

10. *Calls upon* all States to take all necessary and effective measures to prevent advertisement for, and recruitment of, mercenaries for Southern Rhodesia;

11. *Requests* all States to give immediate and substantial material assistance to enable the Governments of Mozambique and Botswana to strengthen their defence capability in order to safeguard effectively their sovereignty and territorial integrity;

12. *Requests* all States, directly and through their action in the specialized agencies and other organizations within the United Nations system of which they are members, as well as the non-governmental organizations concerned and the various programmes within the United Nations system, to extend, in consultation and co-operation with the Organization of African Unity, to the people of Zimbabwe and their national liberation movement all the moral, material, political and humanitarian assistance necessary in their struggle for the restoration of their inalienable rights;

13. *Invites* all Governments, the specialized agencies and other organizations within the United Nations system, the United Nations bodies concerned and non-governmental organizations having a special interest in the field of decolonization, as well as the Secretary-General, to take steps, as appropriate, to give widespread and continuous publicity through all the media at their disposal to information on the situation in Zimbabwe and on the relevant decisions and actions of the United Nations, with particular reference to the application of sanctions against the illegal régime;

14. *Requests* the Government of the United Kingdom to continue to co-operate with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the discharge of the mandate entrusted to the latter by the General Assembly, and to report thereon to the Special Committee and to the Assembly at its thirty-third session;

15. *Requests* the Special Committee to keep the situation in the Territory under review as a matter of priority and to report thereon to the General Assembly at its thirty-third session.

B

The General Assembly,

Having adopted resolution A above on the question of Southern Rhodesia (Zimbabwe),

Strongly deploring the increasing collaboration, in violation of Article 2, paragraph 5, and Article 25 of the Charter of the United Nations and of the relevant decisions of the United Nations, which certain States, particularly South Africa, maintain with the illegal racist minority régime, thereby seriously impeding the effective application of sanctions and other measures taken thus far against the illegal régime,

Deeply disturbed at widespread violations of United Nations sanctions, including the operation of Southern Rhodesian aircraft for international passenger and cargo traffic, as well as the continued functioning of information and airline offices of the illegal régime outside Southern Rhodesia and the resultant influx of foreign tourists into the Territory,

Considering that developments in the area call in particular for positive, concerted international action with a view to imposing maximum isolation on the illegal régime,

Deeply concerned that the measures approved by the Security Council have so far failed to bring an end to the illegal régime and convinced that sanctions cannot put an end to that régime unless they are comprehensive, mandatory and strictly supervised and unless measures are taken against States which violate them,

Reaffirming the relevant provisions of the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia (A/32/109/Rev.1-S/12344/Rev.1, annex V), adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, in particular those provisions relating to sanctions against the illegal régime,

Conscious of the urgent and special economic needs of Mozambique and Zambia arising from their full implementation of the relevant decisions of the Security Council,

1. *Strongly condemns* those Governments, particularly the Government of South Africa, which, in violation of the relevant resolutions of the United Nations and in open contravention of their specific obligations under Article 2, paragraph 5, and Article 25 of the Charter of the United Nations, continue to collaborate with the illegal racist minority régime, and calls upon those Governments to cease forthwith all such collaboration;

2. *Condemns* all violations of the mandatory sanctions imposed by the Security Council, as well as the continued failure of certain Member States to enforce the sanctions strictly, as being contrary to the obligations assumed by them under Article 2, paragraph 5, and Article 25 of the Charter;

3. *Condemns* South Africa for its continued support of the illegal racist minority régime in Southern Rhodesia in contravention of Security Council resolutions on sanctions against that régime;

4. *Calls upon* all Governments which thus far have not done so:

(a) To take stringent enforcement measures to ensure strict compliance by all individuals, associations and bodies corporate under their jurisdiction with the sanctions imposed by the Security Council and to prohibit any form of collaboration by them with the illegal régime;

(b) To take effective steps to prevent or discourage the emigration to Southern Rhodesia (Zimbabwe) of any individuals or groups of individuals under their jurisdiction;

(c) To discontinue any action which might confer a semblance of legitimacy on the illegal régime, *inter*

alia, by forbidding the operation and activities of "Air Rhodesia", the "Rhodesia National Tourist Board" and the "Rhodesian Information Office", or any other activities which contravene the aims and purposes of the sanctions;

(d) To invalidate passports and other documents for travel to the Territory;

(e) To take all effective measures against international companies and agencies which supply petroleum and petroleum products to the illegal régime of Southern Rhodesia;

5. *Requests* all States, directly and through their action in the specialized agencies and other organizations within the United Nations system of which they are members, and the various programmes within the United Nations system to extend to the Governments of Mozambique and Zambia all forms of financial, technical and material assistance in order to enable those Governments to overcome economic difficulties in connexion with their application of economic sanctions imposed against the illegal régime and the severe economic loss and destruction of property brought about by the acts of aggression committed by the régime,

gime, and requests the Security Council to undertake a periodic review of the question of economic assistance to the two Governments;

6. *Deems* it imperative that the scope of sanctions against the illegal régime must be widened to include all the measures envisaged under Article 41 of the Charter and reiterates its request that the Security Council consider taking the necessary measures in that regard as a matter of urgency;

7. *Requests* the Security Council to impose a mandatory embargo on the supply of petroleum and petroleum products to South Africa in view of the fact that petroleum and petroleum products are transported from South Africa into Southern Rhodesia;

8. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to follow the implementation of the present resolution and invites the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia to continue to co-operate in the related work of the Special Committee.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 104th plenary meeting, on 16 December 1977, the General Assembly adopted draft resolutions A and B submitted by the Fourth Committee in its report (A/32/461, para. 15). Draft resolution A was adopted without a vote and draft resolution B by 113 votes to none, with 10 abstentions. For the final texts, see resolutions 32/116 A and 32/116 B.⁴

⁴ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 92 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/23 (parts I-V) and A/32/23/Add.1	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (chaps. I, II and IV to VII)	Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 23 (A/32/23/Rev.1)</i> , chaps. I, II and IV-VII
A/32/57	Letter dated 28 January 1977 from the representative of Sri Lanka to the Secretary-General	Mimeographed
A/32/61	Letter dated 15 March 1977 from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt to the Secretary-General transmitting the documents of the First Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States	Ditto
A/32/63-S/12305	Letter dated 22 March 1977 from the Chargé d'affaires a.i. of the Mission of Ghana to the Secretary-General	See <i>Official Records of the Security Council, Thirty-second Year, Supplement for January, February and March 1977</i>
A/32/92	Letter dated 20 May 1977 from the representative of Sri Lanka to the Secretary-General	Mimeographed

A/32/98-S/12340	Letter dated 3 June 1977 from the representative of Sri Lanka to the Secretary-General	See <i>Official Records of the Security Council, Thirty-second Year, Supplement for April, May and June 1977</i>
A/32/109/Rev.1-S/12344/Rev.1	Letter dated 6 June 1977 from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Acting President of the United Nations Council for Namibia transmitting the report of the International Conference in Support of the Peoples of Zimbabwe and Namibia	<i>Ibid.</i> , Supplement for July, August and September 1977
A/32/115-S/12347	Letter dated 14 June 1977 from the Chargé d'affaires a.i. of the Mission of Mongolia to the Secretary-General	<i>Ibid.</i> , Supplement for April, May and June 1977
A/32/235	Letter dated 23 September 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General transmitting the texts of the resolutions adopted by the Eighth Islamic Conference of Foreign Ministers	Mimeographed
A/32/259	Letter dated 5 October 1977 from the representative of the Union of Soviet Socialist Republics to the Secretary-General transmitting the text of a statement by the Soviet Union on the complete elimination of the vestiges of colonialism, racism and <i>apartheid</i>	Ditto
A/32/266-S/12412	Letter dated 5 October 1977 from the representative of Sri Lanka to the Secretary-General (transmitting the text of a statement on the situation in southern Africa issued by the Foreign Ministers of non-aligned countries at their extraordinary meeting held in New York on 30 September 1977)	See <i>Official Records of the Security Council, Thirty-second Year, Supplement for October, November and December 1977</i>
A/C.4/32/6	Request for hearing	Mimeographed
A/C.4/32/10 and Add.1-3	Requests for hearing	Ditto
A/C.4/32/L.30	Statement made by Mr. Romesh Chandra at the 25th meeting of the Committee	Ditto
A/C.4/32/L.31	Draft resolutions	For the sponsors and the texts, see A/32/461, paras. 12 and 15

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 93:* Question of East Timor: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fourth Committee, 8th and 10th to 21st meetings; ibid., Fourth Committee, Sessional Fascicle, corrigendum; ibid., Fifth Committee, 47th meeting; ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 83rd meeting.*

** This question was discussed by the General Assembly at its thirtieth session, under agenda item 88, and at its thirty-first session, under item 25.

DOCUMENT A/32/357

Report of the Fourth Committee

[Original: English]
[23 November 1977]

1. An item entitled "Question of East Timor" was included in the provisional agenda of the thirty-second session of the General Assembly in accordance with Assembly resolution 31/53 of 1 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Fourth Committee.

3. At its 5th meeting, on 7 October 1977, the Fourth Committee decided to hold a general debate covering agenda items 24, 90, 93, 95 and 12, 96 and 97, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

4. The Committee considered item 93 at its 8th and 10th to 21st meetings, between 26 October and 10 November 1977.

5. At the 8th meeting, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced chapter X of the report of that Committee (see A/32/23/Add.3), relating to the item.

6. The Fourth Committee also had before it the following communications addressed to the Secretary-General:

(a) Note verbale dated 20 April 1977 from the Permanent Mission of Portugal to the United Nations (A/32/73);

(b) Note verbale dated 11 May 1977 from the Permanent Mission of Indonesia to the United Nations (A/32/90);

(c) Letter dated 27 October 1977 from the Permanent Representative of Mozambique to the United Nations (A/C.4/32/8).

7. At its 6th meeting, the Committee granted a request for hearing concerning the item submitted by Mr. José Ramos-Horta, member of the Central Committee of the Frente Revolucionária de Timor Leste Independente (FRETILIN) (A/C.4/32/5). At the 11th meeting, on 1 November, Mr. Mari Bin Hamud Alkatiri of FRETILIN made a statement.

8. At its 20th meeting, on 9 November, the Committee decided, by 67 votes to 24, with 38 abstentions, to grant a further request for hearing submitted by Mr. Ramos-Horta. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Barbados, Benin, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, China, Colombia, Comoros, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Jamaica, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Mali, Mexico, Mongolia, Mozambique, Niger, Norway, Panama, Peru, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Swaziland, Sweden, Togo, Ukrainian

Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yugoslavia, Zambia.

Against: Australia, Austria, Chile, Egypt, India, Indonesia, Iran, Iraq, Israel, Japan, Malaysia, Maldives, Mauritania, Morocco, New Zealand, Oman, Paraguay, Philippines, Surinam, Thailand, Tunisia, Turkey, Uruguay, Zaire.

Abstaining: Bangladesh, Belgium, Bolivia, Botswana, Burma, Canada, Costa Rica, Denmark, Dominican Republic, El Salvador, France, Gabon, Germany, Federal Republic of, Guatemala, Honduras, Ireland, Italy, Ivory Coast, Jordan, Lebanon, Luxembourg, Nepal, Netherlands, Nicaragua, Nigeria, Pakistan, Papua New Guinea, Qatar, Singapore, Spain, Sri Lanka, Sudan, Syrian Arab Republic, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen.

At the same meeting, Mr. Ramos-Horta made a statement.

9. At its 11th and 20th meetings, on the proposals respectively of the representatives of Angola and Mozambique and following statements by the Chairman concerning the related financial implications, the Committee decided that the statements made during those meetings by the representatives of FRETILIN should be reproduced *in extenso* in the records of the two meetings.

10. At its 19th meeting, on 8 November, on the proposal of the representatives of Iran and India and following a statement by the Chairman concerning the related financial implications, the Committee decided that the statement made at that meeting by the representative of Indonesia should be reproduced *in extenso* in the record of the meeting.

11. The general debate covering the items referred to in paragraph 3 above took place at the 10th to 20th meetings, between 31 October and 9 November.

12. At the 16th meeting, on 7 November, the representative of Barbados introduced a draft resolution (A/C.4/32/L.9), which was finally sponsored by the following Member States: Algeria, Angola, Barbados, Benin, Cape Verde, Congo, Cuba, Cyprus, Guinea, Guinea-Bissau, Guyana, Haiti, Mozambique, Sao Tome and Principe, United Republic of Tanzania, Viet Nam and Zambia.

13. At the 20th meeting, the Chairman drew attention to a statement by the Secretary-General (A/C.4/32/L.18) submitted in accordance with rule 153 of the rules of procedure of the General Assembly concerning the administrative and financial implications of draft resolution A/C.4/32/L.9.

14. At the 21st meeting, on 10 November, the representative of Barbados, on behalf of the sponsors, submitted an oral revision to the draft resolution by which, in operative paragraph 5, the words "in consultation with the Chairman of the Special Committee" were inserted after the words "Requests the Secretary-General".

15. At the same meeting, the Committee adopted draft resolution A/C.4/32/L.9, as orally revised, by 61 votes to 26, with 47 abstentions (see para. 16 below). The voting was as follows:

In favour: Albania, Algeria, Angola, Barbados, Benin, Botswana, Brazil, Bulgaria, Burundi, Byelorussian So-

viet Socialist Republic, Cape Verde, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Mali, Mexico, Mongolia, Mozambique, Niger, Nigeria, Panama, Peru, Poland, Portugal, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Swaziland, Sweden, Togo, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Viet Nam, Zambia.

Against: Bangladesh, Chile, Egypt, Guatemala, India, Indonesia, Iran, Iraq, Japan, Malaysia, Maldives, Mauritania, Morocco, Nicaragua, Oman, Philippines, Saudi Arabia, Singapore, Surinam, Syrian Arab Republic, Thailand, Tunisia, Turkey, United States of America, Uruguay, Zaire.

Abstaining: Afghanistan, Argentina, Australia, Austria, Bahamas, Bahrain, Belgium, Bhutan, Bolivia, Burma, Canada, Colombia, Costa Rica, Denmark, Djibouti, Dominican Republic, El Salvador, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Honduras, Ireland, Israel, Italy, Jordan, Kuwait, Lebanon, Luxembourg, Nepal, Netherlands, New Zealand, Norway, Pakistan, Papua New Guinea, Paraguay, Qatar, Samoa, Spain, Sri Lanka, Sudan, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Venezuela, Yugoslavia.

Recommendation of the Fourth Committee

16. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

QUESTION OF EAST TIMOR

The General Assembly,

Recognizing the inalienable right of all peoples to self-determination and independence in accordance with the principles of the Charter of the United Nations and of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Territory (A/32/23/Add.3, chap. X),

Having heard the statements of the representatives of Portugal (12th meeting) and Indonesia (19th meeting),

Having also heard the statements of the representatives of the Frente Revolucionária de Timor Leste Independente (11th and 20th meetings),

Mindful that all States should, in conformity with Article 2, paragraph 4, of the Charter, refrain in their international relations from the threat or use of force against the territorial integrity or national independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Deeply concerned at the continuing critical situation in the Territory, resulting from the persistent refusal on

the part of the Government of Indonesia to comply with the provisions of the resolutions of the General Assembly and the Security Council,

Recalling its resolutions 3485 (XXX) of 12 December 1975 and 31/53 of 1 December 1976 and Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976,

1. *Reaffirms* the inalienable right of the people of East Timor to self-determination and independence and the legitimacy of their struggle to achieve that right;

2. *Reaffirms* its resolutions 3485 (XXX) and 31/53 and Security Council resolutions 384 (1975) and 389 (1976);

3. *Rejects* the claim that East Timor has been integrated into Indonesia, inasmuch as the people of the Territory have not been able to exercise freely their right to self-determination and independence;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to keep the situation in the Territory under active consideration, to follow the implementation of the present resolution, to dispatch to the Territory as soon as possible a visiting mission with a view to the full and speedy implementation of the Declaration and to report thereon to the General Assembly at its thirty-third session;

5. *Requests* the Secretary-General, in consultation with the Chairman of the Special Committee, in the meantime to send urgently a special representative to East Timor for the purpose of making a thorough, on-the-spot assessment of the existing situation in the Territory and of establishing contact with the representatives of the Frente Revolucionária de Timor Leste Independente and the Government of Indonesia, as well as the Governments of other States concerned, in order to prepare the ground for a visiting mission of the Special Committee, and to report thereon to the Special Committee;

6. *Draws the attention* of the Security Council, in conformity with Article 11, paragraph 3, of the Charter of the United Nations, to the critical situation in the Territory of East Timor and recommends that it should take all effective steps for the implementation of its resolutions 384 (1975) and 389 (1976) with a view to securing the full exercise by the people of East Timor of their right to self-determination and independence;

7. *Calls upon* the Government of Indonesia and the leadership of the Frente Revolucionária de Timor Leste Independente to facilitate the entry into East Timor of the International Committee of the Red Cross and other relief organizations in order to assist the people of the Territory;

8. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Question of East Timor".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 104th plenary meeting, on 28 November 1977, the General Assembly, by 67 votes to 26, with 47 abstentions, adopted the draft resolution submitted by the Fourth Committee in its report (A/32/357, para. 16). For the final text, see resolution 32/34.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 93 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/23/Add.3	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (chap. X)	Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 23 (A/32/23/Rev.1)</i> , chap. X
A/32/73	Note verbale dated 20 April 1977 from the Mission of Portugal to the Secretary-General	Mimeographed
A/32/90	Note verbale dated 11 May 1977 from the Mission of Indonesia to the Secretary-General	Ditto
A/C.4/32/5	Request for hearing	Ditto
A/C.4/32/8	Letter dated 27 October 1977 from the representative of Mozambique to the Secretary-General	Ditto
A/C.4/32/L.9	Draft resolution	For the sponsors and the text, see A/32/357, paras. 12, 14 and 16
A/C.4/32/L.18	Administrative and financial implications of the draft resolution contained in document A/C.4/32/L.9: note by the Secretary-General	Mimeographed

*Administrative and financial implications of the draft resolution
submitted by the Fourth Committee in document A/32/357*

A/C.5/32/46

Note by the Secretary-General

Mimeographed

A/32/364

Report of the Fifth Committee

See *Official Records of the
General Assembly, Thirty-
second Session, Annexes,
agenda item 100*

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 94:* Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa:** report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fourth Committee*, 3rd to 10th meetings; *ibid.*, *Fourth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 83rd meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 67), twenty-eighth session (item 73), twenty-ninth session (item 68), thirtieth session (item 90) and thirty-first session (item 87).

DOCUMENT A/32/342

Report of the Fourth Committee

[Original: English]
[16 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-second session and to allocate to the Fourth Committee the item entitled:

“Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples”.

2. The Fourth Committee considered the item at its 3rd to 10th meetings, between 5 and 31 October 1977.

3. At the 3rd meeting, on 5 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced chapter IV of the report of that Committee (A/32/23 (part III) and Corr.2), relating to the item.

4. The Fourth Committee also had before it a letter dated 23 September 1977 from the Permanent Repre-

sentative of the Libyan Arab Jamihiriya to the United Nations addressed to the Secretary-General, transmitting the texts of the resolutions adopted by the Eighth Islamic Conference of Foreign Ministers (A/32/235).

5. At its 3rd meeting, at the request of the representative of the Union of Soviet Socialist Republics and following a statement by the Secretary of the Committee concerning the related financial implications, the Committee decided that part of the statement made by the representative of the Soviet Union during the meeting should be reproduced *in extenso* in the record of the meeting.

6. The general debate on the item took place at the 3rd to 7th meetings, between 5 and 11 October.

7. At the 8th meeting, on 26 October, the Chairman drew attention to a draft resolution (A/C.4/32/L.1 and Corr.1), which was finally sponsored by the following Member States: Algeria, Angola, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Congo, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Niger, Nigeria, Sierra Leone, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Tanzania, Viet Nam and Zambia.

8. At its 9th meeting, on 28 October, the Committee adopted draft resolution A/C.4/32/L.1 and Corr.1 by a roll-call vote of 96 to 12, with 23 abstentions (see para. 9 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Saudi Arabia, Sierra Leone, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia.

Against: Belgium, Canada, France, Germany, Federal Republic of, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Central African Empire, Chile, Denmark, Dominican Republic, El Salvador, Finland, Greece, Guatemala, Honduras, Iceland, Malawi, New Zealand, Nicaragua, Norway, Portugal, Rwanda, Spain, Surinam, Sweden, Turkey, Zaire.

Recommendation of the Fourth Committee

9. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN SOUTHERN RHODESIA, NAMIBIA AND IN ALL OTHER TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, *apartheid* AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to this question (A/32/23 (part III) and Corr.2),

Taking into consideration the parts of the report of the United Nations Council for Namibia relating to this question,¹

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and its resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, as well as all other resolutions of the United Nations relating to the item,

Taking into account the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia,² adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, as well as the Lagos Declaration for Action against *Apartheid*,³ adopted by the World Conference for Action against *Apartheid*, held at Lagos from 22 to 26 August 1977,

Taking note of the decision concerning the export of oil to the illegal racist régimes in southern Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its fourteenth ordinary session, held at Libreville from 2 to 5 July 1977,⁴

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming that any economic or other activity which impedes the implementation of the Declaration and obstructs efforts aimed at the elimination of colonialism, *apartheid* and racial discrimination in southern Africa and other colonial Territories violates the political, economic and social rights and interests of the peoples of the Territories and is therefore incompatible with the purposes and principles of the Charter,

Affirming that the natural resources of all colonial Territories, particularly Zimbabwe and Namibia, are the heritage of the peoples of those Territories and that the exploitation of those resources by foreign economic interests in conjunction with the illegal racist minority régimes constitutes a direct violation of the rights of the inhabitants and of the principles stated in the Charter and all relevant resolutions of the United Nations,

Noting with profound concern that the colonial Powers and certain States, through their activities in the colonial Territories, have continued to disregard United Nations decisions relating to the item and that they have failed to implement in particular General Assembly resolutions 2621 (XXV) of 12 October 1970 and 31/7 of 5 November 1976, by which the Assembly called upon the colonial Powers and those Governments which had not yet done so to take legislative,

¹ Official Records of the General Assembly, Thirty-second Session, Supplement No. 24, part two, chap. VI; and annex XII.

² A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977.

³ A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2), sect. X.

⁴ A/32/310, annex I, resolution CM/Res.553 (XXIX).

administrative or other measures in order to put an end to enterprises in colonial Territories, particularly in Africa, which are owned by their nationals or bodies corporate under their jurisdiction, whenever such enterprises are detrimental to the interests of the inhabitants of those Territories, and to prevent new investments which run counter to such interests,

Condemning the intensified activities of those foreign economic, financial and other interests which continue to exploit the natural and human resources of the colonial Territories and to accumulate and repatriate huge profits to the detriment of the interests of the inhabitants, particularly in southern Africa, thereby impeding the realization by the peoples of the Territories of their legitimate aspirations for self-determination and independence,

Strongly condemning the support which the racist minority régime of South Africa and the illegal racist minority régime in Southern Rhodesia continue to receive from those foreign economic, financial and other interests which are collaborating with them in their exploitation of the natural and human resources of, and in the further entrenchment of their illegal and racist domination over, the international Territory of Namibia and the Non-Self-Governing Territory of Southern Rhodesia (Zimbabwe), respectively,

Strongly condemning the investment of foreign capital in the illegal production of uranium and the collaboration by certain Western countries and other States with the racist minority régime of South Africa in the nuclear field which, by providing that régime with nuclear equipment and technology, enables the latter to develop nuclear and military capabilities, thereby promoting South Africa's continued illegal occupation of Namibia as well as its growth as a nuclear Power,

Deeply concerned at the fact that foreign economic, financial and other interests continue to deprive the indigenous populations of other colonial Territories, including those in the Caribbean and Pacific Ocean regions, of their rights over the wealth of their countries, and at the continued loss of ownership of land by the inhabitants of the Territories as a result of the failure of the administering Powers to take effective steps to safeguard such ownership,

Conscious of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of natural and human resources, which impedes the independence of colonial Territories, particularly in Africa,

1. *Reaffirms* the inalienable right of the peoples of dependent Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. *Reaffirms* the relevant provisions of the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia, adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, as well as the Lagos Declaration for Action against *Apartheid* adopted by the World Conference for Action against *Apartheid*;

3. *Reiterates* that any administering or occupying Power which deprives the colonial peoples of the exercise of their legitimate rights over their natural

resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

4. *Reaffirms* that, by their depletive exploitation of natural resources, the continued accumulation and repatriation of huge profits and the use of those profits for the enrichment of foreign settlers and the entrenchment of colonial domination over the Territories, the activities of foreign economic, financial and other interests operating at present in the colonial Territories of southern Africa constitute a major obstacle to political independence and to the enjoyment of the natural resources of those Territories by the indigenous inhabitants;

5. *Condemns* the activities of foreign economic and other interests in the colonial Territories that impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the efforts to eliminate colonialism, *apartheid* and racial discrimination;

6. *Strongly condemns* all States which collaborate politically, diplomatically, economically and militarily with South Africa in flagrant violation of the relevant United Nations resolutions, particularly the United States of America, France, the United Kingdom of Great Britain and Northern Ireland, the Federal Republic of Germany, Israel, Japan, Belgium and Italy;

7. *Strongly condemns* the United States, France, the Federal Republic of Germany and Israel for collaborating with South Africa in nuclear matters and requests all Governments to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

8. *Calls once again upon* all Governments which have not done so to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction who own and operate enterprises in colonial Territories, particularly in Africa, which are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

9. *Requests* all States to refrain from any investments in, or loans to, the minority racist régimes in southern Africa and to refrain from any agreements or measures to promote trade or other economic relations with them;

10. *Expresses its conviction* that the scope of the sanctions adopted against the illegal régime in Southern Rhodesia should be expanded to cover all the measures contemplated in Article 41 of the Charter and expresses the hope that the Security Council will envisage adopting appropriate measures to this end;

11. *Condemns* all violations of the mandatory sanctions imposed by the Security Council against the illegal racist minority régime in Southern Rhodesia, as well as the continued failure of certain Member States to enforce those sanctions, as being contrary to the obligations assumed by them under Article 25 of the Charter;

12. *Requests* all States to take effective measures to end the supply of funds and other forms of assist-

ance, including military supplies and equipment, to those régimes which use such assistance to repress the peoples of the colonial Territories and their national liberation movements;

13. *Calls once again upon* all States to discontinue all economic, financial or trade relations with South Africa concerning Namibia and to refrain from entering into economic, financial or other relations with South Africa, acting on behalf of or concerning Namibia, which may lend support to its continued illegal occupation of that Territory;

14. *Requests* all oil-producing or oil-exporting countries which supply crude oil and petroleum products to the racist régime of South Africa to cease forthwith all exports of crude oil and petroleum products to the racist régimes in southern Africa and to take the necessary measures against oil companies which, in violation of the United Nations resolutions on sanctions, continue to deliver oil to those régimes;

15. *Strongly condemns* the racist minority régime of South Africa which, in violation of the relevant resolutions of the United Nations and in open contravention of its specific obligations under Article 25 of the Charter, continues to collaborate with the illegal racist minority régime in Southern Rhodesia, and calls upon that Government to cease immediately all forms of collaboration with the illegal racist minority régime in Southern Rhodesia;

16. *Invites* all Governments and organizations within the United Nations system, having regard to the relevant provisions of the Declaration on the Establishment of a New International Economic Order, contained in General Assembly resolution 3201 (S-VI) of 1 May 1974, and of the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, to ensure, in particular, that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

17. *Calls upon* the administering Powers to abolish every discriminatory and unjust wage system which prevails in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

18. *Requests* the Secretary-General to undertake, through the Office of Public Information of the Secretariat, a sustained and wide campaign with a view to informing world public opinion of the facts concerning the pillaging of natural resources and the exploitation of the indigenous populations by foreign monopolies and the support they render to the colonialist and racist régimes;

19. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 28 November 1977, the General Assembly, by 101 votes to 12, with 28 abstentions, adopted the draft resolution submitted by the Fourth Committee in its report (A/32/342, para. 9). For the final text, see resolution 32/35.⁵

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 94 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/23 (part III) and Corr.2	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (chap. IV)	Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 23 (A/32/23/Rev.1)</i> , chap. IV
A/32/235	Letter dated 23 September 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General transmitting the texts of the resolutions adopted by the Eighth Islamic Conference of Foreign Ministers	Mimeographed
A/C.4/32/L.1 and Corr.1	Draft resolution	For the sponsors and the text, see A/32/342, paras. 7 and 9

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 95:* Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations:**

- (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
- (b) Reports of the Secretary-General

Agenda item 12:* Report of the Economic and Social Council [chapter VII (section E)***]**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fourth Committee*, 8th and 10th to 20th meetings; *ibid.*, *Fourth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 83rd meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda items 68 and 12), twenty-eighth session (items 74 and 12), twenty-ninth session (items 69 and 12), thirtieth session (items 91 and 12) and thirty-first session (items 88 and 12).

*** For the documentation concerning the other parts of the report of the Economic and Social Council, see the annex fascicle for agenda item 12.

DOCUMENT A/32/354

Report of the Fourth Committee

[Original: English]
[21 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-second session the following items:

“95. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations:

“(a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

“(b) Reports of the Secretary General”;

“12. Report of the Economic and Social Council”.

2. At the same meeting, the General Assembly decided to allocate to the Fourth Committee agenda item 95, together with chapter VII, section E, of the report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions (A/32/3), relating to the item.

3. At its 5th meeting, on 7 October 1977, the Fourth Committee decided to hold a general debate covering agenda items 24, 90, 93, 95 and 12, 96 and 97, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

4. The Committee considered items 95 and 12 at its 8th and 10th to 20th meetings, between 26 October and 9 November 1977.

5. At the 8th meeting, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced chapter VI of the report of that Committee (A/32/23 (part V)), relating to the question of the implementation of the Declaration.

6. In addition, the Fourth Committee had before it chapter VII, section E, of the report of the Economic and Social Council, relating to the item. The Committee also had before it the reports of the Secretary-General relating to the items, submitted in pursuance of paragraph 12 (a) and (b) of General Assembly resolution 31/30 of 29 November 1976 (A/32/87 and Add.1-3 and A/32/286), as well as a related note by the Secretariat (A/AC.109/L.1174).

7. The general debate covering the items referred to in paragraph 3 above took place at the 10th to 20th meetings, between 31 October and 9 November.

8. At the 16th meeting, on 7 November, the representative of Bulgaria introduced a draft resolution (A/C.4/32/L.3), which was finally sponsored by the following Member States: Algeria, Angola, Bahamas, Barbados, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Empire, Chad, Comoros, Congo, Cuba, Czechoslovakia, Egypt, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iraq, Jordan, Kenya, Lao People's Democratic Republic, Madagascar, Mali, Mongolia, Mozambique, Niger, Pakistan, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Tanzania, Upper Volta, Viet Nam, Yugoslavia, Zaire and Zambia.

9. At its 20th meeting, on 9 November, the Committee adopted draft resolution A/C.4/32/L.3 by 130 votes to none, with 4 abstentions (see para. 10 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

Recommendation of the Fourth Committee

10. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and the programme of action for the full implementation of the Declaration, contained in its resolution 2621 (XXV) of 12 October 1970, as well as all other relevant resolutions adopted by the General Assembly and the Security Council on this subject, including in particular Assembly resolution 31/30 of 29 November 1976,

Having examined the reports submitted on the item by the Secretary-General (A/32/87 and Add.1-3 and A/32/286; A/AC.109/L.1174), the Economic and Social Council (A/32/3, chap. VII, sect. E) and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/32/23 (part V)), as well as the related report of the United Nations Council for Namibia,¹

Taking into account the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia,² adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, as well as the Lagos Declaration for Action against *Apartheid*,³ adopted by the World Conference for Action against *Apartheid*, held at Lagos from 22 to 26 August 1977,

Convinced that the struggle of the peoples of Zimbabwe and Namibia for self-determination and independence has entered its final and most crucial stage and that it is therefore incumbent upon the entire international community to intensify concerted action in support of the peoples of Zimbabwe and Namibia and their national liberation movements for the attainment of this goal,

Deeply conscious of the critical need of the peoples of Zimbabwe and Namibia and of other colonial Territories for concrete assistance from the specialized agencies and the international institutions associated with the United Nations in their struggle for liberation from colonial rule and in their efforts to consolidate their national independence,

Reaffirming the responsibility of the specialized agencies and other organizations within the United Nations system to take all effective measures, within their respective spheres of competence, to ensure the full and speedy implementation of the Declaration and other relevant resolutions of the United Nations, particularly in the provision of moral and material assistance, on a priority basis, to the peoples of the colonial Territories and their national liberation movements,

¹ *Official Records of the General Assembly, Thirty-second Session, Supplement No. 24, part two, chaps. II and V; and annexes III, IX and X.*

² A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see *Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977.*

³ A/CONF.91/9 (United Nations publications, Sales No E.77.XIV.2), sect. X.

Noting with concern that, although there has been progress in the extension of assistance to refugees from the colonial Territories in Africa, the actions taken hitherto by the organizations concerned in providing assistance to the peoples of the Territories through their national liberation movements continue to remain inadequate to meet the urgent needs of these peoples,

Expressing its confident hope that closer contacts and consultations between the specialized agencies and other organizations within the United Nations system and the Organization of African Unity and the national liberation movements of the colonial Territories will help to overcome procedural and other difficulties which have impeded or delayed the implementation of some assistance programmes,

Welcoming with satisfaction the report of the mission dispatched by the United Nations Council for Namibia to specialized agencies and other organizations within the United Nations system with headquarters in Europe⁴ and the recommendations contained therein, to which reference is made in the Maputo Declaration,

Expressing its appreciation to the General Secretariat of the Organization of African Unity for the continued co-operation and assistance extended by it to the organizations within the United Nations system in connexion with the implementation of the relevant resolutions of the United Nations,

Mindful of the necessity to keep under continuous review the activities of the specialized agencies and other organizations within the United Nations system in the implementation of the various decisions relating to decolonization,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item (A/32/23 (part V));

2. *Reaffirms* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the struggle of colonial peoples to achieve freedom and independence entails, as a corollary, the extension by the organizations within the United Nations system of all necessary moral and material assistance to the peoples of the colonial Territories and their national liberation movements;

3. *Reiterates* the appeal contained in the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia to the international community to redouble its assistance to the peoples of Zimbabwe and Namibia and their national liberation movements during this crucial phase in their struggle for freedom and independence;

4. *Expresses its appreciation* to certain specialized agencies and organizations within the United Nations system which have continued to co-operate in varying degrees with the United Nations in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of the General Assembly;

5. *Expresses its concern* that the assistance extended so far by the specialized agencies and other organizations within the United Nations system to the colonial peoples, particularly those of Zimbabwe and Namibia, and to their national liberation movements is far from adequate in relation to the actual needs of the peoples concerned;

6. *Regrets* that the World Bank and the International Monetary Fund have not yet taken the necessary measures towards the full and speedy implementation of the Declaration and other relevant resolutions of the General Assembly, deploring in particular the fact that those agencies continue to maintain co-operation with the colonialist racist minority régime of South Africa and urges the executive heads of those agencies to draw the particular attention of the governing organs concerned to the present resolution with a view to formulating specific programmes beneficial to the peoples of the colonial Territories, particularly Zimbabwe and Namibia;

7. *Requests* the specialized agencies and other organizations within the United Nations system to render or continue to render, as a matter of urgency, all possible moral and material assistance to the colonial peoples in Africa struggling for their liberation from colonial rule;

8. *Requests once again* the specialized agencies and other organizations within the United Nations system to continue to provide all moral and material assistance to the newly independent and emerging States;

9. *Recommends* that the organizations concerned should initiate or broaden contacts with the colonial peoples in consultation with the Organization of African Unity, review their procedures with respect to the formulation and the preparation of assistance programmes and projects and introduce greater flexibility in these procedures so as to be able to extend the necessary assistance without delay to help the colonial peoples and their national liberation movements in their struggle to exercise their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV);

10. *Urges* those specialized agencies and organizations within the United Nations system which have not already done so to include in the agenda of the regular meetings of their governing bodies a separate item on the progress made by those organizations in their implementation of the Declaration and other relevant resolutions of the United Nations;

11. *Urges once again* the specialized agencies and other organizations within the United Nations system, in accordance with the relevant resolutions of the General Assembly and the Security Council, to take all necessary measures to withhold any financial, economic, technical or other assistance from the Government of South Africa and the illegal régime in Southern Rhodesia, to discontinue all support to them until they restore to the peoples of Namibia and Zimbabwe their inalienable right to self-determination and independence and to refrain from taking any action which might imply recognition of, or support for, the legitimacy of the domination of the Territories by those régimes;

12. *Notes with satisfaction* the arrangements made by several specialized agencies and organizations

⁴ Official Records of the General Assembly, Thirty-second Session, Supplement No. 24, annex III.

within the United Nations system which enable representatives of the national liberation movements recognized by the Organization of African Unity to participate fully as observers in the proceedings relating to matters concerning their respective countries, and calls upon those agencies and organizations which have not yet done so to follow this example and to make the necessary arrangements without delay;

13. *Recommends* that all Governments should intensify their efforts in the specialized agencies and other organizations within the United Nations system of which they are members to ensure the full and effective implementation of the Declaration and other relevant resolutions of the United Nations and, in that connexion, should accord priority to the question of providing assistance on an emergency basis to peoples in the colonial Territories and to their national liberation movements;

14. *Urges* the executive heads of the specialized agencies and other organizations within the United Nations system, having regard to the recommendations contained in paragraph 9 above, to formulate with the active co-operation of the Organization of African Unity and to submit, as a matter of priority, to their governing and legislative organs concrete proposals

for the full implementation of the relevant United Nations decisions, in particular specific programmes of assistance to the peoples in the colonial Territories and their national liberation movements;

15. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations within the United Nations system in working out appropriate measures for implementing the present resolution and to prepare for submission to the relevant bodies, with the assistance of those agencies and other organizations, a report on the action taken since the circulation of his previous report in implementation of the relevant resolutions of the United Nations, including the present resolution;

16. *Requests* the Economic and Social Council to continue to consider, in consultation with the Special Committee, appropriate measures for co-ordination of the policies and activities of the specialized agencies and other organizations within the United Nations system in implementing the relevant resolutions of the General Assembly;

17. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 28 November 1977, the General Assembly, by 139 votes to none, with 4 abstentions, adopted the draft resolution submitted by the Fourth Committee in its report (A/32/354, para. 10) For the final text, see resolution 32/36.⁵

⁵ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda items 95 and 12 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
A/32/23 (part V)	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (chap. VI)	<i>Ibid., Supplement No. 23 (A/32/23/Rev.1), chap. VI</i>
A/32/87 and Add.1-3	Report of the Secretary-General prepared in pursuance of paragraph 12 (a) of General Assembly resolution 31/30	Mimeographed
A/32/286	Report of the Secretary-General prepared in pursuance of paragraph 12 (b) of General Assembly resolution 31/30	Ditto
A/AC.109/L.1174	Note by the Secretariat transmitting information made available by the Office of Technical Co-operation in pursuance of General Assembly resolution 31/30	Ditto
A/C.4/32/L.3	Draft resolution	For the sponsors and the text, see A/32/354, paras. 8 and 10

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 96:* United Nations Educational and Training Programme for Southern Africa:** report of the Secretary-General

CONTENTS

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A/32/343	Report of the Fourth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fourth Committee*, and 10th to 20th meetings; *ibid.*, *Fourth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 83rd meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 69), twenty-eighth session (item 75), twenty-ninth session (item 70), thirtieth session (item 92) and thirty-first session (item 89).

DOCUMENT A/32/343

Report of the Fourth Committee

[Original: English]
[16 November 1977]

6. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the Fourth Committee, decided to include in the agenda of its thirty-second session and to allocate to the Fourth Committee the item entitled "United Nations Educational and Training Programme for Southern Africa: report of the Secretary-General".

7. At its 5th meeting, on 7 October 1977, the Fourth Committee decided to hold a general debate covering agenda items 24, 90, 93, 95 and 12, 96 and 97, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

8. The Committee considered item 96 at its 8th, 9th, 10th to 20th meetings, between 26 October and 9 November 1977.

9. The Committee had before it the report of the Secretary-General relating to the item (A/32/283).

10. The general debate covering the items referred to in paragraph 2 above took place at the 10th to 20th meetings, between 31 October and 9 November.

11. At the 16th meeting, on 7 November, the representative of Canada introduced a draft resolution (A/C.4/32/L.7), which was finally sponsored by the following Member States: Angola, Argentina, Australia, Brazil, Botswana, Canada, Colombia, Cuba, Denmark, Egypt, Ethiopia, Finland, France, Germany, Greece, Guyana, Honduras, India, Indonesia, Ireland, Ivory Coast, Japan, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mozambique, Netherlands, New Zealand,

Nigeria, Norway, Pakistan, Philippines, Portugal, Senegal, Sierra Leone, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, United States of Africa, Upper Volta, Venezuela, Zaire and Zambia.

12. At its 20th meeting, on 9 November, the Committee adopted draft resolution A/C.4/32/L.7 (see para. 8 below).

Recommendation of the Fourth Committee

13. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

UNITED NATIONS EDUCATIONAL AND TRAINING
PROGRAMME FOR SOUTHERN AFRICA

The General Assembly,

Recalling its resolutions on the United Nations Educational and Training Programme for Southern Africa, in particular resolution 31/31 of 29 November 1976,

Recalling further its resolution 31/126 of 16 December 1976 on emergency assistance for South African refugee students,

Having considered the report of the Secretary-General on the Programme for 1976/77 (A/32/283),

Taking note of the report of the Secretary-General on emergency assistance for South African student refugees,¹

Recognizing that, because of the continuing influx of refugee students from southern Africa into neighbouring States and the significant increases in the cost of educational and training awards, additional funds are essential if the Programme is to continue in operation at a satisfactory level,

Reaffirming that the Programme has been a significant and worthwhile effort of the international community and that its continuation and expansion during this crucial period are desirable,

¹ A/32/65 and Add.1.

1. *Expresses its appreciation* to all those who have made voluntary contributions to the United Nations Educational and Training Programme for Southern Africa;

2. *Commends* the Secretary-General and the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa for the work they have accomplished in strengthening and expanding the Programme;

3. *Appeals once again* to all States, organizations and individuals to make generous contributions to the Programme in order to ensure its continuation and expansion in the light of the increased needs.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 28 November 1977, the General Assembly adopted the draft resolution submitted by the Fourth Committee in its report (A/32/343, para. 8). For the final text, see resolution 32/37.²

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 96 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/283	Report of the Secretary-General	Mimeographed
A/C.4/32/L.7	Draft resolution	For the sponsors and the text see A/32/343, paras. 7 and 8

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 97:* Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories:** report of the Secretary-General

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A/32/344	Report of the Fourth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fourth Committee*, 8th and 10th to 16th meetings; *ibid.*, *Fourth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 83rd meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 70), twenty-eighth session (item 76), twenty-ninth session (item 71), thirtieth session (item 93) and thirty-first session (item 90).

DOCUMENT A/32/344

Report of the Fourth Committee

[Original: English]
[16 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-second session and to allocate to the Fourth Committee the item entitled "Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General".

2. At its 5th meeting, on 7 October 1977, the Fourth Committee decided to hold a general debate covering agenda items 24, 90, 93, 95 and 12, 96 and 97, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

3. The Committee considered item 97 at its 8th and 10th to 16th meetings, between 26 October and 7 November 1977.

4. The Committee had before it the report of the Secretary-General relating to the item (A/32/277).

5. The general debate covering the items referred to in paragraph 2 above took place at the 10th to 20th meetings, between 31 October and 9 November.

6. At the 15th meeting, on 4 November, the Chairman drew attention to a draft resolution (A/C.4/32/L.4), which was finally sponsored by the following Member States: Afghanistan, Algeria, Angola, Austria, Brazil, Chad, Congo, Egypt, Ethiopia, Ghana, Guinea-Bissau, Haiti, India, Iraq, Ivory Coast, Jordan, Kenya, Liberia, Libyan Arab Jamahiriya, Mali, Morocco, Mozambique, Niger, Nigeria, Norway, Senegal, Sierra Leone, Syrian Arab Republic, Trinidad and Tobago, Tunisia, United Republic of Tanzania and Yugoslavia.

7. At its 16th meeting, on 7 November, the Committee adopted draft resolution A/C.4/32/L.4 (see para. 8 below).

Recommendation of the Fourth Committee

8. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 31/32 of 29 November 1976,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (A/32/277), prepared under General Assembly resolution 845 (IX) of 22 November 1954,

Bearing in mind the continued need to provide educational and training facilities at all levels for the inhabitants of Non-Self-Governing Territories,

1. *Takes note* of the report of the Secretary-General;

2. *Expresses its appreciation* to those Member States which have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of Non-Self-Governing Territories, particularly those in southern Africa and, whenever possible, to provide travel funds to prospective students;

4. *Requests* the administering Powers to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by

States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-third session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 28 November 1977, the General Assembly adopted the draft resolution submitted by the Fourth Committee in its report (A/32/344, para. 8). For the final text, see resolution 32/38.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 97 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/277	Report of the Secretary-General	Mimeographed
A/C.4/32/L.4	Draft resolution	For the sponsors and the text, see A/32/344, paras. 6 and 8

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 98:* Financial reports and accounts, and reports of the Board of Auditors:**

- (a) United Nations Development Programme;
- (b) United Nations Children's Fund;
- (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (d) United Nations Institute for Training and Research;
- (e) Voluntary funds administered by the United Nations High Commissioner for Refugees;
- (f) United Nations Fund for Population Activities

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A/32/330	Report of the Fifth Committee	1
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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 8th to 10th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 66th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 71), twenty-eighth (item 77), twenty-ninth (item 72), thirtieth (item 94) and thirty-first (item 91).

DOCUMENT A/32/330

Report of the Fifth Committee

[Original: English]
[9 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include in the agenda of its thirty-second session the question of financial reports and accounts and to allocate it to the Fifth Committee.

2. At its 8th to 10th meetings, on 4 and 6 October 1977, the Fifth Committee considered the financial reports and accounts for the year ended 31 December 1976 and the reports of the Board of Auditors concerning the United Nations Development Programme (A/32/7/Add.1), the United Nations Children's Fund (including the UNICEF Greeting Card Operation) (A/32/7/Add.2), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/32/7/Add.3), the United Nations Institute for Training and Research (A/32/7/Add.4), the voluntary funds administered by the United Nations High Commissioner for Refugees (A/32/7/Add.5) and the United Nations Fund for Population Activities (A/32/7/Add.7).

3. The related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/145) covering the six sets of reports and accounts was also before the Committee.

4. In an oral statement before the Fifth Committee at its 8th meeting, the Chairman of the Board of Auditors reported on the progress made by the Board in implementing the changes that, in 1976, it had decided

to introduce to the existing auditing procedures in order to ensure that they met the changing requirements of the United Nations system.

5. At the start of the consideration of this item, the Committee had before it a draft resolution (A/C.5/32/L.4), proposed by the Chairman of the Committee, which read as follows:

[Same text as the preamble and operative paragraphs 1-3 of the draft resolution contained in paragraph 11 below.]

6. An amendment (A/C.5/32/L.5) to the draft resolution was submitted by Ghana, whereby the following paragraph would be added as operative paragraph 4:

"4. Requests the Board of Auditors to include in all its future audit reports to the General Assembly a chapter indicating remedial measures taken to correct financial management practices previously commented on by the Board of Auditors."

7. At the 9th meeting, the representative of Ghana introduced a revised version of the amendment which incorporated an oral subamendment proposed by the representative of the Federal Republic of Germany. The revised amendment (A/C.5/32/L.5/Rev.1) read as follows:

[Same text as operative paragraph 4 of the draft resolution contained in paragraph 11 below.]

8. The representative of the United Kingdom of Great Britain and Northern Ireland orally proposed, with reference to operative paragraphs 1 and 2 of the draft resolution, that the General Assembly accept the audit opinion of the Board of Auditors "as qualified by the observations and comments of the Advisory Committee". The United Kingdom subsequently withdrew the amendment.

9. The comments and observations made in the course of the discussion of this item and the replies to queries raised are reflected in the summary records of the meetings (A/C.5/32/SR.8-10).

Decision of the Committee

10. At its 10th meeting, the Committee adopted, without objection, the draft resolution (A/C.5/32/L.4) as amended by the revised amendment (A/C.5/32/L.5/Rev.1), including a small revision suggested by the Chairman.

Recommendation of the Fifth Committee

11. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

FINANCIAL REPORTS AND ACCOUNTS, AND REPORTS OF THE BOARD OF AUDITORS

The General Assembly,

Having considered the financial reports and accounts for the year ended 31 December 1976 of the United Nations Development Programme (A/32/7/Add.1, chaps. I and III), of the United Nations Children's Fund (A/32/7/Add.2, part one, chaps. I and III, and part two, chaps. I and III), of the United Nations Relief and Works Agency for Palestine Refugees in the

Near East (A/32/7/Add.3, chap. II), of the United Nations Institute for Training and Research (A/32/7/Add.4, chaps. I and III), of the voluntary funds administered by the United Nations High Commissioner for Refugees (A/32/7/Add.5, chap. II) and of the United Nations Fund for Population Activities (A/32/7/Add.7, chaps. I and III), the audit opinions of the Board of Auditors (A/32/7/Add.1, chap. II; A/32/7/Add.2, part one, chap. II, and part two, chap. II; A/32/7/Add.3, chap. I; A/32/7/Add.4, chap. II; A/32/7/Add.5, chap. I; and A/32/7/Add.7, chap. II, respectively) and the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/145),

1. *Accepts* the financial reports and accounts and the audit opinions of the Board of Auditors;

2. *Takes note* of the observations and comments of the Advisory Committee on Administrative and Budgetary Questions;

3. *Requests* the executive heads of the organizations and programmes concerned to take such remedial action as may be required by the comments and observations of the Board of Auditors (A/32/7/Add.1, chap. IV; A/32/7/Add.2, part one, chap. IV, and part two, chap. IV; A/32/7/Add.3, chap. III; A/32/7/Add.4, chap. IV; A/32/7/Add.5, chap. III; A/32/7/Add.7, chap. IV);

4. *Requests* the Board of Auditors to include in all its future audit reports to the General Assembly a chapter drawing attention to any failures by the organizations concerned to take the necessary measures to rectify inadequate financial management practices already commented on by the Board of Auditors to the extent that the comments have been endorsed by the Assembly.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 66th plenary meeting, on 11 November 1977, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/32/330, para. 11). For the final text, see resolution 32/16.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 98 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/7/Add.1	United Nations Development Programme: financial report and accounts for the year ended 31 December 1976 and report of the Board of Auditors	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 7A</i>
A/32/7/Add.2	United Nations Children's Fund: financial report and accounts for the year 1976 and report of the Board of Auditors	<i>Ibid., Supplement No. 7B</i>
A/32/7/Add.3	United Nations Relief and Works Agency for Palestine Refugees in the Near East: accounts for the year ended 31 December 1976 and report of the Board of Auditors	<i>Ibid., Supplement No. 7C</i>
A/32/7/Add.4	United Nations Institute for Training and Research: financial report and accounts for the year ended 31 December 1976 and report of the Board of Auditors	<i>Ibid., Supplement No. 7D</i>

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/7/Add.5	Voluntary funds administered by the United Nations High Commissioner for Refugees: accounts for the year ended 31 December 1976 and report of the Board of Auditors	<i>Ibid.</i> , Supplement No. 7E
A/32/7/Add.7	United Nations Fund for Population Activities: financial report and accounts for the year ended 31 December 1976 and report of the Board of Auditors	<i>Ibid.</i> , Supplement No. 7G
A/32/145	Report of the Advisory Committee on Administrative and Budgetary Questions	Mimeographed
A/C.5/32/L.4	Draft resolution proposed by the Chairman of the Fifth Committee	See A/32/330, para. 5
A/C.5/32/L.5	Ghana: amendment to document A/C.5/32/L.4	<i>Ibid.</i> , para. 6
A/C.5/32/L.5/Rev.1	Ghana: revised amendment to document A/C.5/32/L.4	<i>Ibid.</i> , para. 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 99:* Programme budget for the biennium 1976-1977**

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A/32/488	Report of the Fifth Committee	1
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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee, 71st meeting*, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 110th meeting.

** This question was previously discussed by the General Assembly at its thirty-first session (agenda item 92).

DOCUMENT A/32/488

Report of the Fifth Committee

[Original: English]
[20 December 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include this item in the agenda of its thirty-second session and to allocate it to the Fifth Committee.

2. In its consideration of the item, the Committee had before it the following documents:

(a) The report of the Secretary-General on the budget and programme performance of the United Nations for the biennium 1976-1977 (A/C.5/32/80 and Add.1);

(b) A note by the Secretary-General (A/C.5/32/82) transmitting the final performance report on the programme budget of the International Trade Centre for the biennium 1976-1977;

(c) The report of the Advisory Committee on Administrative and Budgetary Questions (A/32/491 and Corr.1) containing its observations and recommendations on the above-mentioned documents.

3. In his report (A/C.5/32/80, para. 4), the Secretary-General indicated that the total requirements for 1976-1977 were currently estimated at some \$2.7 million less than the net appropriations of \$657,045,600 approved by the General Assembly in resolution 31/207 of 22 December 1976, and requested approval of revised estimates in a net amount of \$654,330,900, consisting of a total revised expenditure of \$789,488,900 and revised income of \$135,158,000.

4. The Chairman of the Advisory Committee introduced that Committee's report in an oral statement before the Fifth Committee.

5. At the 71st meeting, the representative of the Union of Soviet Socialist Republics introduced a draft resolution (A/C.5/32/L.47) (for the text, see para. 13 below, draft resolution I).

6. The Committee adopted the draft resolution without a vote.

7. At the same meeting, the representative of Ghana introduced a draft decision (A/C.5/32/L.48), which read as follows:

[Same text as the draft decision contained in paragraph 14 (a) below, with the exception of the last phrase, which read:

"to ensure that the final performance report is submitted by the first week of December of each year."]

He orally revised the last part of the decision (see para. 14 (a) below).

8. The Committee adopted the draft decision, as revised, without a vote (see para. 14 (a) below).

9. Comments made in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.71).

10. The Committee then approved by 77 votes to 8, with 3 abstentions, a total revised gross expenditure in the amount of \$789,488,900 (see para. 13 below, draft resolution II A).

11. Total revised estimates of income in the amount of \$135,158,000 were approved without a vote (see para. 13 below, draft resolution II B).

12. The Committee then decided, without objection, to recommend to the General Assembly that it should take note of the performance report on the programme budget of the International Trade Centre for the biennium 1976-1977 (A/C.5/32/82) (see para. 14 (b) below).

Recommendations of the Fifth Committee

13. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

*Implementation of General Assembly resolutions 3534 (XXX), 31/93 and 31/193**The General Assembly,*

Recalling its resolution 3534 (XXX) of 17 December 1975, in which it requested the Secretary-General, *inter alia*, to include in the performance reports on the United Nations programme budgets relevant information on the staff and resources released as a result of the completion, reduction, reorganization, merging, elimination or otherwise of the United Nations programmes, projects or activities,

Recalling also its resolution 31/93 of 14 December 1976, in which it stressed the responsibility of the Secretary-General to draw to the attention of the competent intergovernmental bodies activities that are obsolete, of marginal usefulness or ineffective, indicating the resources which could be released so that the bodies concerned may take the necessary action,

Recalling further its resolution 31/193 B of 22 December 1976, in which, *inter alia*, it decided that all financial implications of a decision to raise salaries at Geneva should be covered by savings in the implementation of the United Nations budget for 1976-1977, in-

cluding reductions in General Service posts, and requested the Secretary-General to report to the General Assembly at its thirty-second session on such reductions as may have been made,

Noting with deep concern that the above-mentioned provisions of resolutions 3534 (XXX), 31/93 and 31/193 have not been implemented,

Urges the Secretary-General to ensure the implementation of the above-mentioned provisions of General Assembly resolutions 3534 (XXX) and 31/93 in the preparation of the proposed programme budget for the biennium 1980-1981 and the performance report on the programme budget for the biennium 1978-1979.

DRAFT RESOLUTION II

Programme budget for the biennium 1976-1977

A

*Final budget appropriations for the biennium 1976-1977**The General Assembly*

Resolves that for the biennium 1976-1977:

1. The amount of \$US 783,932,900, appropriated by its resolution 31/207 A of 22 December 1976, shall be increased by \$US 5,556,000 as follows:

<i>Section</i>	<i>Amount appropriated by resolution 31/207 A</i>	<i>Increase or (decrease)</i>	<i>Final appropriation</i>
	<i>(United States dollars)</i>		
PART I. Over-all policy-making, direction and co-ordination			
1. Over-all policy-making, direction and co-ordination	21 188 900	617 800	21 806 700
TOTAL, PART I	21 188 900	617 800	21 806 700
PART II. Political and peace-keeping activities			
2. Political and Security Council affairs; peace-keeping activities	47 086 400	(493 900)	46 592 500
TOTAL, PART II	47 086 400	(493 900)	46 592 500
PART III. Political, trusteeship and decolonization activities			
3. Political affairs, trusteeship and decolonization activities	8 160 000	(832 000)	7 328 000
TOTAL, PART III	8 160 000	(832 000)	7 328 000
PART IV. Economic, social and humanitarian activities			
4. Policy-making organs (economic and social activities)	3 464 100	(80 500)	3 383 600
5A. Department of Economic and Social Affairs	41 514 500	(1 168 200)	40 346 300
5B. United Nations Centre on Transnational Corporations	2 993 800	(355 100)	2 638 700
6. Economic Commission for Europe	15 202 100	1 491 500	16 693 600
7. Economic and Social Commission for Asia and the Pacific	15 238 500	194 500	15 433 000
8. Economic Commission for Latin America .	18 336 200	543 200	18 879 400
9. Economic Commission for Africa	18 975 500	(1 103 300)	17 872 200
10. Economic Commission for Western Asia ..	9 826 200	(188 300)	9 637 900
11. United Nations Conference on Trade and Development	48 449 300	(653 400)	47 795 900

<i>Section</i>	<i>Amount appropriated by resolution 31/207 A</i>	<i>Increase or (decrease)</i>	<i>Final appropriation</i>
	<i>(United States dollars)</i>		
12. United Nations Industrial Development Organization	46 087 100	(73 700)	46 013 400
13A. United Nations Environment Programme .	6 047 000	(1 500)	6 045 500
13B. Habitat: United Nations Conference on Human Settlements	957 500	98 400	1 055 900
14. International narcotics control	4 361 900	177 900	4 539 800
15. Regular programme of technical assistance	20 092 900	(843 000)	19 249 900
16. Office of the United Nations High Commissioner for Refugees	15 945 400	332 100	16 277 500
17. Office of the United Nations Disaster Relief Co-ordinator	1 551 000	(19 200)	1 531 800
TOTAL, PART IV	269 043 000	(1 648 600)	267 394 400
PART V. Human rights			
18. Human rights	6 422 000	(48 500)	6 373 500
TOTAL, PART V	6 422 000	(48 500)	6 373 500
PART VI. International Court of Justice			
19. International Court of Justice	5 179 700	41 500	5 221 200
TOTAL, PART VI	5 179 700	41 500	5 221 200
PART VII. Legal activities			
20. Legal activities	8 031 000	(420 600)	7 610 400
TOTAL, PART VII	8 031 000	(420 600)	7 610 400
PART VIII. Common services			
21. Public information	30 241 100	171 800	30 412 900
22. Administration, management and general services	136 229 100	2 017 900	138 247 000
23. Conference and library services	108 534 600	(1 386 500)	107 148 100
TOTAL, PART VIII	275 004 800	803 200	275 808 000
PART IX. Special expenses			
24. United Nations bond issue	17 199 000	(175 000)	17 024 000
TOTAL, PART IX	17 199 000	(175 000)	17 024 000
PART X. Staff assessment			
25. Staff assessment	108 570 900	7 229 100	115 800 000
TOTAL, PART X	108 570 900	7 229 100	115 800 000
PART XI. Capital expenditures			
26. Construction, alteration, improvement and major maintenance of premises	18 047 200	483 000	18 530 200
TOTAL, PART XI	18 047 200	483 000	18 530 200
GRAND TOTAL	783 932 900	5 556 000	789 488 900

2. The Secretary-General shall be authorized to transfer credits between sections of the budget with the concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The total net provision made under the various sections of the budget for contractual printing shall be administered as a unit under the direction of the United Nations Publications Board;

4. The appropriations for technical assistance programmes under section 15 shall be administered in accordance with the Financial Regulations of the United Nations, except that the definition of obligations and the period of validity of obligations shall be subject to the following procedures:

(a) Obligations for personal services established in the current biennium shall be valid for the succeeding biennium, provided that appointments of the experts concerned are affected by the end of the current biennium and that the total period to be covered by obligations established for these purposes against the resources of the current biennium shall not exceed twenty-four man-months;

(b) Obligations established in the current biennium for fellowships shall remain valid until liquidated, provided that the fellow has been nominated by the requesting Government and accepted by the Organization and that a formal letter of award has been issued to the requesting Government;

(c) Obligations in respect of contracts or purchase orders for supplies or equipment recorded in the current biennium will remain valid until payment is effected to the contractor or vendor, unless they are cancelled;

5. In addition to the appropriations voted under paragraph 1 above, an amount of \$27,000 is appropriated for each year of the biennium 1976-1977 from the accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

B

Final income estimates for the biennium 1976-1977

The General Assembly

Resolves that for the biennium 1976-1977:

1. The estimates of income other than assessments on Member States approved by its resolution 31/207 B of 22 December 1976 shall be increased by \$US 8,270,700 as follows:

<i>Income section</i>	<i>Amount approved by resolution 31/207 B</i>	<i>Increase or (decrease)</i>	<i>Revised estimates</i>
<i>(United States dollars)</i>			
PART I. Income from staff assessment			
1. Income from staff assessment	110 149 800	7 660 200	117 810 000
TOTAL, PART I	110 149 800	7 660 200	117 810 000
PART II. Other income			
2. General income	10 188 500	(64 800)	10 123 700
3. Revenue-producing activities	6 549 000	675 300	7 224 300
TOTAL, PART II	16 737 500	610 500	17 348 000
GRAND TOTAL	126 887 300	8 270 700	135 158 000

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

3. Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, television services and the sale of publications, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

* * *

14. The Fifth Committee also recommends to the General Assembly that it:

(a) Decide that the Secretary-General, in the context of the performance report on the programme budget, should ensure that important elements thereof which require detailed consideration by the Fifth Committee are reported on separately by means of special reports, which should be circulated sufficiently in advance to permit adequate consideration by the Committee, and take all measures necessary so as to ensure that the final performance report is made available to delegations not later than the end of the first week of December of each year;

(b) Take note of the performance report on the programme budget of the International Trade Centre for the biennium 1976-1977 (A/C.5/32/82).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 110th plenary meeting, on 21 December 1977, the General Assembly voted on draft resolutions I and II A and B submitted by the Fifth Committee in its report (A/32/488, para. 13). Draft resolution I was adopted without objection; draft resolution II A was adopted by a recorded vote of 122 to none, with 4 absten-

tions; draft resolution II B was adopted by consensus. For the final texts, see resolutions 32/201 and 32/202 A and B.¹

At the same meeting, the Assembly adopted the recommendations made by the Fifth Committee in paragraph 14 of the same report (see decision 32/449¹).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 99 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/8/Add.13	Honoraria for the members of the Human Rights Committee: report of the Advisory Committee on Administrative and Budgetary Questions	See <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 8A</i>
A/32/491 and Corr.1	Report of the Advisory Committee on Administrative and Budgetary Questions	Mimeographed
A/C.5/32/38	Financial implications of article 35 of the International Covenant on Civil and Political Rights and the Optional Protocol: note by the Secretary-General	Ditto
A/C.5/32/80 and Add.1	Budget and programme performance of the United Nations for the biennium 1976-1977: report of the Secretary-General	Ditto
A/C.5/32/82	Performance report of the programme budget of the International Trade Centre for the biennium 1976-1977: note by the Secretary-General	Ditto
A/C.5/32/L.47	Union of Soviet Socialist Republics: draft resolution	See A/32/488, para. 13, draft resolution I
A/C.5/32/L.48	Ghana: draft decision	<i>Ibid.</i> , para. 7

GENERAL
ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 100:* Proposed programme budget for the biennium** 1978-1979

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For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 4th to 7th, 9th to 13th, 15th to 21st, 24th to 31st, 33rd to 35th, 37th to 51st, 53rd to 72nd meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Sixth Committee*, 33rd meeting and *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 34th, 90th, 102nd, 105th and 110th meetings.

* This question, or that of the programme budget for the biennium, was previously discussed by the General Assembly at following sessions: twenty-eighth session (agenda item 79), twenty-ninth session (item 73), thirtieth session (items 95 and 96) and thirty-first session (item 92).

<i>Document No.</i>	<i>Title</i>	<i>P</i>
A/32/455	Implications of the draft resolutions contained in documents A/32/L.20, A/32/L.21/Rev.1 and Corr.1, A/32/L.22/Rev.1, A/32/L.23 to A/32/L.33 and A/32/L.34/Rev.1 (agenda item 27): report of the Fifth Committee	
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A/32/484	Implications of draft resolutions IV and V submitted by the Second Committee in document A/32/463 (agenda item 62): report of the Fifth Committee	
A/32/485 and Add.1	Implications of draft resolutions I to IV submitted by the Second Committee in document A/32/480 and of the draft resolution submitted in document A/32/480/Add.1 (agenda item 67): report of the Fifth Committee	
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Abbreviations

Advisory Committee	Advisory Committee on Administrative and Budgetary Questions
CPC	Committee for Programme and Co-ordination
ECA	Economic Commission for Africa
ECWA	Economic Commission for Western Asia
UNDRO	Office of the United Nations Disaster Relief Co-ordinator
UNIDO	United Nations Industrial Development Organization
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNTSO	United Nations Truce Supervision Organization in Palestine

DOCUMENT A/32/389

Revision of the Financial Regulations of the United Nations

Report of the Fifth Committee

[Original: English]
[29 November 1977]

1. At the thirty-first session of the General Assembly, the Fifth Committee decided to postpone to the thirty-second session¹ its consideration of the report of the Secretary-General on the revision of the Financial Regulations of the United Nations.² The Committee considered the report at its 4th meeting, on 28 September 1977.

2. In his report, the Secretary-General proposed to revise financial regulations 11.1, 11.4 and 12.10, which deal with maintaining, closing and auditing United Nations accounts. The proposed revisions are a direct consequence of the change from an annual to a biennial budget cycle by the United Nations.

3. In paragraph 93 of its first report on the proposed programme budget for the biennium 1978-1979

¹ Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92, document A/31/470, para. 100 (e).

² Document A/C.5/31/58 of 22 November 1976.

(A/32/8 and Corr.1), the Advisory Committee, for reasons of clarity, recommended an amendment to the Secretary-General's proposed revision of financial regulation 11.1.

4. The statements made by the Chairman of the Advisory Committee and the Deputy Controller, as well as comments made by delegations in the course of the discussion of this question, are reflected in the summary record of the meeting (A/C.5/32/SR.4).

Recommendation of the Fifth Committee

5. The Fifth Committee decided, without objection, to recommend that the General Assembly should approve the revisions recommended by the Secretary-General in his report on the revision of the Financial Regulations of the United Nations,² as amended by the Advisory Committee (*ibid.*, para. 93).

DOCUMENT A/32/454

Question of the enlargement of the Advisory Committee on Administrative and Budgetary Questions

Report of the Fifth Committee

[Original: English]
[13 December 1977]

1. The Fifth Committee considered the question of the enlargement of the Advisory Committee at its 55th, 57th and 62nd meetings, on 2, 6 and 13 December 1977.

2. At the 55th meeting, the representative of Sierra Leone introduced a draft resolution (A/C.5/32/L.26) on behalf of Bangladesh, Egypt, Ghana, India, Indonesia, Kenya, Pakistan, Panama, Sierra Leone, the United Republic of Cameroon, the United Republic of Tanzania and Zambia. Algeria, Barbados, Ecuador, Guyana, the Libyan Arab Jamahiriya, Senegal, Somalia and the Syrian Arab Republic subsequently joined the sponsors. In the operative paragraphs of the draft resolution, the General Assembly would decide to increase the membership of the Advisory Committee from 13 to 16 members, with effect from 1 January 1978, and to make the appropriate amendments to the relevant rules of procedure of the General Assembly.

3. When the Committee considered the question at its 62nd meeting, it had before it a statement of the Secretary-General (A/C.5/32/78), in which he submitted the administrative and financial implications of the draft resolution.

4. An oral statement was made by the Chairman of the Advisory Committee.

5. The representative of the United Kingdom orally proposed that the third preambular paragraph in draft resolution A/C.5/32/L.26, which read as follows:

"Desiring that the application of the principle of equitable geographical distribution should be

strengthened by increased participation of developing countries in the Advisory Committee," should be amended to read:

"Mindful of rule 156 of its rules of procedure and desiring, accordingly, to increase the participation of members from developing countries in the Advisory Committee,".

The sponsors of the draft resolution accepted the amendment proposed by the United Kingdom.

6. The Committee decided, without objection, that the revisions of rules 155 to 157 of the rules of procedure of the General Assembly should be made as proposed by the Controller (in a working document before the Fifth Committee). It also decided that paragraph 2 of the draft resolution, which read: "Decides to make the appropriate amendments to the relevant rules of procedure", should be amended to include the revised rules.

7. The Committee then adopted the draft resolution, as amended, without objection (see para. 9 below).

8. The comments made by delegations in the course of the discussion of this question are reflected in the summary records of the meetings (A/C.5/32/SR.55, 57 and 62).

Recommendation of the Fifth Committee

9. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

ENLARGEMENT OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS: AMENDMENTS TO RULES 155 TO 157 OF THE RULES OF PROCEDURE OF THE GENERAL ASSEMBLY

The General Assembly,

Recalling its resolution 14 (I) of 13 February 1946 on the establishment of the Advisory Committee on Administrative and Budgetary Questions and its resolutions 1659 (XVI) of 28 November 1961 and 2798 (XXVI) of 13 December 1971 on the enlargement of the Committee,

Noting that the membership of the United Nations has increased substantially since the adoption of the resolutions enlarging the Advisory Committee,

Mindful of rule 156 of its rules of procedure³ and desiring, accordingly, to increase the participation of members from developing countries in the Advisory Committee,

1. *Decides* to increase the membership of the Advisory Committee on Administrative and Budgetary Questions from thirteen to sixteen members;

2. *Decides* to amend, with effect from 1 January 1978, rules 155 to 157 of its rules of procedure to read as follows:

“Rule 155

“The General Assembly shall appoint an Advisory Committee on Administrative and Budgetary Questions (hereinafter called the ‘Advisory Committee’), with a membership of sixteen members, including at least three financial experts of recognized standing.

³ A/520/Rev.12 and Rev.12/Amend.1 (United Nations publication, Sales No. E.74.I.6).

“Rule 156

“The members of the Advisory Committee, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience and shall serve for a period of three years corresponding to three calendar years. Members shall retire by rotation and shall be eligible for reappointment. The three financial experts shall not retire simultaneously. The General Assembly shall appoint the members of the Advisory Committee at the regular session immediately preceding the expiration of the term of office of the members or, in the case of vacancies, at the next session.

“Rule 157

“The Advisory Committee shall be responsible for expert examination of the programme budget of the United Nations and shall assist the Administrative and Budgetary Committee (Fifth Committee). At the beginning of each regular session at which the proposed programme budget for the following biennium is to be considered, it shall submit to the General Assembly a detailed report on the proposed programme budget for that biennium. It shall also submit, at such times as may be specified in the applicable provisions of the Financial Regulations and Rules of the United Nations,⁴ a report on the accounts of the United Nations and all United Nations entities for which the Secretary-General has administrative responsibility. It shall examine on behalf of the General Assembly the administrative budgets of specialized agencies and proposals for financial and budgetary arrangements with such agencies. It shall perform such other duties as may be assigned to it under the Financial Regulations of the United Nations.”

⁴ ST/SGB/Financial Rules/1/Rev.1 and Rev.1/Amend.1-5.

Administrative and financial implications of proposals made during the session

DOCUMENT A/32/274

Implications of the draft resolution submitted by the Second Committee in document A/32/265

(Agenda item 12)

Report of the Fifth Committee

[Original: English]
[13 October 1977]

1. At its 13th meeting, on 11 October 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/20) on the administrative and financial implications of the draft resolution submitted by the Second Committee in its report (A/32/265, para. 6) regarding assistance for the reconstruction of Viet Nam.

2. Under the terms of the draft resolution, the General Assembly would request the Secretary-General to continue to encourage further mobilization of resources

and efforts from the international community with a view to achieving the social and economic rehabilitation of Viet Nam.

3. In his statement, the Secretary-General estimated that an additional appropriation of \$136,000 would be required to cover the salary of a deputy co-ordinator, travel and subsistence for missions of the co-ordinator and related secretarial assistance and common service costs for 1978-1979. The Secretary-General further stated that he intended to appoint Mr. Victor Umbricht as Co-ordinator and that Mr. Umbricht had indicated

his willingness to accept the assignment on a non-salaried basis.

4. The Chairman of the Advisory Committee orally stated that the Committee accepted the administrative and financial implications submitted by the Secretary-General

5. Comments made by delegations in the course of the discussion of this matter are reflected in the summary record of the meeting (A/C.5/32/SR.13).

Decision of the Committee

6. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt

the draft resolution of the Second Committee, an additional appropriation of \$136,000 would be required for the proposed programme budget for the biennium 1978-1979, as follows:

	<i>US dollars</i>
Section 1. Over-all policy-making, direction and co-ordination	100 300
Section 22. Administration, management and general services	35 700
Section 25. Staff assessment	23 300
Income section 1. Income from staff assessment	(23 300)
TOTAL	136 000

DOCUMENT A/32/322

Implications of the draft resolutions contained in documents A/32/L.4 to A/32/L.9, A/32/L.9/Rev.1, A/32/L.10 and A/32/L.11

(Agenda item 91)

Report of the Fifth Committee

[Original: English]
[3 November 1977]

1. At its 34th meeting, on 3 November 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statements submitted by the Secretary-General (A/C.5/32/30 and Corr.1 and A/C.5/32/30/Add.1) on the administrative and financial implications of the draft resolutions contained in documents A/32/L.4 to A/32/L.9, A/32/L.9/Rev.1, A/32/L.10 and A/32/L.11, together with the related recommendations of the Advisory Committee (A/32/8/Add.4). The Chairman of the Advisory Committee orally presented a supplementary report of that Committee with regard to the additional implications arising from draft resolution A/32/L.9/Rev.1.

2. In his first statement (A/C.5/32/30 and Corr.1), the Secretary-General noted that the administrative and financial implications of draft resolutions A/32/L.4, A/32/L.7 and A/32/L.8 were covered by those he had submitted for the other draft resolutions, in particular, for draft resolution A/32/L.9—which had been replaced by draft resolution A/32/L.9/Rev.1, on which he had submitted a new statement (A/C.5/32/30/Add.1).

3. The estimated costs related to the other draft resolutions as indicated in the Secretary-General's statements and in the reports of the Advisory Committee were as follows:

<i>Draft resolution</i>	<i>Budget section</i>	<i>Secretary-General's statements</i>	<i>Reports of the Advisory Committee</i>
<i>US dollars</i>			
A/32/L.5	Section 3C. Namibia: Assistance to Namibians	500 000	500 000
A/32/L.6	Section 3C. Namibia: United Nations Council for Namibia	34 500	34 500
	Section 21. Public information	175 300	157 300
A/32/L.9/ Rev.1	Section 3B. Department of Political Affairs, Trusteeship and Decolonization	73 600	40 300
	Section 3C. Namibia: United Nations Council for Namibia	346 300	299 000
	Section 22D. Office of General Services, Headquarters	8 400	4 200
	Section 22H. General Services Division, Geneva	20 000	20 000
	Section 25. Staff assessment	18 400	10 900
	Income section 1. Income from staff assessment	(18 400)	(10 900)
A/32/L.10	Section 3C. Namibia: United Nations Commissioner for Namibia, New York	106 400	69 400
	TOTAL	1 264 500	1 124 700

4. With regard to draft resolution A/32/L.11, the Secretary-General indicated in his statement (A/C.5/32/30 and Corr.1, para. 28) that, in the absence of more precise information as to the timing and organizational aspects of the proposed special session, no specific administrative and financial implications could be determined at the current stage. He did, however, as an indication of the order of magnitude, give the following data expressed in 1977 rates:

(a) Cost of first-class travel of one representative or one alternate representative, if all Member States exercised their entitlement: \$272,000;

(b) Full cost per week in respect of plenary meetings: \$220,800;

(c) Full cost per week in respect of each Main Committee: \$91,400.

He further indicated that administrative and financial implications might arise in respect of the relocation of currently scheduled meetings of other bodies, depending on the proposed dates of the special session.

5. The Advisory Committee, in its related report (A/32/8/Add.4), stated that in its opinion the information contained in document A/C.5/32/30 and Corr.1 with regard to draft resolution A/32/L.11 did not satisfy the requirements of rule 153 of the rules of procedure of the General Assembly, and it therefore recommended that final action on that draft resolution should be deferred until the consultations referred to in the operative paragraph of the draft resolution had taken place.

Decisions of the Committee

6. The Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolutions contained in documents A/32/L.4 to A/32/L.9, A/32/L.9/Rev.1 and A/32/L.10, the following additional appropriations would be required:

Draft resolution A/32/L.5	\$500,000 under section 3
Draft resolution A/32/L.6	\$191,800 under sections 3 and 21
Draft resolution A/32/L.9/Rev.1	\$363,500 under sections 3 and 22
Draft resolution A/32/L.10 . . .	\$69,400 under section 3

7. In addition, conference-servicing costs relating to draft resolution A/32/L.9/Rev.1 would be included in an over-all estimate which would be presented to the General Assembly at a later date and would not exceed \$300,000.

8. The Committee further decided to inform the General Assembly, with regard to draft resolution A/32/L.11, that the financial implications would be of the order of \$272,000 for travel of representatives, and \$312,200 for the cost of 10 plenary meetings of the Assembly and 10 meetings of one Main Committee per week. There might be other administrative and financial implications with respect to relocation of currently scheduled meetings which, until the determination of the date of the proposed special session, could not be estimated.

DOCUMENT A/32/364

Implications of the draft resolution submitted by the Fourth Committee in document A/32/357

(Agenda item 93)

Report of the Fifth Committee

[Original: English]
[23 November 1977]

1. At its 47th meeting, on 22 November 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/46) on the administrative and financial implications of the draft resolution submitted by the Fourth Committee in its report (A/32/357, para. 16).

2. In his statement, the Secretary-General indicated that the financial implications, estimated at \$28,900, of operative paragraph 4 of the draft resolution, in which the General Assembly would request the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to dispatch a visiting mission to East Timor as soon as possible, could be met from within the resources already requested in the proposed programme budget for the biennium 1978-1979 for the over-all programme of the Special Committee.

3. As regards paragraph 5 of the draft resolution, in which the General Assembly would request the Secretary-General to send urgently a special representative

to East Timor, the Secretary-General indicated that an additional appropriation of \$23,600 would be required.

4. In an oral statement, the Chairman of the Advisory Committee stated that, in that Committee's view, the special representative of the Secretary-General should be assisted by a fewer number of staff than had been proposed. Accordingly, the Advisory Committee recommended that an amount of \$19,000 should be appropriated under section 3A instead of \$23,600 as requested by the Secretary-General.

5. Comments made by delegations in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.47).

Decision of the Committee

6. The Fifth Committee decided, by 74 votes to 7, with 5 abstentions, to inform the General Assembly that, should it adopt the draft resolution of the Fourth Committee, an additional appropriation of \$19,000 would be required under section 3A of the proposed programme budget for the biennium 1978-1979.

DOCUMENT A/32/403

Implications of the draft resolutions contained in documents A/32/L.39 and A/32/L.40

(Agenda item 30)

Report of the Fifth Committee

[Original: English]
[1 December 1977]

A. DRAFT RESOLUTION A/32/L.39

1. At its 54th meeting, on 1 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/64 and Corr.1) on the administrative and financial implications of the draft resolution contained in document A/32/L.39 concerning the question of Palestine.

2. In his statement, the Secretary-General indicated that the financial implications of the draft resolution contained in document A/32/L.39 would amount to \$388,500 for 1978 with respect to operative paragraphs 7 and 8. However, since the conference costs, estimated on a full-cost basis at \$269,900, will be reviewed in the consolidated statement to be prepared at the end of the current session of the General Assembly, he stated that an appropriation of \$118,600 would be requested at the current stage, comprising travel of the members of the Committee (\$15,000) and general temporary assistance (1 P-5, 1 P-4 and 1 G-4) for the secretariat of the Committee (\$103,600).

3. In an oral statement, the Chairman of the Advisory Committee stated that the Advisory Committee concurred with the financial implications, estimated by the Secretary-General, which would arise in the event of the adoption of draft resolution A/32/L.39; an additional appropriation of \$118,600 would be required under section 1, with a further provision for staff assessment of \$29,400 under section 25, offset by an equivalent amount under income section 1.

4. He also stated that the conference-servicing costs, estimated at \$269,900, would be included in the consolidated statement to be submitted at the end of the current session of the General Assembly.

5. Comments made by delegations as well as representatives of the Secretary-General in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.54).

Decision of the Committee

6. The Fifth Committee decided, by 72 votes to 9, with 15 abstentions, to inform the General Assembly that, should it adopt draft resolution A/32/L.39, an additional appropriation of \$118,600 would be required under section 1 of the proposed programme budget for the biennium 1978-1979, with a further provision for staff assessment of \$29,400 under section 25, offset by an equivalent amount under income section 1, and that conference-servicing requirements not exceeding \$269,900 should be considered in the context of the consolidated statement to be prepared at a later stage.

B. DRAFT RESOLUTION A/32/L.40

7. At its 54th meeting, on 1 December 1977, the Fifth Committee, in accordance with rule 153 of the

rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/65 and Corr.1) on the administrative and financial implications of the draft resolution contained in document A/32/L.40, also concerning the question of Palestine.

8. In his statement, the Secretary-General indicated that the financial implications of the draft resolution contained in document A/32/L.40 would amount to \$47,000 for 1978, comprising \$96,600 for general temporary assistance (2 Professional staff at the P-3 level and 2 General Service staff), \$10,500 for a consultant, \$37,700 for other requirements in connexion with establishment of a Special Unit on Palestinian Rights, \$80,000 for the production of one film and \$214,200 for the publication of studies and bulletins. However, since the estimated costs for the publication of studies and bulletins will be reviewed in the consolidated statement to be prepared at the end of the current session of the General Assembly, he stated that an appropriation of \$222,800 would be requested at the current stage under section 1 (\$113,100), section 21 (\$80,000) and section 22 (\$29,700).

9. In an oral statement, the Chairman of the Advisory Committee stated that the Committee concurred with the financial implications estimated by the Secretary-General, which would arise in the event of the adoption of draft resolution A/32/L.40; an additional appropriation of \$222,800 would be required—\$113,100 under section 1, \$80,000 under section 21 and \$29,700 under section 22—with a further provision for staff assessment of \$22,000 under section 25, offset by an equivalent amount under income section 1.

10. He also stated that the estimated costs of \$214,200 for the publication of studies and bulletins would be included in the consolidated statement to be submitted at the end of the current session of the General Assembly.

11. Comments made by delegations as well as representatives of the Secretary-General in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.54).

Decision of the Committee

12. The Fifth Committee decided, by 71 votes to 14, with 11 abstentions, to inform the General Assembly that, should it adopt draft resolution A/32/L.40, an additional appropriation of \$222,800 would be required under sections 1, 21 and 22, of the proposed programme budget for the biennium 1978-1979, with a further provision for staff assessment of \$22,000 under section 25, offset by an equivalent amount under income section 1, and that conference-servicing requirements not exceeding \$214,200 should be considered in the context of the consolidated statement to be prepared at a later stage.

DOCUMENT A/32/409**Implications of the draft resolution submitted by the Sixth Committee in document A/32/338**

(Agenda item 116)

Report of the Fifth Committee[Original: English]
[5 December 1977]

1. At its 47th meeting, on 22 November 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/43) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in its report (A/32/338, para. 11).

2. Under the terms of the draft resolution the General Assembly would decide that the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization should continue its work, request the Secretary-General to render all assistance to the Special Committee, including the preparation of summary records of its meetings, and request the Special Committee to submit a report on its work to the General Assembly at its thirty-third session.

3. In his statement, the Secretary-General indicated that the financial implications of the draft resolution would, on a full-cost basis, amount to \$517,500 for 1978. The statement further indicated that, as that amount related to conference costs, it would be reviewed in the consolidated statement to be prepared at the end of the current session of the General Assembly.

4. In an oral statement, the Chairman of the Advisory Committee said that the Committee had been informed that the amount of \$517,500 for conference-servicing requirements had been based on full costs and that the difference between that figure and the one submitted the previous year (\$234,000)⁵ was accounted for by the fact that salaries for temporary assistance staff had risen and that costs for typing had been estimated at non-local rates.

5. The Chairman of the Advisory Committee also stated that the Advisory Committee expected that, when the Secretary-General submitted his paper on conference requirements for 1978, he would indicate that the entire amount of \$517,500 would be absorbed within existing resources for the biennium 1978-1979.

Decision of the Committee

6. The Fifth Committee agreed, without objection, to inform the General Assembly that, should it adopt the draft resolution of the Sixth Committee, conference-servicing costs estimated at \$517,500 would be absorbed within the appropriations for the biennium 1978-1979.

⁵ See *Official Records of the General Assembly, Thirty-first Session, Annexes*, agenda item 92, document A/31/350.

DOCUMENT A/32/413**Implications of the draft resolutions contained in documents A/32/L.35 to A/32/L.37**

(Agenda item 24)

Report of the Fifth Committee[Original: English]
[6 December 1977]

1. At its 57th meeting, on 6 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/61) on the administrative and financial implications of the draft resolutions contained in documents A/32/L.35 to A/32/L.37.

2. In his statement, the Secretary-General indicated that the financial implications of draft resolution A/32/L.36, under the terms of which the General Assembly would approve the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,⁶ including the programme of work envisaged for 1978, would amount to \$493,600. He further stated that,

bearing in mind that a provision of \$527,000 had already been requested in the proposed programme budget for the biennium 1978-1979, no additional appropriations would be requested at the current stage.

3. The Secretary-General also indicated that carrying out the provisions of draft resolutions A/32/L.35 and A/32/L.7, according to which the General Assembly would, in effect, request the Secretary-General to give the widest possible publicity to the work of the United Nations in the field of decolonization, would require no additional appropriations over and above those already included for the Office of Public Information in the proposed programme budget for the biennium 1978-1979.

4. In an oral statement, the Chairman of the Advisory Committee stated that the Committee concurred with the financial implications provided by the Secre-

⁶ *Ibid.*, *Thirty-second Session, Supplement No. 23*.

tary-General with respect to draft resolutions A/32/L.35 to A/32/L.37.

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolutions A/32/L.35 to A/32/L.37, the es-

timated cost of \$493,600 for the programme of work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples would be met within the amount of \$527,000 requested in the proposed programme budget for the biennium 1978-1979 and, therefore, no additional appropriation would be required.

DOCUMENT A/32/414

Implications of draft resolution II submitted by the Third Committee in document A/32/359

(Agenda item 77)

Report of the Fifth Committee

[Original: English]
[7 December 1977]

1. At its 51st meeting, on 29 November 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/52) on the administrative and financial implications of draft resolution II submitted by the Third Committee in its report (A/32/359, para. 23).

2. Under the terms of operative paragraph 8 of the draft resolution, the General Assembly would request the Secretary-General to take the necessary measures for the preparation of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, *inter alia*, through the commissioning of reports by consultant experts, selected with due regard to equitable geographical representation, and the organization of regional preparatory meetings, pursuant to existing practice, for Africa, Asia and Latin America, to which all Governments of the region might send experts and to which the Secretary-General should invite consultant experts from the region concerned.

3. In his statement, the Secretary-General estimated that an additional appropriation of \$84,700 would be required to cover the cost of consultants and of travel of participants and staff in 1978-1979.

4. The Chairman of the Advisory Committee made an oral statement in which a reduction in the requested appropriation to \$69,200 was recommended.

5. Statements were made by the representatives of the Philippines and the Union of Soviet Socialist Republics and are reflected in the summary record of the meeting (A/C.5/32/SR.51).

Decision of the Committee

6. The Fifth Committee decided, by 59 votes to 9, with 1 abstention, to inform the General Assembly that, should it adopt draft resolution II contained in the report of the Third Committee, an additional appropriation of \$69,200 would be required under section 4 of the proposed programme budget for the biennium 1978-1979.

DOCUMENT A/32/415

Implications of the draft resolution submitted by the First Committee in document A/32/367

(Agenda item 33)

Report of the Fifth Committee

[Original: English]
[7 December 1977]

1. At its 51st meeting, on 29 November 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/54 and Corr.1) on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/32/367, para. 8).

2. Under the terms of the draft resolution the General Assembly would recommend that the conclusions of the up-dated report on the economic and social consequences of the arms race and of military expenditures should be taken into account in future

disarmament negotiations; and request the Secretary-General to arrange for the reproduction of the report as a United Nations publication and to give it the widest possible publicity in as many languages as was considered desirable and practicable.

3. In his statement, the Secretary-General indicated that the financial implications of the draft resolution would, on a full-cost basis, amount to \$59,000. The statement further indicated that this amount would be reviewed in the consolidated statement of conference-servicing costs to be prepared at the end of the current session of the General Assembly.

4. In an oral statement, the Chairman of the Advisory Committee informed the Fifth Committee that the Advisory Committee concurred with the estimates prepared by the Secretary-General and recommended that the amount of \$59,000 be absorbed within the appropriations for the biennium 1978-1979.

Decision of the Committee

5. The Fifth Committee agreed, without objection, to inform the General Assembly that, should it adopt the draft resolution of the First Committee, an estimated cost of \$59,900 for printing would be absorbed within the appropriations for the biennium 1978-1979.

DOCUMENT A/32/416

Implications of the draft resolution submitted by the First Committee in document A/32/379

(Agenda item 48)

Report of the Fifth Committee

[Original: English]
[7 December 1977]

1. At its 51st meeting, on 29 November 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/55) on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/32/379, para. 8).

2. Under the terms of the draft resolution the General Assembly would:

(a) Decide that, as the next step towards the convening of a conference on the Indian Ocean, a meeting of the littoral and hinterland States of the Indian Ocean be convened in New York, which other States not falling within that category, but which had participated or had expressed their willingness to participate in the work of the *Ad Hoc* Committee on the Indian Ocean, could attend;

(b) Request the *Ad Hoc* Committee to make the necessary preparations for the meeting referred to above;

(c) Renew the general mandate of the *Ad Hoc* Committee as defined in the relevant resolutions;

(d) Request the Secretary-General to make the necessary provision for the meeting referred to above and to continue to render all necessary assistance to the *Ad Hoc* Committee, including the preparation of summary records.

3. In his statement, the Secretary-General estimated that the financial implications of the draft resolution would be \$173,700 for two sessions of the *Ad Hoc* Committee on the Indian Ocean and \$256,100 for a meeting of the littoral and hinterland States. All the meetings would be held in 1978. The statement further indicated that the costs would be reviewed towards the end of the current session of the General Assembly and a report would be made to the Fifth Committee as to how much could be absorbed from within existing resources in the light of the over-all pattern of conferences for 1978.

4. In an oral statement, the Chairman of the Advisory Committee informed the Fifth Committee that the Advisory Committee concurred with the estimates proposed by the Secretary-General and recommended that the amount of \$429,800 should be absorbed within the appropriations for the biennium 1978-1979.

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution of the First Committee, conference-servicing costs estimated at \$429,800 would be absorbed within the appropriations for the biennium 1978-1979.

DOCUMENT A/32/417

Implications of the draft resolution submitted by the Sixth Committee in document A/32/366

(Agenda item 122)

Report of the Fifth Committee

[Original: English]
[7 December 1977]

1. At its 57th meeting, on 6 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/40/Rev.1 and Corr.1) on the administrative and finan-

cial implications of the draft resolution submitted by the Sixth Committee in its report (A/32/366, para. 7).

2. Under the terms of operative paragraph 2 of the draft resolution, the General Assembly would approve the convening of a resumed session of the United

Nations Conference on Succession of States in Respect of Treaties at Vienna for a period of three weeks, from 31 July to 18 August 1978, with a possible extension of up to one further week should that prove necessary in the view of the Conference.

3. In his statement, the Secretary-General estimated that if the Conference were held at Geneva it would cost \$659,500 for a three-week session or \$834,600 for a four-week session; the corresponding estimates if the Conference were held in New York would be \$814,300 and \$984,600. The statement indicated that, under the terms of General Assembly resolution 31/140 of 17 December 1976, the Government of Austria would defray the actual additional cost directly or indirectly involved, but the Secretary-General did not express an opinion on whether the costs at New York or Geneva should be used as the basis for calculating the additional costs to be defrayed.

4. The Chairman of the Advisory Committee introduced the report of that Committee (A/32/8/Add.15) and recalled that, pursuant to General Assembly resolution 31/140, section I, paragraph 5, the actual additional costs were those additional to holding a session at the established headquarters of the body in question. For bodies serviced by the Office of Legal Affairs, the established headquarters was the United Nations Headquarters in New York. In the specific case of the United Nations Conference on Succession of States in Respect of Treaties, however, the General Assembly, at its thirty-first session, agreed that Geneva should be used as the base for calculating additional costs related to the 1977 session of the Conference. Since the proposed 1978 session would be a resumed session and not a separate conference, the Advisory Committee had concluded that the arrangements approved for 1977, namely, that Geneva be used as the basis for calculating the costs, should apply also to the resumed session in 1978. Accordingly, the Committee's

recommendations related to the Secretary-General's assumptions as to the costs of holding the session at Geneva.

5. On the basis of full-cost requirements for a three-week session, the Advisory Committee recommended reductions of \$73,300 in conference-servicing costs (\$25,400 in respect to staff and \$47,900 in respect to post-session documentation) and \$1,800 in other requirements (travel and subsistence of substantive staff). The full cost of conference-servicing requirements for a three-week session thus became \$551,000 and that of other requirements became \$33,400. The Committee recommended that the figure \$551,000 be used as the starting point for purposes of the consolidated statement of conference-servicing requirements. The Committee believed that requirements for one additional week were of a contingent nature and should not be included in the consolidated statement.

6. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.57).

Decision of the Committee

7. The Fifth Committee decided, by 79 votes to 6, to accept the recommendations of the Advisory Committee as contained in its report (A/32/8/Add.15) and to inform the General Assembly that, should it adopt the draft resolution of the Sixth Committee, an additional amount of \$33,400 would be required under section 20 of the proposed programme budget for the biennium 1978-1979 and that conference-servicing requirements in an amount not exceeding \$551,000 would arise under section 23, it being understood that the latter requirements would be included in a consolidated statement to be prepared towards the close of the current session of the General Assembly.

DOCUMENT A/32/425

Implications of the draft resolution submitted by the First Committee in document A/32/369

(Agenda item 38)

Report of the Fifth Committee

[Original: English]
[16 December 1977]

1. At its 60th and 63rd meetings, on 9 and 14 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/58 and Corr.1) on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/32/369, para. 8).

2. In his statement, the Secretary-General indicated that the financial implications of the draft resolution would amount to \$686,700. That amount would be needed if no conference servicing could be provided from within existing resources for the Preparatory Conference for the United Nations Conference on Prohibi-

tions or Restrictions of Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects. The Secretary-General stated that he would report later in the current session of the General Assembly how much of the cost of servicing the Preparatory Conference could be absorbed and whether additional appropriations would be required.

3. The Advisory Committee in its report (A/32/8/Add.20, paras. 2-4) recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, conference servicing would need to be provided in 1978 for the Preparatory Conference at an estimated cost of \$686,700, to

be reviewed in the consolidated statement of conference-servicing costs for 1978, which the Secretary-General would be submitting towards the close of the current session of the Assembly; and that the requirements in 1979 relating to the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects would be the subject of a separate submission by the Secretary-General to the Assembly at its thirty-third session.

4. Comments made in the course of the discussion on the question are reflected in the summary records of the meetings (A/C.5/32/SR.60 and 63).

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution of the First Committee, conference-servicing costs not exceeding \$686,700 for the Preparatory Conference in 1978 would be considered in the context of the consolidated statement on conference-servicing costs at a later stage, and that the requirements for the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects would be submitted to the General Assembly at its thirty-third session.

DOCUMENT A/32/426

Implications of draft resolution E submitted by the First Committee in document A/32/380

(Agenda item 51)

Report of the Fifth Committee

*[Original: English
19 December 1977]*

1. At its 60th meeting, on 9 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/70) on the administrative and financial implications of draft resolution E submitted by the First Committee in its report (A/32/380, para. 19).

2. The Chairman of the Advisory Committee introduced the report of that Committee (A/32/8/Add.20, paras. 20-24) on the administrative and financial implications of the draft resolution.

3. In his statement, the Secretary-General estimated that the total cost of the programme of work envisaged in the draft resolution would be \$714,100, consisting of an estimated \$566,500 for the publication in 1978 and 1979 of a United Nations disarmament periodical and \$147,600 for staff and common services costs related to the publication of the periodical. The extent to which the publishing costs could be absorbed within existing resources would be indicated in the consolidated statement of conference-servicing requirements to be submitted towards the close of the current session of the General Assembly.

4. The estimate of \$147,600 for established posts and common services costs related to the request for

3 additional posts (P-4, P-2 and G-3). The Advisory Committee was not convinced that a P-2 post would be needed. The Committee therefore recommended a reduction of \$39,500 in staff costs and \$7,500 in related common services costs.

Decision of the Committee

5. The Fifth Committee decided, without objection to inform the General Assembly that, should it adopt draft resolution E contained in the report of the First Committee, additional requirements of \$85,400 for established posts and \$15,200 for common services cost would arise under sections 2 and 22, respectively, of the proposed programme budget for the biennium 1978-1979. An additional amount of \$23,700 would also be required under section 25 to cover the related staff assessment, to be offset by an increase in the same amount in the estimates of income from staff assessment under income section 1. The adoption of the draft resolution would also give rise to publishing costs not exceeding \$566,500 which would be included in the consolidated statement of conference-servicing costs for 1978 to be submitted by the Secretary-General towards the close of the current session of the General Assembly.

DOCUMENT A/32/427

Implications of draft resolutions A and B submitted by the First Committee in document A/32/38

(Agenda item 52)

Report of the Fifth Committee

*[Original: English
19 December 1977]*

1. At its 60th meeting, on 9 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/69) on the administrative and financial implications of

draft resolutions A and B submitted by the First Committee in its report (A/32/381, para. 12).

2. The Chairman of the Advisory Committee introduced the report of that Committee (A/32/8

Add.20, paras. 8-19) on the administrative and financial implications of the draft resolutions.

3. In his statement, the Secretary-General submitted the implications of the draft resolutions, which relate to the meetings of an *ad hoc* group of governmental experts, the Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament, and the special session of the General Assembly devoted to disarmament.

A. *Ad Hoc Group on the Relationship between Disarmament and Development*

4. In paragraph 5 of his statement, the Secretary-General estimated the cost of the *ad hoc* group of governmental experts, envisaged in draft resolution A, at a total of \$140,600. The Secretary-General proposed that the *ad hoc* group should consist of 15 experts who would meet in New York in 1978 for one week. The cost of conference services for the group was estimated at \$117,500 and the cost of travel and subsistence of the experts at \$23,100. The Advisory Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt draft resolution A, additional requirements of \$23,100 for travel and subsistence of experts would be needed under section 2 of the proposed programme budget for 1978-1979 and that conference-servicing costs not exceeding \$117,500 would also be required and would be included in the consolidated statement of conference-servicing costs to be submitted by the Secretary-General towards the close of the current session of the General Assembly.

B. *Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament*

5. In paragraph 10 of his statement, referring to draft resolution B, the Secretary-General estimated the conference-servicing costs of two sessions of the Preparatory Committee in 1978 at \$891,400, on the assumption that none of the servicing could be provided from within already approved resources. The statement also included an estimate of \$90,000 for the extension of the contracts of two consultants and the employment of two research assistants who would work on the draft final document or documents.

6. The Advisory Committee recommended that research assistance to the consultants should continue to be furnished from within the existing establishment and that the Secretary-General's request in respect of consultants and research assistants should be reduced by \$21,000, i.e., from \$90,000 to \$69,000. In addition, the Advisory Committee concurred with the estimated cost of \$891,400 for conference-servicing costs for the Preparatory Committee.

C. *Special session of the General Assembly devoted to disarmament*

7. In paragraph 15 of his statement, the Secretary-General submitted the revised cost estimates of

\$2,839,200 for the special session of the General Assembly devoted to disarmament. The Secretary-General confined his request for additional resources at the current stage to \$382,200 under section 1 and indicated that he would report later in the current session of the General Assembly to what extent the conference-servicing costs dealt with in his statement could be absorbed within existing resources.

8. The Advisory Committee recommended that the Secretary-General's request for the Office of Public Information be reduced by \$30,000, i.e., from \$84,800 to \$54,800. The Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt draft resolution B, additional appropriations of \$352,200 would be needed under section 1 of the proposed programme budget in respect of non-conference-servicing costs for the special session of the General Assembly devoted to disarmament and that conference servicing to the special session would also need to be provided, at an estimated cost of \$2,457,000. The latter amount would be reviewed in the consolidated statement of conference-servicing costs to be submitted by the Secretary-General towards the close of the current session of the General Assembly.

9. In summary, the Advisory Committee recommended to the Fifth Committee that it inform the General Assembly that, should the latter adopt draft resolutions A and B, there would be need for \$352,200 and \$92,100 under sections 1 and 2 of the programme budget for 1978-1979 and \$3,465,900 for conference-servicing costs. The latter amount would be reviewed in the consolidated statement to be submitted by the Secretary-General towards the close of the current session of the General Assembly.

10. The comments made in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.60).

Decision of the Committee

11. The Fifth Committee adopted, by 63 votes to 11, with 8 abstentions, the proposal by Argentina to restore \$21,000 which the Advisory Committee had recommended against in respect of research assistance.

12. The Committee then decided, without objection, to inform the General Assembly that, should it adopt draft resolutions A and B contained in the report of the First Committee, additional appropriations of \$352,200 under section 1 and \$113,100 under section 2 of the programme budget for the biennium 1978-1979 would be required. Conference-servicing costs in the amount of \$3,465,900 would also be considered by the Assembly in the context of the total requirements for the calendar of conferences for 1978.

DOCUMENT A/32/428

Implications of the draft resolution submitted by the First Committee in document A/32/382

(Agenda item 53)

Report of the Fifth Committee[Original: English]
[9 December 1977]

1. At its 60th meeting, on 9 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/68) on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/32/382, para. 8).

2. The Chairman of the Advisory Committee introduced the report of that Committee (A/32/8/Add.20, paras. 5-7) on the administrative and financial implications of the draft resolution.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$439,300. The estimates covered the conference-servicing costs of two sessions of the *Ad Hoc* Committee on the World Disarmament Conference to be held in New York in 1978. The statement indicated that the Secretary-General would report later in the current session of the General Assembly how much of this amount could be absorbed within existing resources

and whether servicing of the two sessions in question would require additional appropriations.

4. The Advisory Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, it would be necessary to provide conference servicing to the *Ad Hoc* Committee on the World Disarmament Conference at an estimated cost of \$439,300, including the cost of services to be provided from already approved resources.

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution of the First Committee, there would be a need to provide, in 1978, conference servicing to the *Ad Hoc* Committee on the World Disarmament Conference at an estimated cost of \$439,300 and that this amount would be included in the consolidated statement of conference-servicing costs for 1978 to be submitted by the Secretary-General towards the close of the current session of the General Assembly.

DOCUMENT A/32/431

Implications of draft resolution D submitted by the Special Political Committee in document A/32/351

(Agenda item 55)

Report of the Fifth Committee[Original: English]
[9 December 1977]

1. At its 60th meeting, on 9 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/76) on the administrative and financial implications of draft resolution D submitted by the Special Political Committee in its report (A/32/351, para. 19).

2. Under the terms of the draft resolution the General Assembly would:

(a) Request the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of UNRWA for a further period of one year;

(b) Request the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

3. In his statement, the Secretary-General indicated that the financial implications of the draft resolution would, on a full-cost basis, amount to \$14,250 in conference-servicing costs and \$7,400 in travel and subsistence of the Chairman or a representative of the Working Group. The statement further indicated that the amount of \$14,250 in respect of conference-servicing costs would be reviewed in the consolidated statement to be prepared towards the end of the current session of the General Assembly and that what was required at the current stage was the amount of \$7,400 under section 2A of the proposed programme budget for the biennium 1978-1979.

4. In an oral statement, the Chairman of the Advisory Committee informed the Fifth Committee that the Advisory Committee concurred with the estimates prepared by the Secretary-General and recommended

that the amounts of \$14,250 in respect of conference-servicing costs and \$7,400 in respect of travel, subsistence and miscellaneous expenses for the Chairman or a representative of the Working Group should be absorbed within existing resources in the proposed programme budget for the biennium 1978-1979.

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution D contained in the report of the Special Political Committee, no additional appropriations would be required.

DOCUMENT A/32/434

Implications of draft resolutions B and C submitted by the Special Political Committee in document A/32/407

(Agenda item 57)

Report of the Fifth Committee

[Original: English]
[12 December 1977]

1. At its 60th meeting, on 9 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statements by the Secretary-General (A/C.5/32/81 and A/C.5/32/71) on the administrative and financial implications of draft resolutions B and C submitted by the Special Political Committee in its report (A/32/407, para. 15).

A. DRAFT RESOLUTION B

2. Under the terms of operative paragraph 5 of draft resolution B, the General Assembly would request the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to complete its survey on all the aspects referred to in paragraph 4 of the draft resolution, namely, the statements made by the representative of the Syrian Arab Republic before the Special Political Committee at the thirty-first and thirty-second (A/SPC/32/SR.34, paras. 7-10) sessions of the General Assembly to the effect that his Government reserved all rights to full compensation in regard to all damages resulting from Israel's deliberate destruction of Quneitra, including those not covered by the expert's report on the destruction of Quneitra (A/32/284, annex II) or not falling within the scope of his assignment. Under the terms of paragraph 6, it would also request the Secretary-General to provide the Special Committee with all the facilities required for the completion of the tasks referred to in the preceding paragraphs of the draft resolution.

3. In his statement (A/C.5/32/81), the Secretary-General indicated that the adoption of the draft resolution would not give rise to any financial implications at the current stage. He assumed, however, that at its first session scheduled for early 1978 the Special Committee would determine what further specific action might be required in respect of paragraphs 4 and 5 of draft resolution B and that, should any additional expenditures be involved, they would be incurred, with the prior concurrence of the Advisory Committee, in accordance with the provisions of the resolution on unforeseen and extraordinary expenses for the biennium 1978-1979.

4. The Chairman of the Advisory Committee, in an oral report, said that the Committee concurred with the statements of the Secretary-General in document A/C.5/32/81.

Decision of the Committee

5. The Fifth Committee decided, by 69 votes to 1, with 16 abstentions, to inform the General Assembly that, should it adopt draft resolution B contained in the report of the Special Political Committee, any additional expenditures involved would be incurred, with the prior concurrence of the Advisory Committee, in accordance with the provisions of the resolution on unforeseen and extraordinary expenses for the biennium 1978-1979.

B. DRAFT RESOLUTION C

6. Under the terms of operative paragraph 9 of draft resolution C, the General Assembly would request the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, pending the early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories, and to report to the Secretary-General as soon as possible and whenever the need arose thereafter. Under the terms of paragraph 11, it would also request the Secretary-General:

(a) To render all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, with a view to investigating the Israeli policies and practices referred to in draft resolution C;

(b) To continue to make available additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To ensure the widest circulation of the reports of the Special Committee, and of information regarding its activities and findings, by all means available through the Office of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

⁷ A/SPC/31/SR.30, para. 12.

(d) To report to the General Assembly at its thirty-third session on the tasks entrusted to him in paragraph 11.

7. In his statement (A/C.5/32/71), the Secretary-General indicated that, on the assumption that the Special Committee would implement, in 1978, a programme of work similar to that carried out in 1977, including field missions, the adoption of the draft resolution would require an appropriation of \$135,800 in the proposed programme budget for the biennium 1978-1979 under section 18 to cover the general costs of the work programme of the Special Committee and \$29,800 under section 25 to cover the cost in staff assessment, the latter amount to be offset by a corresponding amount under income section 1. The conference-servicing requirements of the Special Committee would be the object of a separate request for appropriation under section 23 after the Secretary-General had taken into account the available permanent and temporary resources of the Organization.

8. In an oral statement, the Chairman of the Advisory Committee said that the Committee concurred with the financial implications, estimated by the Secretary-General, which would arise in the event of the adoption of draft resolution C; an additional appropriation of \$135,800 would be required under sec-

tion 18, with a further provision for staff assessment of \$29,800 under section 25, offset by an equivalent amount under income section 1.

9. He also stated that conference-servicing costs, not exceeding \$360,762, would be included in the consolidated statement to be submitted at the end of the current session of the General Assembly.

Decision of the Committee

10. The Fifth Committee decided, by 70 votes to 2, with 15 abstentions, to inform the General Assembly that, should it adopt draft resolution C contained in the report of the Special Political Committee, additional appropriations of \$135,800 would be required under section 18, with a further provision for staff assessment of \$29,800 under section 25, offset by an equivalent amount under income section 1, and that conference-servicing requirements not exceeding \$360,762 should be considered in the context of the consolidated statement which would be submitted to the Committee at a later date.

11. Comments made by the delegations in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.60).

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DOCUMENT A/32/446

Implications of draft resolutions V, VIII, IX and X submitted by the Second Committee in document A/32/265/Add.1

(Agenda item 12)

Report of the Fifth Committee

[Original: English]
[13 December 1977]

1. At its 61st meeting, on 12 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement of the Secretary-General (A/C.5/32/72) on the administrative and financial implications of draft resolutions V, VIII, IX and X, dealing with assistance to Sao Tome and Principe, Cape Verde, Guinea-Bissau and Seychelles respectively, which were submitted by the Second Committee in its report (A/32/265/Add.1).

2. In paragraph 15 of his statement, the Secretary-General indicated that, should the General Assembly adopt the above-mentioned draft resolutions, a total appropriation in the amount of \$68,200 would be required under section 1 of the proposed programme budget for the biennium 1978-1979:

	<i>US dollars</i>
Consultant services	15 000
Temporary assistance for meetings	10 100

Travel of staff	42 300
Communications	800
TOTAL	<u>68 200</u>

3. The Advisory Committee, in its related report (A/32/8/Add.21, paras. 2-5), introduced by its Chairman in an oral statement before the Fifth Committee, agreed to the amount recommended by the Secretary-General.

4. Comments made in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.61).

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolutions V, VIII, IX and X contained in the report of the Second Committee, an additional appropriation in the amount of \$68,200 would be required under section 1 of the proposed programme budget for the biennium 1978-1979.

DOCUMENT A/32/452

Implications of draft resolutions V and VII submitted by the Second Committee
in document A/32/265/Add.3

(Agenda item 12)

Report of the Fifth Committee

[Original: English]
[18 December 1977]

A. DRAFT RESOLUTION V

1. At its 61st meeting, on 12 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/63) on the administrative and financial implications of draft resolution V, entitled "Transport and Communications Decade in Africa", submitted by the Second Committee in its report (A/32/265/Add.3, para. 26).

2. In paragraph 8 of his statement, the Secretary-General estimated that, should draft resolution V be adopted, an additional appropriation in the amount of \$203,500 would be required under section 9 of the proposed programme budget for the biennium 1978-1979.

3. In an oral statement, the Chairman of the Advisory Committee informed the Fifth Committee that the Advisory Committee had no objection to the Secretary-General's request with respect to draft resolution V.

4. The comments made by delegations in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.61).

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution V contained in the report of the Second Committee, an additional appropriation in the amount of \$203,500 would be required under section 9 of the proposed programme budget for the biennium 1978-1979.

B. DRAFT RESOLUTION VII

6. At its 68th meeting, on 18 December, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/91 and Corr.1) on the administrative and financial implications of draft resolution VII, entitled "Institutional arrangements for international co-operation in the field of human settlements", submitted by the Second Committee in its report (A/32/265/Add.3, para. 26).

7. In his statement, the Secretary-General considered the provisions of draft resolution VII dealing with the Commission on Human Settlements, the identification of the resources to be earmarked for Habitat, Centre for Human Settlements, the establishment of the Centre in Nairobi, and organization at the regional level.

8. The Secretary-General proposed that, should the General Assembly adopt draft resolution VII, a new section 13B entitled "Habitat: Human Settlements" be added to the programme budget. He estimated that, in the event of the adoption of the draft resolution, a net additional appropriation in the amount

of \$2,335,300 would be required for the biennium 1978-1979 as follows:

	<i>US dollars</i>
Section 4. Policy-making organs (economic and social activities)	(17 300)
Section 5A. Department of Economic and Social Affairs	(3 223 100)
Section 8. Economic Commission for Latin America	20 000
Section 9. Economic Commission for Africa .	20 000
Section 10. Economic Commission for Western Asia	20 000
Section 13B. Habitat: Human Settlements ...	5 515 700
Section 25. Staff assessment	123 600
Income section 1. Income from staff assessment	(123 600)
TOTAL	<u>2 335 300</u>

9. It was furthermore envisaged by the Secretary-General in his statement that an additional office wing would have to be provided in the permanent headquarters in Nairobi for the purpose of accommodating the Centre. The costs of the additional construction, estimated at \$1,865,000, would not arise until the 1980-1981 and 1982-1983 biennia.

10. In its report (A/32/8/Add.28), the Advisory Committee recommended that, since the Secretary-General envisaged that 48 regular budget posts could be transferred to the Centre from the Department of Economic and Social Affairs, the decrease in the number of posts at Headquarters should be reflected in a consequential reduction for related common services under section 22. A decrease of \$157,000 was accordingly recommended under that section.

11. The Advisory Committee further noted that the average cost of transfer of each Professional staff member from New York to Nairobi had been estimated at \$15,800, and that that estimate was based on the exercise of full entitlement by each staff member concerned. The Committee doubted that full entitlement would be necessary in each case and recommended accordingly that the amount of \$632,000 for common staff costs on transfer be reduced by \$182,000 to \$450,000.

12. The Advisory Committee noted also that the Secretary-General had estimated that 8 Professional and 12 General Service posts would be needed to provide financial, personnel and conference services for the Centre. The Committee did not recommend approval of the proposed posts for the time being and suggested that requests for the posts could be resubmitted in the context of the first performance report for 1978-1979, at which time they would be examined by the Committee in the light of the justification provided and on the basis of the actual experience thus far.

13. The Advisory Committee further noted that the Secretary-General's statement also contained requests for messengers, drivers and security staff as well as a supervisor. A total of 19 posts was requested (18 local-level and 1 P-2) of which all but 6 local-level posts would be on a temporary-assistance basis. Bearing in mind the tentative nature of the estimates and the fact that actual needs could only be assessed as and when the Centre began to function in Nairobi, the Committee recommended that all 19 posts be provided on a temporary-assistance basis. The Committee further recommended that temporary-assistance estimates be calculated on a 35 per cent basis for 1978 and on a full-cost basis for 1979.

14. The Advisory Committee recommended, in addition, that an over-all reduction of \$119,000 be applied to the provisions proposed under section 13B for travel, printing, utilities, equipment, communications, hospitality, supplies and miscellaneous.

15. With regard to the additional construction envisaged by the Secretary-General, the costs of which would not arise until the 1980-1981 and 1982-1983 biennia, the Advisory Committee expressed the belief that before it was decided to undertake additional construction, space requirements currently estimated for the specialized agencies which might occupy the building, as well as the *per capita* space allocation for staff in the new headquarters building, should be re-examined. The Committee also expressed the view that priority should be given to accommodating United Nations units. Furthermore, in view of the fact that additional space had been reserved for future growth, time should be given for the actual occupancy pattern of the building to emerge before a decision was made to build additional space.

16. Taking into account the above recommendations, the Advisory Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt draft resolution VII, a net additional appropriation in the amount of \$1,298,800 would be required for the biennium 1978-1979 as follows:

	<i>US dollars</i>
Section 4. Policy-making organs (economic and social activities)	(17 300)
Section 5A. Department of Economic and Social Affairs	(3 223 100)

Section 8. Economic Commission for Latin America	20 000
Section 9. Economic Commission for Africa .	20 000
Section 10. Economic Commission for Western Asia	20 000
Section 13B. Habitat: Human Settlements ...	4 636 200
Section 22. Administration, management and general services	(157 000)
Section 25. Staff assessment	34 800
Income section 1. Income from staff assessment	(34 800)
TOTAL	<u>1 298 800</u>

17. The comments made by delegations in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.68).

Decision of the Committee

18. The Fifth Committee, by 79 votes to 8, with 3 abstentions, decided, on the understanding that the Secretary-General would issue a separate report on this question early in the thirty-third session of the General Assembly, to inform the Assembly that, should it adopt draft resolution VII contained in the report of the Second Committee, a net additional appropriation in the amount of \$1,298,800 would be required for the biennium 1978-1979 as follows:

	<i>US dollars</i>
Section 4. Policy-making organs (economic and social activities)	(17 300)
Section 5A. Department of Economic and Social Affairs	(3 223 100)
Section 8. Economic Commission for Latin America	20 000
Section 9. Economic Commission for Africa .	20 000
Section 10. Economic Commission for Western Asia	20 000
Section 13B. Habitat: Human Settlements ...	4 636 200
Section 22. Administration, management and general services	(157 000)
Section 25. Staff assessment	34 800
Income section 1. Income from staff assessment	(34 800)
TOTAL	<u>1 298 800</u>

DOCUMENT A/32/455

Implications of the draft resolutions contained in documents A/32/L.20, A/32/L.21/Rev.1 and Corr.1, A/32/L.22/Rev.1, A/32/L.23 to A/32/L.33 and A/32/L.34/Rev.1

(Agenda item 27)

Report of the Fifth Committee

[Original: English]
[13 December 1977]

1. At its 62nd meeting, on 13 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/

C.5/32/79 and Corr.1) on the administrative and financial implications of draft resolutions A/32/L.20, A/32/L.21, A/32/L.22/Rev.1 and A/32/L.23 to A/32/L.34 relating to the programme of work of the

Special Committee against *Apartheid* and other matters dealing with the policies of *apartheid* of the Government of South Africa.

2. In his statement, the Secretary-General estimated that the financial implications arising from the draft resolutions being considered would require a total expenditure of \$735,900; bearing in mind the amount of \$150,000 already available for 1978 within existing provisions, the adoption of the draft resolutions would require net additional appropriations of \$585,900 in the programme budget for the biennium 1978-1979 (\$41,800 under section 3A.3, \$237,100 under section 3D, \$277,700 under section 21A and \$29,300 under section 22).

3. Subsequent to the preparation of the Secretary-General's statement on the administrative and financial implications, draft resolution A/32/L.21 was revised (A/32/L.21/Rev.1 and Corr.1) to include, *inter alia*, a new operative paragraph 8, in which the General Assembly would decide "to make a special allocation of \$300,000 to the budget of the Special Committee from the budget of the United Nations, to be utilized for special projects to be decided upon by the Committee in observance of the International Anti-*Apartheid* Year in consultation with the Secretary-General".

4. The Advisory Committee recommended (A/2/8/Add.22, paras. 11 and 9) that the amounts of

\$10,900 for consultants, \$3,500 for travel costs and per diem and \$8,000 for external printing requested by the Secretary-General in paragraphs 37, 38 and 67, respectively, of his statement should be absorbed. Therefore the Advisory Committee recommended additional requirements in respect of the draft resolutions amounting to \$863,500 net. This amount included the provision of \$300,000 under section 3A.3 referred to in paragraph 3 above.

5. The comments made in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.62).

Decision of the Committee

6. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolutions A/32/L.20, A/32/L.21/Rev.1 and Corr.1, A/32/L.22/Rev.1, A/32/L.23 to A/32/L.33 and A/32/L.34/Rev.1, additional net appropriations of \$863,500 would be required under the programme budget for the biennium 1978-1979 (\$338,300 under section 3A.3, \$218,200 under section 3D, \$277,700 under section 21A and \$29,300 under section 22).

7. Furthermore, an additional amount of \$57,400 for staff assessment would be required under section 25, offset by an increase in the same amount under income section 1, income from staff assessment.

DOCUMENT A/32/471

Implications of the draft resolution submitted by the Sixth Committee in document A/32/466

(Agenda item 37)

Report of the Fifth Committee

[Original: English]
[16 December 1977]

1. At its 65th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/94) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in its report (A/32/466, para. 9).

2. Under the terms of the draft resolution, the General Assembly would:

(a) Decide to establish a Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, composed of Member States⁸ to be appointed by the President of the General Assembly on the basis of equitable geographical distribution and representing the principal legal systems of the world;

(b) Instruct the Special Committee to consider proposals and suggestions submitted by any State, bearing in mind the views expressed during the debates on the item at the thirty-first and thirty-second sessions of the General Assembly, with the goal of drafting a

world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee might deem appropriate;

(c) Request the Secretary-General to provide the Special Committee with the necessary facilities and services, including the preparation of summary records of the meetings of the Committee.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$465,800. The statement indicated that that amount would be included in the consolidated statement of conference-servicing costs to be submitted at a later stage.

4. The Chairman of the Advisory Committee made an oral statement in which he said that the Committee concurred with the estimated costs submitted by the Secretary-General.

5. Comments made in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.65).

Decision of the Committee

6. The Fifth Committee decided, by 57 votes to 3, with 14 abstentions, to inform the General Assembly

⁸ 35 Member States (see General Assembly resolution 2/150, adopted at the 106th plenary meeting, on 19 December 1977).

that, should it adopt the draft resolution of the Sixth Committee, conference-servicing costs not exceeding \$465,800 would be required and that that amount would

be considered in the context of the consolidated statement of conference-servicing costs to be submitted at a later stage.

DOCUMENT A/32/472

Implications of the draft resolutions contained in documents A/32/L.43 and A/32/L.44 and of the amendment contained in document A/32/L.45

(Agenda item 73)

Report of the Fifth Committee

[Original: English]
[15 December 1977]

1. At its 64th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/95) on the administrative and financial implications of draft resolutions A/32/L.43 and A/32/L.44.⁹ The Committee also considered the financial implications of the amendment to draft resolution A/32/L.44 contained in document A/32/L.45.

2. Under the terms of draft resolution A/32/L.43, the General Assembly would accept the offer of the Government of Austria to act as host to the United Nations Conference on Science and Technology for Development at Vienna.

3. In his statement, the Secretary-General indicated that since, under the terms of General Assembly resolution 31/140, the Government of Austria would defray the actual additional costs directly or indirectly involved, draft resolution A/32/L.43, should it be adopted, would not have financial implications for the United Nations.

4. Under the terms of operative paragraph 1 of draft resolution A/32/L.44, the General Assembly would decide that the United Nations Conference on Science and Technology for Development should be held in a developing country for two weeks in 1979. Under paragraph 3, the Assembly would request the Secretary-General to submit to the Conference all relevant documentation and to arrange for the necessary staff, facilities and services that it will require, including the provision of summary records. Under paragraph 4, the General Assembly would decide that the languages of the Conference should be those used in the General Assembly and its Main Committees.

5. In his statement, the Secretary-General indicated that the provision of summary records and the inclusion of Arabic as a language of the Conference would involve additional requirements in the amount of \$415,600 for conference-servicing costs. The Secretary-General further stated that the extent to which any additional appropriations might be required for that purpose would be reflected in the consolidated statement being prepared to show any additional requirements under section 23.

⁹ Previously issued under the symbols A/C.2/32/L.88 and A/C.2/32/L.90/Rev.1 respectively (see A/32/445).

6. In an amendment to draft resolution A/32/L.45 (A/32/L.45), the General Assembly would request the Secretary-General to make arrangements for participation in the Conference of representatives of organizations that have received standing invitations from the Assembly and representatives of national liberation movements recognized by the Organization of African Unity, and for the requisite financial provisions for their travel and subsistence expenses. In an oral statement, the Secretary of the Fifth Committee, acting representative of the Secretary-General, informed the Committee that, should the amendment be adopted, there would be no additional financial implications for the United Nations regular budget, because provisions for that purpose had already been included in the revised estimates for the Conference (A/C.5/32/39 and Corr.1, annex IV, p. 6).

7. In an oral statement, the Chairman of the Advisory Committee said the Committee had noted that financial implications of draft resolution A/32/L.45 had been estimated at \$415,600 for conference-servicing costs and that the Secretary-General intended to indicate the extent to which those requirements might be absorbed within existing resources in the consolidated statement on conference-servicing costs under section 23, to be submitted to the Assembly at a later stage.

8. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.64)

Decision of the Committee

9. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution A/32/L.44, an additional appropriation in the amount of \$415,600 would be considered in the context of the consolidated statement on conference-servicing costs under section 23 of the proposed programme budget for the biennium 1978-1979.

10. The Committee also decided that, in the event that the United Nations Conference on Science and Technology for Development were held away from Headquarters, the additional financial implications arising therefrom would be governed by the terms of General Assembly resolution 31/140, according to which the Government issuing the invitation would defray actual additional costs directly or indirectly involved.

DOCUMENT A/32/474**Implications of draft resolution II A submitted by the First Committee in document A/32/418**

(Agenda item 35)

Report of the Fifth Committee*[Original: English]
[17 December 1977]*

1. At its 65th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/96) on the administrative and financial implications of draft resolution II A submitted by the First Committee in its report (A/32/418, para. 11) concerning international co-operation in the peaceful uses of outer space.

2. In his statement, the Secretary-General indicated that the estimated financial implications of the draft resolution would amount to \$110,000. The statement further indicated that, as an amount of \$197,100 for the United Nations programme on space applications had already been included in section 2C (f) of the proposed programme budget for the biennium 1978-

1979, the adoption of the draft resolution would not result in additional appropriations.

3. In an oral statement, the Chairman of the Advisory Committee informed the Fifth Committee that there would be no additional financial requirements for the biennium 1978-1979 if the draft resolution should be adopted.

Decision of the Committee

4. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution II A contained in the report of the First Committee, no additional appropriations would be required for the proposed programme budget for the biennium 1978-1979.

DOCUMENT A/32/475**Implications of the draft resolution submitted by the Sixth Committee in document A/32/453**

(Agenda item 118)

Report of the Fifth Committee*[Original: English]
[15 December 1977]*

1. At its 64th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/88) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in its report (A/32/453, para. 7) concerning measures to prevent international terrorism.

2. In his statement, the Secretary-General indicated that the financial implications of the draft resolution would amount to \$345,900. The statement further indicated that that amount would be reviewed in the consolidated statement of conference-servicing costs to be submitted towards the close of the current session of the General Assembly.

3. The Chairman of the Advisory Committee made an oral statement in which he said the Committee concurred with the estimated costs submitted by the Secretary-General.

Decision of the Committee

4. The Fifth Committee decided, by 95 votes to 1, with 2 abstentions, to inform the General Assembly that, should it adopt the draft resolution of the Sixth Committee, conference-servicing costs not exceeding \$345,900 would be considered in the context of the consolidated statement of conference-servicing costs for 1978 at a later stage.

DOCUMENT A/32/476**Implications of the draft resolution submitted by the Sixth Committee in document A/32/467**

(Agenda item 119)

Report of the Fifth Committee*[Original: English]
[15 December 1977]*

1. At its 64th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered

the statement by the Secretary-General (A/C.5/32/87) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in

its report (A/32/467, para. 7) concerning the drafting of an international convention against the taking of hostages.

2. In his statement, the Secretary-General indicated that the financial implications of the draft resolution would amount to \$273,700, comprising \$256,000 for conference servicing and \$17,700 for travel and subsistence of staff and salary for a temporary secretary. The statement further indicated that the amount of \$256,000 would be included in the consolidated statement of conference-servicing costs to be submitted towards the end of the current session of the General Assembly, but that \$17,700 would be required under section 20C of the proposed programme budget for the biennium 1978-1979.

3. The Chairman of the Advisory Committee made an oral statement in which a reduction of \$5,700 was recommended in the amount requested for travel and subsistence of staff (from \$17,700 to \$12,000).

Decision of the Committee

4. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution of the Sixth Committee, an additional appropriation of \$12,000 would be required under section 20C of the proposed programme budget for the biennium 1978-1979 and that conference-servicing costs not exceeding \$256,000 would be considered in the context of the consolidated statement of conference-servicing costs for 1978 at a later stage.

DOCUMENT A/32/477

Implications of decision 5 (II) of the Preparatory Committee for the United Nations Conference on Technical Co-operation among Developing Countries and of draft resolution II submitted by the Second Committee in document A/32/457

(Agenda item 72)

Report of the Fifth Committee

*[Original: English
[17 December 1977]*

1. At its 63rd meeting, on 14 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/75 and Add.1) on the administrative and financial implications of decision 5 (II) of the Preparatory Committee for the United Nations Conference on Technical Co-operation among Developing Countries and of draft resolution II submitted by the Second Committee in its report (A/32/457, para. 14).

2. In the seventh preambular paragraph of the draft resolution, the General Assembly would take note, *inter alia*, of the reports of the Preparatory Committee for the United Nations Conference on Technical Co-operation among Developing Countries on its first and second sessions.¹⁰ In paragraph 1 of the draft resolution, the Assembly would decide to convene the United Nations Conference on Technical Co-operation among Developing Countries at Buenos Aires from 30 August to 12 September 1978. In paragraph 2, the Assembly would approve the programme of activities envisaged in the recommendations on the budget for the Conference to be financed under the regular budget of the United Nations as submitted in the report of the Secretary-General of the Conference.¹¹

3. In his statement, the Secretary-General estimated that, should the General Assembly approve the draft resolution, it would be necessary to appropriate

\$791,500 under section 4 of the programme budget for 1978-1979, and \$132,000 under section 25; the latter amount would be offset by an increase in an equivalent amount in the estimate for income section 1. He also estimated the full conference-servicing costs a \$962,400, including the services which will be provided from within existing resources.

4. In a related report (A/32/8/Add.24), the Advisory Committee recommended reductions totalling \$54,100 under section 4 and \$12,000 under section 25 and under income section 1.

5. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.63)

Decision of the Committee

6. The Fifth Committee decided, by consensus, to accept the recommendations of the Advisory Committee as contained in its report (A/32/8/Add.24) and to inform the General Assembly that, should it adopt draft resolution II contained in the report of the Second Committee, an additional amount of \$737,400 would be required under section 4 and \$120,000 under section 25 of the proposed programme budget for the biennium 1978-1979, the latter amount being offset by an increase of \$120,000 in the estimate for income section 1, and that conference-servicing requirement not exceeding \$962,400, under section 23, would be included in a consolidated statement to be prepared towards the close of the current session of the General Assembly.

¹⁰ *Official Records of the General Assembly, Thirty-second Session, Supplement No. 42 and corrigenda (A/32/42).*

¹¹ A/CONF.79/PC/8 and Add.1.

DOCUMENT A/32/478**Implications of the draft resolution submitted by the Third Committee in document A/32/437**

(Agenda item 82)

Report of the Fifth Committee*[Original: English]
[15 December 1977]*

1. At its 64th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/89) on the administrative and financial implications of the draft resolution submitted by the Third Committee in its report (A/32/437, para. 10).

2. Under operative paragraph 1 of the draft resolution, the General Assembly would approve the proposals of the Secretary-General, contained in his report (A/32/288), for preparatory work for the period 1978-1979 for the International Year for Disabled Persons. Under paragraph 2, the Assembly would authorize the Secretary-General to undertake the measures required to implement those proposals. Under paragraph 4, the Assembly would decide to establish an Advisory Committee for the International Year for Disabled Persons, composed of the representatives of 15 Member States who would be appointed, on the basis of equitable geographical distribution, by the Chairman of the Third Committee, in concurrence with the regional groups. Under paragraph 6, the Assembly would request the Secretary-General to convene the Advisory Committee no later than March 1979 at the Headquarters of the United Nations and to submit a report on that meeting to the General Assembly at its thirty-fourth session.

3. In his statement, the Secretary-General estimated the additional financial requirements of the draft resolution at \$292,300, of which \$136,600 would be required under section 5A, \$13,100 under section 22H and \$142,600 for conference-servicing costs under sec-

tion 23 of the proposed programme budget for the biennium 1978-1979. He further indicated that conference-servicing requirements were based on full costs and that, should any additional appropriations be required, they would be reflected in the consolidated statement being prepared to show any additional requirements under section 23.

4. In an oral statement, the Chairman of the Advisory Committee on Administrative and Budgetary Questions noted that, as indicated by the Secretary-General, any appropriations which might be required for conference-servicing costs, amounting to \$142,600, would be considered in the consolidated statement to be submitted at a later stage on conference-servicing requirements under section 23. As for the other costs (\$149,700), the Chairman stated that the Advisory Committee recommended that they be reduced by \$10,700 to \$139,000.

5. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.64).

Decision of the Committee

6. The Fifth Committee decided, by 97 votes to 8, to inform the General Assembly that, should it adopt the draft resolution of the Third Committee, an additional appropriation of \$139,000 would be required under sections 5A and 22H of the proposed programme budget for the biennium 1978-1979. An additional amount of \$39,300 would be required for staff assessment under section 25, offset by an increase in the same amount under income section 1.

DOCUMENT A/32/479**Implications of draft resolution VII submitted by the Third Committee in document A/32/458**

(Agenda item 12)

Report of the Fifth Committee*[Original: English]
[15 December 1977]*

1. At its 65th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement of the Secretary-General (A/C.5/32/99) on the administrative and financial implications of draft resolution VII, submitted by the Third Committee in its report (A/32/458, para. 52).

2. In operative paragraph 2 of the draft resolution, the General Assembly would request the Secretary-General to initiate appropriate activities at the United Nations level, such as those contained in the annex to the draft resolution, to celebrate the thirtieth anniversary of the Universal Declaration of Human Rights.

3. In paragraph 6, the General Assembly would decide to hold a special commemorative meeting to celebrate the thirtieth anniversary of the Universal Declaration of Human Rights, which would fall on 10 December 1978, and would request the Secretary-General to make the necessary preparations for the programme of that meeting.

4. The annex to the draft resolution contained suggestions for possible action at the national level (para. 1) and at the United Nations level (para. 2).

5. In paragraph 2 (a) of the annex, the General Assembly would recommend that commemorative events

should be organized at United Nations Headquarters and at the United Nations Office at Geneva on or around 10 December 1978.

6. The events planned for Headquarters would include concerts and other activities related to the promotion of human rights which have customarily taken place at Headquarters over the years. The Secretary-General indicated that the costs of those activities would be absorbed within existing resources.

7. The events planned for the United Nations Office at Geneva would include a special gala performance at the Palais des Nations by two national musical groups whose talents would be made available without cost, but whose travel and subsistence costs would be charged to the United Nations. It is estimated that the groups in question might be made up of perhaps 10 to 20 artists each.

8. In paragraph 2 (b) of the annex, the General Assembly would recommend that a special seminar within the programme of advisory services should be organized in 1978 at Geneva, at the world-wide level, on the subject of national and local institutions for the promotion and protection of human rights.

9. The Secretary-General stated that he assumed that the reference to the programme of advisory services meant that the resources for the seminar should be provided within the appropriations voted under section 15 of the regular programme budget, that is, from the regular programme of technical assistance. He proposed to provide those advisory services without diminution of the current (1977) level of advisory services for human rights provided under section 15 pursuant to resolution 926 (X) of the General Assembly. Accordingly, he would redeploy the necessary funds from the total resources available within section 15.

10. On the basis of past experience, he estimated that the seminar would be attended by 32 participants, from various parts of the world, selected by the Division of Human Rights on the basis of equitable geographical distribution. Conference-servicing staff and facilities would be provided by the United Nations Office at Geneva.

11. Under the terms of paragraph 2 (c) of the annex, the General Assembly would request that arrangements be made for the award of human rights prizes as envisaged in recommendation C of the annex to resolution 2217 A (XXI). The Secretary-General stated that, on the basis of the criteria established therein and in the light of past practice, the following elements would be taken into account:

(a) Travel and subsistence of the selection committee of the winners of the human rights prizes. The committee would be composed of the President of the General Assembly, the President of the Economic and Social Council, the Chairman of the Commission on Human Rights, the Chairman of the Commission on the Status of Women and the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. They would travel to New York for a five-day meeting to select the prize winners;

(b) Interpretation would be provided in English, French and Spanish;

(c) A number of prizes would be designed and manufactured;

(d) The selection committee would be assisted by one substantive officer of the Division of Human Rights.

12. In paragraph 2 (d) of the annex, the General Assembly would request the dissemination by the Office of Public Information of appropriate public information, broadcasting and audio-visual material designed to draw attention to and emphasize the importance of the Universal Declaration of Human Rights and the role played and work done by the United Nations to ensure the effective enjoyment of human rights and fundamental freedoms. In paragraph 2 (e), the Assembly would also request the issuance of updated version in all official languages of the United Nations of the publications *Human Rights: A Compilation of International Instruments of the United Nations*¹² and *United Nations Action in the Field of Human Rights*;¹³ assistance should be given to institutions which intended to publish them in other languages.

13. The Secretary-General indicated that, in carrying out its mandate, the Office of Public Information proposed to implement a programme which would involve one exhibit, a number of publications and photographic displays described as follows:

(a) The exhibit would be made up of a panel, 10 ft wide by 6 to 8 ft. high, displaying graphically the various international instruments relating to human rights and the Member States of the United Nations, and console incorporating push-button switches which would show which countries have ratified a given instrument.

(b) Two pamphlets would be published: one, entitled "The United Nations and Human Rights", would be a 100-page booklet (6" × 9") bringing up to date and presenting in one publication all available information on action taken by the United Nations in the field of human rights; the other, entitled "International Bill of Human Rights", would be a pamphlet (6" × 9") of some 20 to 30 pages containing an introduction to the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and the Optional Protocol thereto.

(c) The photographic displays would include 6 sets of 10 mounted photographs (16" × 20") with mounted copy of the Declaration, produced for shipment to and display at 60 information centres throughout the world, and for rotating display for specific periods of time in selected cities in each country served by a United Nations information centre. Captions in English, French and Spanish would be prepared at Headquarters and translated into local languages by information centre staff at no additional cost.

14. The Secretary-General stated that, should the General Assembly adopt the draft resolution contained in document A/C.3/32/L.45, an appropriation of \$124,000 would be required under section 18 (Human rights) of the proposed programme budget for the biennium 1978-1979. Additional expenditure of \$76,350 would also arise under section 15 (Regular programme of technical assistance) but would not necessitate an additional appropriation, as explained in paragraph above.

15. He also stated that the conference-servicing requirements, estimated at \$175,060, would be the object of a separate request of appropriation under section 2 after determining to what extent the costs involved might be absorbed under existing resources.

16. In an oral statement, the Chairman of the Advisory Committee said the Committee concurred with

¹² United Nations publication, Sales No. E.73.XIV.2.

¹³ United Nations publication, Sales No. E.74.XIV.2.

the statement of the Secretary-General (A/C.5/32/99, para.15) to the effect that the financial implications arising under section 15 would be absorbed within the existing appropriation for that section and would give rise to no additional appropriation. He stated further that some reduction was possible in the travel costs of the participants in the award of human rights prizes and through a scaling-down of some of the display panels proposed for public information purposes. As a result, an additional appropriation of only \$100,000 would be required under section 18. He stated further that the conference-servicing costs, which were estimated at \$175,000, could be absorbed within existing resources.

17. Comments made by delegations in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.65).

Decision of the Committee

18. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt draft resolution VII contained in the report of the Third Committee, an additional appropriation of \$100,000 would be required under section 18 and that conference-servicing costs amounting to \$175,000 would be absorbed within existing resources.

DOCUMENT A/32/482

Implications of draft resolutions IV, V and IX submitted by the Second Committee in document A/32/481

(Agenda item 58)

Report of the Fifth Committee

[Original: English]
[18 December 1977]

1. At its 68th meeting, on 18 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statements by the Secretary-General (A/C.5/32/104, A/C.5/32/103 and A/C.5/32/112) on the administrative and financial implications of draft resolutions IV, V and IX submitted by the Second Committee in its report (A/32/481, para. 55) concerning the United Nations Conference on Trade and Development.

A. DRAFT RESOLUTION IV

2. In operative paragraph 1 of draft resolution IV, the General Assembly would decide to convene a United Nations Conference on an International Code of Conduct on the Transfer of Technology under the auspices of the United Nations Conference on Trade and Development, to be held from 16 October to 10 November 1978. In paragraph 3, the Secretary-General is requested to invite, *inter alia*, representatives of organizations that have received a standing invitation from the General Assembly in accordance with Assembly resolution 3237 (XXIX) and representatives of the national liberation movements recognized in its region by the Organization of African Unity in accordance with Assembly resolution 3280 (XXIX). Travel expenses and subsistence of those representatives would be paid for by the United Nations in accordance with the provisions of paragraph 4 of the draft resolution. In paragraph 5 the Secretary-General would be requested to make the necessary arrangements for holding the Conference at Geneva, including the provision of summary records, and in paragraph 6 the General Assembly would decide that the languages of the Conference should be those used in the Assembly and its Main Committees.

3. In his statement (A/C.5/32/104), the Secretary-General estimated the financial implications of the draft resolution at \$191,500, of which \$15,600 related to travel and subsistence for representatives of organizations invited to participate in the Conference in ac-

cordance with General Assembly resolutions 3237 (XXIX), 3280 (XXIX) and 31/152, and \$175,900 to the cost of providing summary records for the Conference. The Secretary-General indicated that he intended to meet the requirements for travel and subsistence through redeployment of resources within section 11A. He also stated that conference-servicing costs would be included in the consolidated statement of conference-servicing costs to be submitted at the close of the current session of the General Assembly.

4. In an oral statement, the Chairman of the Advisory Committee said the Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, no additional appropriations would be required in the proposed programme budget for the biennium 1978-1979.

5. There was no discussion of this question in the Fifth Committee.

Decision of the Committee

6. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution IV contained in the report of the Second Committee, no additional appropriations would be required for the proposed programme budget for the biennium 1978-1979.

B. DRAFT RESOLUTION V

7. In operative paragraph 2 of draft resolution V, the General Assembly would decide to convene the fifth session of the United Nations Conference on Trade and Development at Manila from 7 May to 1 June 1979 and a pre-Conference meeting of senior officials at Manila on 3 and 4 May 1979.

8. In his statement (A/C.5/32/103), the Secretary-General noted that, while the fifth session of the Conference had been taken into consideration in the proposed programme budget for the biennium 1978-1979, the pre-Conference meeting had not been anticipated.

He indicated that the cost of the pre-Conference meeting would amount to \$42,000 on the assumption that the senior officials referred to in the draft resolution would be government officials and not entitled to reimbursement of travel and subsistence expenses by the United Nations. The Secretary-General also stated that he would not request an appropriation at the current stage for the costs involved.

9. In an oral statement, the Chairman of the Advisory Committee said the Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, no additional appropriations would be required in the proposed programme budget for the biennium 1978-1979.

10. There was no discussion of this question in the Fifth Committee.

Decision of the Committee

11. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution V contained in the report of the Second Committee, no additional appropriations would be required for the proposed programme budget for the biennium 1978-1979.

C. DRAFT RESOLUTION IX

12. In operative paragraph 2 of the draft resolution, the General Assembly would reaffirm the urgency of establishing the common fund and, to that end, would request the Secretary-General of the United Nations Conference on Trade and Development to undertake consultations with a view to reconvening the

United Nations Negotiating Conference on a Common Fund under the Integrated Programme for Commodities early in 1978.

13. In his statement (A/C.5/32/112), the Secretary-General estimated that the total requirements for the implementation of the draft resolution would be \$405,800 for conference-servicing costs. He added that those costs had been estimated on a full-cost basis and that, in the consolidated statement of conference servicing requirements to be submitted towards the close of the current session of the General Assembly the extent to which the costs involved could be absorbed within existing resources would be indicated

14. In an oral statement, the Chairman of the Advisory Committee said that the Committee noted that the financial implications in question had not been included in the consolidated statement of conference servicing requirements (A/C.5/32/110). However, the Committee expected that those costs would be absorbed under section 23B of the proposed programme budget for the biennium 1978-1979.

15. There was no discussion of this question in the Fifth Committee.

Decision of the Committee

16. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution IX contained in the report of the Second Committee, no additional appropriations would be required for the proposed programme budget for the biennium 1978-1979.

DOCUMENT A/32/483

**Implications of draft resolutions II and V submitted by the Second Committee
in document A/32/462/Add.1**

(Agenda item 59)

Report of the Fifth Committee

[Original: English
[17 December 1977]

1. At its 64th and 65th meetings, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/90) on the administrative and financial implications of draft resolution II submitted by the Second Committee in its report (A/32/462/Add.1, para. 19).

2. At its 66th meeting, on 17 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/97) on the administrative and financial implications of draft resolution V recommended by the Second Committee in its report (A/32/462/Add.1, para. 19).

A. DRAFT RESOLUTION II

3. Under the terms of operative paragraph 1 of the draft resolution, the General Assembly would decide that the Third General Conference of the United Nations Industrial Development Organization should be

held for a period of three weeks in January/February 1980 at New Delhi.

4. In his statement (A/C.5/32/90), the Secretary-General recalled that he had included an estimate of expenditures related to the Third General Conference in his proposed programme budget for the biennium 1978-1979 (A/32/6 and Corr.1 and 2, sect. 12A.2). In the light of comments received from the Industrial Development Board at its eleventh session¹⁴ the estimate had been subsequently revised and the new estimate communicated to the Advisory Committee on Administrative and Budgetary Questions at its 197 spring session. The Advisory Committee had recommended that, in the absence of any indication by the Secretary-General as to the amount of costs that it would be able to absorb from within existing resources, an appropriation of \$100,000 only should be voted for inclusion in the 1978-1979 appropriation under section 12 (UNIDO) (A/32/8 and Corr.1, paras. 12

¹⁴ Official Records of the General Assembly, Thirty-second Session, Supplement No. 16.

and 12.13). The Fifth Committee at its 31st meeting, on 1 November 1977, had approved in first reading an appropriation of \$100,000 for the purpose, as recommended by the Advisory Committee (A/C.5/32/SR.31, para. 77).

5. The Secretary-General further indicated that, having ascertained the exact timing and duration of the Third General Conference of UNIDO, he was in a position to submit his revised estimates, indicating also the requirements which UNIDO would be able to cover from within its existing resources.

6. The total cost of holding the Third General Conference of UNIDO was estimated at \$1,057,800, consisting of \$99,600 for travel of staff engaged in preparatory work for the Conference, \$192,600 for pre-session documentation, \$243,400 for interpretation, \$105,100 for in-session documentation, \$123,100 for summary records, \$63,600 for post-session documentation, \$86,800 for travel of staff to service meetings, \$36,700 for reproduction supplies, \$32,100 for other conference staff, \$4,300 for public information activities, \$36,800 for overtime and night differential, \$27,600 for the rental of the Hofburg premises and \$6,100 for hospitality.

7. In conclusion, the Secretary-General indicated that of the total cost of the Third General Conference of UNIDO, estimated at \$1,057,800, UNIDO would be able to absorb a total amount of \$229,100, bringing the total net additional resources requested for the holding of the Conference to \$828,700. As was pointed out in paragraph 4 above, an appropriation in the amount of \$100,000 had already been approved in first reading by the Fifth Committee. Accordingly, the Secretary-General was asking for an additional appropriation of \$146,500 under section 12 for the biennium 1978-1979 to carry out the preparatory activities for the Conference. He was also requesting authorization to enter into commitments for the balance of the net estimated cost (\$582,200) which would be expended in early 1980.

8. The Chairman of the Advisory Committee, in an oral statement, reported that the Committee concurred with the Secretary-General's estimate of the financial implications that the preparatory work for the Conference would entail in the biennium 1978-1979 in the event of the adoption of draft resolution II, and that an additional appropriation of \$146,500 would be required under section 12. Furthermore, any additional conference-servicing costs and other expenditures resulting from the draft resolution should be the subject of a separate estimate to be presented to the General Assembly at its thirty-third session.

9. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meetings (A/C.5/32/SR.64 and A/C.5/32/SR.65).

Decision of the Committee

10. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution II contained in the report of the Second Committee, an additional appropriation of \$146,500 would be required under section 12, on the understanding that estimates on the requirements for the inclusion of Arabic as an official language of the Third General Conference would be the subject of a

separate statement of financial implications to be decided upon at the current session of the General Assembly.

B. DRAFT RESOLUTION V

11. Under the terms of operative paragraph 1 of the draft resolution, the General Assembly would decide that the United Nations Conference on the Establishment of the United Nations Industrial Development Organization as a Specialized Agency should be convened for a period of three weeks, beginning on 20 February 1978.

12. In his report (A/C.5/32/97), the Secretary-General indicated that the total cost of holding the Conference was estimated at \$640,500 consisting of \$23,800 for travel and subsistence of substantive staff and representatives of national liberation movements, \$43,200 relating to security services, telecommunication engineering and general operating expenses, \$60,000 for pre-session documentation, \$302,600 for in-session documentation, \$17,500 for post-session documentation, \$141,700 for travel of staff to service meetings, \$49,700 for reproduction and distribution costs and \$2,000 for other conference staff.

13. The Secretary-General further noted that the Office of Public Information indicated that it would be able to absorb from within existing resources any expenditures relating to necessary information services.

14. In conclusion, the Secretary-General stated that, while the total cost of holding the Conference was estimated at \$640,500, the adoption of the draft resolution would require an appropriation of \$23,800 in the proposed programme budget under section 12 for travel and subsistence of substantive staff and representatives of national liberation movements. The conference-servicing requirements of the Conference would be the subject of a separate request for an appropriation under section 23 after the Secretary-General had taken into account the available permanent and temporary resources of the Organization.

15. The Chairman of the Advisory Committee, in an oral statement, reported that the Committee agreed to the Secretary-General's request for an additional appropriation of \$23,800 under section 12 of the proposed programme budget for the biennium 1978-1979. He further stated that the Advisory Committee understood that the conference-servicing requirements of the Conference would be the subject of a separate request for an appropriation under section 23 after the Secretary-General had taken into account the available permanent and temporary resources of the Organization. He also said that the Advisory Committee expected that the Secretary-General would be able to indicate in the consolidated statement on conference-servicing costs under section 23 that it would be possible to absorb the entire amount requested for conference servicing from within existing resources.

16. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.66).

Decision of the Committee

17. The Fifth Committee decided, by 75 votes to 9, with 1 abstention, to inform the General Assembly that, should it adopt draft resolution V contained in

the report of the Second Committee, an additional appropriation of \$23,800 would be required under section 12 and that conference-servicing requirements

not exceeding \$616,700 would be considered in the context of the consolidated statement which would be submitted to the Committee at a later stage.

DOCUMENT A/32/484

Implications of draft resolutions IV and V submitted by the Second Committee in document A/32/463

(Agenda item 62)

Report of the Fifth Committee

[Original: English]
[17 December 1977]

1. At its 63rd meeting, on 14 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/84) on the administrative and financial implications of draft resolution IV, concerning living conditions of the Palestinian people, submitted by the Second Committee in its report (A/32/463, para. 32).

2. At its 66th meeting, on 17 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/32/98) on the administrative and financial implications of draft resolution V, concerning the United Nations Conference on Desertification, submitted by the Second Committee in its report (A/32/463, para. 32).

A. DRAFT RESOLUTION IV

3. Under the terms of operative paragraph 2 of the draft resolution, the General Assembly would request the Secretary-General, in collaboration with relevant United Nations organs and specialized agencies, particularly the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Economic Commission for Western Asia, to prepare and submit to the General Assembly at its thirty-third session a comprehensive and analytical report on the social and economic impact of the Israeli occupation on the living conditions of the Palestinian people in the occupied territories.

4. In his statement (A/C.5/32/84), the Secretary-General estimated the financial implications of the draft resolution at \$159,500, of which \$110,900 was for the human settlements programme under section 5A of the proposed programme budget for 1978-1979, and \$48,600 for conference-servicing costs under section 23. The statement further indicated that a report would be made to the Fifth Committee on the extent to which conference-servicing costs could be absorbed from within available resources under section 23 in the light of the over-all pattern of conferences for 1978.

5. In an oral statement, the Chairman of the Advisory Committee informed the Fifth Committee that the Advisory Committee accepted the Secretary-General's estimate of \$110,900 under section 5A of the proposed programme budget for 1978-1979 and expected that conference-servicing costs in the amount of \$48,600 would be absorbed.

6. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.63).

Decision of the Committee

7. The Fifth Committee decided, by 74 votes to 3, with 15 abstentions, to inform the General Assembly that, should it adopt draft resolution IV contained in the report of the Second Committee, an additional appropriation in the amount of \$110,900 would be required under section 5A of the proposed programme budget for 1978-1979.

B. DRAFT RESOLUTION V

8. In operative paragraph 6 of the draft resolution, the General Assembly would request the regional commissions to take certain steps, including the holding of meetings, workshops and seminars, to consider the immediate implementation of the recommendations contained in section V of the Plan of Action to Combat Desertification.¹⁵ In paragraph 10, the Assembly would authorize the Executive Director of the United Nations Environment Programme to convene immediately a consultative group.

9. In his statement (A/C.5/32/98), the Secretary-General indicated that, as far as action to be taken by the regional commissions was concerned, the commissions would review the request at their next regular meetings. He further stated that in the absence of detailed plans of action there was no basis for financial implications at the current stage.

10. Referring to the request for the convening of a consultative group, the Secretary-General stated that the composition of the group envisaged in the draft resolution did not fall clearly into either the category of an intergovernmental meeting or that of an *ad hoc* expert group. Accordingly, he assumed that no financial implications would arise in respect of the regular budget of the organization. To the extent that conference-servicing facilities were available at Nairobi, they would be provided for from within existing resources.

11. Referring to the preparation of the study or the establishment and operations of a special account within the United Nations for implementing the Plan of Action (paras. 11 and 12 of the draft resolution) the Secretary-General noted that such an exercise would be basically to generate support for an extra budgetary activity. Accordingly, the Secretary-General

¹⁵ A/CONF.74/36, chap. I.

assumed that any related costs would not be borne by the regular budget. Furthermore, he indicated that the study by high-level specialists called for in paragraph 13 of the draft resolution would be submitted to the Governing Council of the United Nations Environment Programme at its sixth session, and any related financial implications would take into account their recommendations.

12. The Chairman of the Advisory Committee, in an oral statement, reported that the Committee noted the Secretary-General's views expressed in paragraph 3 of his statement. It was the Advisory Committee's understanding, based on the above paragraph, that the adoption of the draft resolution would give rise to some financial implications, but that, in the opinion of

the Secretary-General, no additional appropriations would be required under the regular budget of the Organization and that extrabudgetary resources should be utilized. He continued that the Fifth Committee might therefore wish to inform the General Assembly that the draft resolution would not give rise to additional appropriations under the regular budget of the Organization for the biennium 1978-1979.

Decision of the Committee

13. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution V contained in the report of the Second Committee, no additional appropriations would be required for the proposed programme budget for the biennium 1978-1979.

DOCUMENTS A/32/485 AND ADD.1

Implications of draft resolutions I to IV submitted by the Second Committee in document A/32/480 and of the draft resolution submitted in document A/32/480/Add.1

(Agenda item 67)

Report of the Fifth Committee

DOCUMENT A/32/485

PART I

[Original: English]
[18 December 1977]

1. At its 66th and 68th meetings, on 17 and 18 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statements by the Secretary-General (A/C.5/32/106, A/C.5/32/102, A/C.5/32/108 and A/C.5/32/101) on the administrative and financial implications of draft resolutions I to IV submitted by the Second Committee in its report (A/32/80, para. 41).

A. DRAFT RESOLUTION I

2. In operative paragraph 2 of draft resolution I, the General Assembly would decide to convene a special session of the Assembly in 1980 in order to assess the progress made in the various forums of the United Nations system in the establishment of the new international economic order; under the terms of paragraphs 3 and 4 the Assembly would establish a committee of the whole which should meet, as and when required, during the intersessional periods until the special session of the Assembly and assist it by acting as the focal point in:

(a) Overseeing and monitoring the implementation of decisions and agreements reached in the negotiations on the establishment of the new international economic order in the appropriate bodies of the United Nations system;

(b) Providing impetus for resolving difficulties in negotiations and for encouraging the continuing work of those bodies;

(c) Serving, where appropriate, as a forum for facilitating and expediting agreement on the resolution of outstanding issues;

(d) Exploring and exchanging views on global economic problems and priorities.

3. In his statement (A/C.5/32/106), the Secretary-General estimated the financial implications of the draft resolution at \$351,500 for the biennium 1978-1979 to cover the conference-servicing costs of two sessions of the committee of the whole in 1978-1979 and travel expenses of substantive staff to attend meetings of the committee. In addition, a preliminary estimate of \$1,226,500 was given to cover the costs of the special session of the General Assembly in 1980. The Secretary-General indicated that \$289,900 of conference-servicing costs would be included in the consolidated statement of conference-servicing costs to be submitted at the close of the current session of the Assembly. He also indicated that he would not request an appropriation at the current stage for \$61,600 for travel of substantive staff.

4. In an oral statement at the 68th meeting, the Chairman of the Advisory Committee said the Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, no additional financial implications would be required in the proposed programme budget for the biennium 1978-1979.

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution I contained in the report of the Second Committee, no additional appropriations would be required for the proposed programme budget for the biennium 1978-1979.

B. DRAFT RESOLUTION II

6. In operative paragraph 1 of draft resolution II, concerning the effects of the world inflationary phenomenon on the development process, the General Assembly would request the Secretary-General of the United Nations Conference on Trade and Development

to establish a high-level governmental group of experts, on a basis of equitable geographical representation:

(a) To prepare a broad and comprehensive study of the current inflationary phenomenon whose effects continued to exert a negative influence on the economies of all countries, particularly the developing countries;

(b) To formulate recommendations on possible measures to combat the international inflationary process and make it possible to formulate policies designed to reduce the economic and social effects of inflation.

7. In his statement (A/C.5/32/102), the Secretary-General noted that the financial implications of the draft resolution were estimated at \$50,000, to cover the costs of fees and travel for consultants to assist the Secretary-General of the United Nations Conference on Trade and Development to prepare background material in connexion with the meetings of the high-level governmental group of experts. The Secretary-General indicated that he would make every effort to meet those requirements from within existing resources. In addition, conference-servicing costs were estimated at \$99,400 or \$130,300, depending upon whether a one-week session or a two-week session would be required, and those amounts would be included in the consolidated statement of conference-servicing costs to be submitted by the Secretary-General at the close of the current session of the General Assembly.

8. In an oral statement at the 68th meeting, the Chairman of the Advisory Committee said the Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, the costs of consultants would be met within the amount appropriated under section 11A, and the conference-servicing costs would be met within the amount appropriated under section 23.

Decision of the Committee

9. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution II contained in the report of the Second Committee, the costs involved would be met within the amounts appropriated under the proposed programme budget for the biennium 1978-1979.

C. DRAFT RESOLUTION III

10. In operative paragraph 1 of draft resolution III, concerning multilateral development assistance for the exploration of natural resources, the General Assembly would request the Secretary-General to prepare, with the assistance of a group of high-level experts appointed by him on the recommendation of Governments and with due regard to equitable geographical distribution, a report on the following, including conclusions and recommendations, taking into account studies already undertaken within the United Nations system:

(a) An estimate of the financial requirements over the next 10 to 15 years for the exploration and location of natural resources in developing countries which indicate to the Secretary-General their interest;

(b) The availability of multilateral mechanisms for the provision of adequate finance for the exploration of natural resources with special reference to the availability of soft loans with an element of subsidy for developing countries, bearing in mind, *inter alia*, the special needs of the least developed, land-locked and

island developing countries and the most seriously affected among them;

(c) The availability of mechanisms for the transfer of technology to developing countries for exploration and exploitation of natural resources.

11. In his statement (A/C.5/32/108), the Secretary-General estimated the total requirements for the implementation of the draft resolution at \$178,400, of which \$58,600 would be required for consultants at the attendance of experts at two meetings, and \$119,800 for conference-servicing costs. The Secretary-General stated that the amount of \$119,800 had been estimated on a full-cost basis and that a request for additional appropriations, should they be required, would be included in the consolidated report on conference-servicing requirements which was being submitted to the General Assembly. As for the amount of \$58,600 which would be required for consultants and experts under the programme entitled "Natural resources, energy and transport" of section 5A of the proposed programme budget for 1978-1979, the Secretary-General indicated that he would attempt to absorb that cost within the total resources available in that section reflecting any additional costs, if incurred, in the final performance report for the biennium 1978-1979.

12. In an oral statement at the 68th meeting, the Chairman of the Advisory Committee said the Committee recommended that the Secretary-General should absorb the amount of \$58,600 which would be required under the programme entitled "Natural resources, energy and transport" of section 5A of the proposed programme budget for 1978-1979. The Advisory Committee also expected that the conference-servicing costs of \$119,800, would be absorbed.

Decision of the Committee

13. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution III contained in the report of the Second Committee, no additional appropriations would be required for the proposed programme budget for the biennium 1978-1979.

D. DRAFT RESOLUTION IV

14. Under operative paragraph 1 of draft resolution IV, concerning finance for development, the General Assembly would request the Secretary-General to prepare, with the assistance of a group of high-level experts, a report on:

(a) The guarantee powers of existing international financial institutions and their possible enlargement

(b) The feasibility and desirability of establishing a multilateral insurance and reinsurance agency.

15. In his statement (A/C.5/32/101), the Secretary-General estimated the financial implications of draft resolution at \$70,000. The estimates covered costs of travel and subsistence for a group of high-level experts to consider steps relating to the acceleration of the transfer of real resources to developing countries and of the services of senior consultants to prepare material for the group as requested in paragraph 2 of the draft resolution. In addition, the financial implications of conference-servicing costs were estimated at \$43,400; however, that amount would be reviewed in the consolidated statement to be prepared at the close of the current session of the General Assembly.

16. In an oral statement at the 66th meeting, the Chairman of the Advisory Committee said the Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, an additional appropriation of \$50,000 would be needed under section 11A for travel and subsistence costs of the members of the high-level group. The Committee concurred with the estimate of \$43,400 for conference-servicing costs, but recommended that the amount be absorbed within existing resources.

17. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.66).

Decision of the Committee

18. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution IV contained in the report of the Second Committee, an additional appropriation of \$50,000 would be required under section 11A of the programme budget for 1978-1979. Conference-servicing costs would be met within the appropriations for the biennium 1978-1979.

DOCUMENT A/32/485/ADD.1

[Original: English]
[20 December 1977]

PART II

1. At its 70th meeting, on 19 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly and with regulation 13.1 of the Financial Regulations of the United Nations, considered the statement of administrative and financial implications (A/C.5/32/86/Corr.1) which the Secretary-General submitted in respect of the recommendations of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System based on the report of the Committee¹⁶ as prepared by the Rapporteur of the *Ad Hoc* Committee in the light of the deliberations of the contact group.

2. The Fifth Committee also had before it an amendment (A/C.5/32/86/Amend.1) to the Secretary-General's statement which provided additional information regarding the administrative and financial implications of the draft report of the *Ad Hoc* Committee in the light of the discussions in the Economic and Social Council at its 2090th meeting, on 14 December 1977.¹⁷

3. In addition, the Fifth Committee had before it a second amendment (A/C.5/32/86/Amend.2) to the Secretary-General's statement which reflected the administrative and financial implications of a tentative decision which was reached at an informal meeting of the Second Committee, on 16 December 1977, regarding the high-level official referred to in paragraph 64¹⁸

of the recommendations contained in chapter III of the report of the *Ad Hoc* Committee, and which was subsequently adopted by the Second Committee at its 65th meeting, on 19 December 1977, in the draft resolution submitted by the Second Committee in its report (A/32/480/Add.1, para. 15).

4. The Chairman of the Advisory Committee, in an oral statement, gave that Committee's recommendations on the statement of administrative and financial implications, as amended.

5. In the second amendment to his statement of administrative and financial implications (A/C.5/32/86/Amend.2, annex), the Secretary-General estimated the total additional costs arising from the recommendations of the *Ad Hoc* Committee at \$1,856,100, offset by income from staff assessment amounting to \$397,300, which would result in net additional requirements of \$1,458,800.

6. Included in that figure was provision for the over-all remuneration of a Director-General for Development and International Economic Co-operation.

7. The Secretary-General drew the attention of the General Assembly to the need to amend annex I, paragraphs 1 and 2, of the Staff Regulations should the Assembly decide to establish the post of Director-General. The Secretary-General accordingly submitted draft amendments to the relevant paragraphs of the Staff Regulations.

8. The Secretary-General, in his original statement of administrative and financial implications (A/C.5/32/86, para. 65), requested the approval of the General Assembly to establish four new organizational units of the Secretariat in four new and separate sections of the 1978-1979 programme budget, to be called provisionally sections 5C, 5D, 5E and 5F, and requested the prior approval of the Assembly, under regulation 4.5 of the Financial Regulations of the United Nations, to transfer such resources as would be necessary to begin implementing the recommendations of the *Ad Hoc* Committee. The Advisory Committee concurred with the proposal of the Secretary-General to create four new sections, namely, 5C, 5D, 5E and 5F.

9. The Chairman of the Advisory Committee reported that Committee's recommendations on certain reductions in the total requirements recommended by the Secretary-General. They included the recommendation that, under section 5F, the General Assembly should establish only the posts of the Director-General and of his personal assistant (G-5) and secretary (G-4) at the current stage, and that the remaining posts be provided in 1978 in the form of temporary assistance. Requirements in terms of numbers and grades would be reviewed by the General Assembly at its thirty-third session, when provision could be made for the necessary funds in 1979. The Committee had no objection to the Secretary-General's requests for 2 Assistant Secretaries-General and 4 General Service posts under the proposed section 5C, provisionally entitled "Department of Economic Co-operation and Development"; 2 reclassifications (1 from D-2 to Assistant Secretary-General and 1 from Assistant Secretary-General to Under-Secretary-General) under section 5D, provisionally entitled "Department of Technical Co-operation for Development"; and 1 reclassification (from D-2 to Assistant Secretary-General) under section 5E, provisionally entitled "Office of Secretariat Services for

¹⁶ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 34* and corrigendum, chapter III.

¹⁷ See *Official Records of the Economic and Social Council, resumed Sixty-third Session*.

¹⁸ Paragraph 5 of section VIII in chapter III of the provisional mimeographed version of the report (A/32/34 and Corr.1 (part I)).

Economic and Social Matters". The Advisory Committee did not disagree with the conclusion of the Secretary-General concerning the total remuneration, including the component elements recommended by the Secretary-General, for the Director-General for Development and International Economic Co-operation. The Advisory Committee also endorsed the draft amendments to annex I, paragraphs 1 and 2, of the Staff Regulations recommended by the Secretary-General.

10. The Advisory Committee also recommended that the General Assembly should authorize the Secretary-General, with the concurrence of the Advisory Committee, to transfer functions and related credits between sections of the programme budget for the biennium 1978-1979 to give effect to the decisions in the draft resolution submitted by the Second Committee.

11. Comments made in the course of the discussion of this question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.70).

12. Before taking its decisions on the financial implications of the draft resolution, the Fifth Committee considered two amendments proposed by the USSR.

13. The first amendment would have substituted the word "remuneration" for the word "salary" in the phrase "the Director-General for Development and International Economic Co-operation shall receive a salary..." in the Secretary-General's proposed amendment to paragraph 1 of annex I of the Staff Regulations, as stated in paragraph 8.1 of document A/C.5/32/86/Amend.2, which, in the opinion of the delegation of the USSR, would be in keeping with the content of the draft resolution submitted in the Second Committee,¹⁹ which was adopted by consensus. This amendment was rejected by 58 votes to 10, with 22 abstentions.

14. The second amendment proposed by the USSR would have deleted the words "functions and" from the recommendation of the Advisory Committee as contained in paragraph 10 above, inasmuch as, in the opinion of the delegation of the USSR, the transfer of functions fell within the competence of the Second Committee which had already taken a decision on the question. The amendment was rejected by 66 votes to 11, with 12 abstentions.

Decision of the Committee

15. The Fifth Committee decided, by 82 votes to 8, to inform the General Assembly that, should it adopt the draft resolution of the Second Committee, there would be need to take the following action:

(a) Appropriate \$333,600 under the new section 5C of the proposed programme budget for 1978-1979;

(b) Appropriate \$37,500 under the new section 5D;

(c) Appropriate \$22,700 under the new section 5E;

(d) Appropriate \$482,500 under the new section 5F;

(e) Appropriate an additional amount of \$280,800 under section 22D;

(f) Appropriate an additional amount of \$304,000 for staff assessment under section 25;

(g) Appropriate an additional amount of \$304,000 for staff assessment under income section 1.

Recommendations of the Fifth Committee

16. At its 70th meeting, the Fifth Committee decided, without objection, to recommend that the General Assembly should create four new sections in the programme budget for 1978-1979, to be called provisionally sections 5C, 5D, 5E and 5F.

17. At the same meeting, the Fifth Committee decided, by 81 votes to 8, to recommend that the General Assembly should amend paragraphs 1 and 2 of annex of the Staff Regulations to read as follows:

"1. The Administrator of the United Nations Development Programme, having the status equivalent to that of the executive head of a major specialized agency, shall receive a salary of \$US 99,350 per year; the Director-General for Development and International Economic Co-operation shall receive salary of \$US 99,350 per year; an Under-Secretary General shall receive a salary of \$US 67,430 per year, subject to the staff assessment plan provided staff regulation 3.3 and to post adjustments wherever applied. If otherwise eligible, they shall receive the allowances which are available to staff members generally.

"2. The Secretary-General is authorized, on the basis of appropriate justification and/or reports, to make additional payments to the Director-General for Development and International Economic Co-operation, to Under-Secretaries-General and Assistant Secretaries-General to compensate for such special costs as may be reasonably incurred, in the interests of the Organization, in the performance of duties assigned to them by the Secretary-General. The maximum total amount of such payments is to be determined in the programme budget by the General Assembly."

18. Also at the same meeting, the Fifth Committee decided, by 81 votes to none, with 10 abstentions, to recommend that the General Assembly should authorize the Secretary-General, with the concurrence of the Advisory Committee, to transfer functions and related credits between sections of the programme budget for the biennium 1978-1979 to give effect to decisions in the draft resolution submitted by the Second Committee (A/32/480/Add.1, para. 15).

¹⁹ Document A/C.2/32/L.107 of 17 December 1977.

DOCUMENT A/32/486**Implications of the draft resolution submitted by the Second Committee in document A/32/456**

(Agenda item 70)

Report of the Fifth Committee*[Original: English]
[18 December 1977]*

1. At its 65th meeting, on 15 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered a statement by the Secretary-General (A/C.5/32/93) on the administrative and financial implications of the draft resolution submitted by the Second Committee in its report (A/32/456, para. 9) concerning economic co-operation among developing countries.

2. In his statement, the Secretary-General estimated the financial implications of the draft resolution at 21,000 posts representing the costs of 3 new established posts at the P-4 level and 2 at the General Service level and \$20,000 in travel.

3. The Advisory Committee, in an oral report introduced by the Chairman, recommended that only 2 P-4 posts and 1 General Service post should be approved. Consequently, the Advisory Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the draft reso-

lution, an additional appropriation of \$120,000 would be required under section 11A of the proposed programme budget for the biennium 1978-1979. In addition, an amount of \$31,500 would be required for staff assessment under section 25, offset by a similar amount under income section 1.

4. Comments made by delegations in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.65).

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution of the Second Committee, an additional appropriation of \$120,000 would be required under section 11A of the proposed programme budget for the biennium 1978-1979. In addition, an amount of \$31,500 would be required for staff assessment under section 25, offset by a similar amount under income section 1.

DOCUMENT A/32/487**Implications of the draft resolution contained in document A/32/L.48**

(Agenda item 32)

Report of the Fifth Committee*[Original: English]
[19 December 1977]*

1. At its 67th meeting, on 17 December 1977, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered a statement by the Secretary-General (A/C.5/32/109) on the administrative and financial implications of the draft resolution contained in document A/32/L.48.

2. Under the terms of the draft resolution the General Assembly would:

(a) Approve the convening of the seventh session of the Third United Nations Conference on the Law of the Sea at Geneva for the period from 28 March to 19 May 1978, with a possible extension to 19 May 1979, and empower the Conference so decide, and empower the Conference, if the progress of its work warranted, to decide at that stage to hold further meetings under arrangements to be determined in consultation with the Secretary-General;

(b) Authorize the Secretary-General to make available appropriate facilities to that end, as well as the necessary facilities for informal consultations between delegations among delegations of States participating in the conference.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$3,056,300, comprising \$2,781,400 for direct conference-servicing costs and \$274,900 for other costs (including \$6,800 for the reclassification of a P-3 post to the P-4 level. Should the seventh session of the Conference last eight weeks, instead of seven weeks, the estimated costs would increase by \$351,500 to a total of \$3,407,800 (comprising \$3,105,100 for direct conference-servicing costs and \$302,700 for other costs, again including \$6,800 for the reclassification of a P-3 post to P-4). The statement indicated that the direct conference-servicing costs in question would be included in the consolidated statement of conference-servicing costs to be submitted at a later stage, but that the adoption of the draft resolution would result in additional requirements of \$274,900 under section 2B of the programme budget for the biennium 1978-1979. If the session was to last eight weeks the requirements would be \$302,700.

4. In an oral statement, the Chairman of the Advisory Committee informed the Fifth Committee that the Advisory Committee concurred with the estimated

costs submitted in the Secretary-General's statement of financial implications, that the adoption of the draft resolution would result in additional appropriations of \$274,900 under section 2B of the programme budget for the biennium 1978-1979 and that conference-servicing costs not exceeding \$2,781,400 would be considered in the context of the consolidated statement on conference-servicing costs for 1978. He further stated that any additional costs which might arise due to possible prolongation of the session to eight weeks should be absorbed within existing resources.

Decision of the Committee

5. The Fifth Committee decided, without objection to inform the General Assembly that, should it adopt the draft resolution contained in document A/32/L.4, conference-servicing costs not exceeding \$2,781,400 would be considered in the context of the consolidated statement of conference-servicing costs and that additional requirements in the amount of \$274,900 would be required under section 2B of the proposed programme budget for the biennium 1978-1979.

DOCUMENT A/32/490

Report of the Fifth Committee

[Original: English]
[20 December 1977]

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Introduction

1. Under agenda item 100, the Fifth Committee considered the proposed programme budget for the biennium 1978-1979. The Committee recommends a gross appropriation of \$985,913,300 and an estimate for income (other than income derived from staff assessment) of \$19,813,600. The net expenditure for the biennium 1978-1979 is thus estimated at \$966,099,700.

2. With regard to the Working Capital Fund, the Committee recommends that the Fund should be maintained for the biennium 1978-1979 at the level of \$40 million.

3. The Committee also recommends an estimate of \$154,304,600 as staff assessment for transfer in the course of the biennium 1978-1979 to the Tax Equalization Fund, from which credits are distributed to Member States in accordance with General Assembly resolution 973 (X) of 15 December 1955.

4. For its examination of the proposed programme budget for the biennium 1978-1979, the Committee had before it, as basic documents, the proposed programme budget for the biennium 1978-1979 submitted by the Secretary-General (A/32/6 and Corr.1 and 2), the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1978-1979 (A/32/8 and Corr.1) and the report of the Committee for Programme and Co-ordination on the work of its seventeenth session (A/32/38). Revised estimates for various appropriation sections were considered on the basis of subsequent reports of the Secretary-General and the Advisory Committee.

5. The general debate on the proposed programme budget for the biennium 1978-1979 was held at the 2nd, 5th, 7th, 9th, 11th to 13th, 15th and 16th meetings, between 23 September and 13 October 1977, and is reflected in the relevant summary records (A/C.5/32/SR.2, 5, 7, 9, 11-13, 15 and 16).

6. Oral statements were made by the Secretary-General (A/C.5/32/12) and the Chairman of the

Advisory Committee (A/C.5/32/13) at the 2nd meeting, on 23 September.

7. The reservations expressed by delegations with respect to certain items of expenditure included in the budget estimates are reflected in the summary records of the meetings mentioned in paragraph 5 above.

Consideration of special subjects

A. REVISION OF THE FINANCIAL REGULATIONS OF THE UNITED NATIONS

8. At its 4th meeting, on 28 September, the Fifth Committee decided to recommend that the General Assembly should approve the revisions to financial regulations 11.1, 11.4 and 12.10 recommended by the Secretary-General in his report (A/C.5/31/58), as amended by the Advisory Committee in its first report on the proposed programme budget for the biennium 1978-1979 (A/32/8 and Corr.1, para. 93). The decision taken by the Committee on this question has been dealt with in a separate report to the Assembly (A/32/389).

9. The Advisory Committee, in its report (*ibid.*, paras. 96-102), requested that an appropriate draft of a revision of the Financial Regulations on the question of commitment against future financial periods be submitted to the General Assembly at its current session.

10. Accordingly, the Secretary-General, in annex I to his report on the subject (A/C.5/32/34 and Corr.1), submitted a proposed revision of financial regulation 10.2 as well as a proposed rewording of operative paragraph 1 of the draft resolution on unforeseen and extraordinary expenses, which would carry out the provision in the regulation with respect to such expenses for the biennium 1978-1979. Annex II of his report contained certain changes in the Financial Regulations proposed by the United Nations Board of Auditors, which are described in those regulations as "additional terms of reference governing the audit of the United Nations".

Decision of the Committee

11. At its 47th meeting, on 22 November, the Fifth Committee decided to postpone to the thirty-third session its consideration of the report of the Secretary-General (A/C.5/32/34 and Corr.1) (see para. 255 (a) below).

B. USE OF EXPERTS AND CONSULTANTS IN THE UNITED NATIONS

12. The report of the Secretary-General on the use of experts and consultants in the United Nations (A/C.5/32/7), submitted in compliance with General Assembly resolution 31/205 of 22 December 1976, was considered by the Committee at its 4th, 6th and 10th meetings on 28 and 30 September and 6 October 1977.

13. An oral statement was made by the Chairman of the Advisory Committee at the 4th meeting.

14. At the same meeting, the Under-Secretary-General for Administration and Management introduced the report of the Secretary-General and, at both the 4th and 6th meetings, replied to queries.

15. At the 10th meeting, the representative of Poland introduced a draft resolution (A/C.5/32/L.6) on behalf of Poland and Trinidad and Tobago, which read as follows:

"The General Assembly,

"Recalling its decision of the twenty-ninth session taken at the 2325th meeting on 18 December 1974, outlining principles and guidelines for the use of experts and consultants in the United Nations,

"Recalling also its decision of the thirtieth session taken at the 2444th meeting on 17 December 1975, reaffirming its conviction that the aforesaid principles and guidelines should be implemented promptly, fully and effectively,

". . . [the third to the sixth preambular paragraphs and operative paragraph 1 are the same as the second to the fifth preambular paragraphs and operative paragraph 1 of draft resolution 1 in paragraph 256 below];

"2. Considers that such a report should contain detailed comparative data, as well as a statement evaluating the status of implementation of the principles and guidelines as set by the General Assembly;

"3. Decides to consider the question of the use of experts and consultants in the United Nations at the thirty-third session of the General Assembly."

16. The representative of the Philippines orally proposed that the first and second preambular paragraphs of the draft resolution should be combined, and that in the latter paragraph the words "reaffirming its conviction that" should be replaced by the words "in which it reaffirmed" and the word "which" added between the words "guidelines" and "should". He also proposed the deletion of the fourth preambular paragraph, but subsequently withdrew the proposal.

17. The Chairman of the Committee proposed that the word "Considers" in operative paragraph 2 should be replaced by the words "Requests further", and that operative paragraph 3 should be deleted.

18. The sponsors of the draft resolution accepted the amendments orally proposed by the Philippines and the Chairman.

19. The Philippines then became a sponsor of the draft resolution.

20. Comments made by delegations in the course of the discussion are reflected in the summary records of the meetings (A/C.5/32/SR.4, 6 and 10).

Decision of the Committee

21. At its 10th meeting, the Fifth Committee, without objection, adopted draft resolution A/C.5/32/L.6, as orally amended (see para. 256 below, draft resolution I).

C. EXPANSION OF MEETING ROOMS AND IMPROVEMENT OF CONFERENCE-SERVICING AND DELEGATE FACILITIES AT UNITED NATIONS HEADQUARTERS

22. The Committee considered the subject at its 21st, 24th and 25th meetings,²⁰ on 20, 24 and 25 October; it had before it the report of the Secretary-General on the expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters (A/C.5/32/4 and Corr.1 and Add.1), as well as the related report of the Advisory Committee (A/32/8/Add.1).

23. The report of the Advisory Committee was introduced by its Chairman at the 21st meeting.

24. In its report, the Advisory Committee recommended approval, in full or with slight modifications, of some of the projects proposed by the Secretary-General. With regard to the Secretary-General's proposals in respect of a new Secretariat cafeteria and kitchen and the expansion of delegates' dining facilities, the Advisory Committee, in paragraphs 18 and 27 of its report, recommended that the Secretary-General should review the plan for those projects and submit a comprehensive report to the General Assembly at its thirty-third or thirty-fourth session.

25. Comments made by delegations in the course of the discussion of this question, as well as the replies made by the representative of the Secretary-General to questions raised are reflected in the summary records of the meetings (A/C.5/32/SR.21, 24 and 25).

Decision of the Committee

26. At its 25th meeting, the Fifth Committee, by 82 votes to 9, with 1 abstention, decided to recommend that the General Assembly should:

(a) Take note of the report of the Secretary-General on the expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters and the related report of the Advisory Committee;

(b) Concur with the observations and recommendations of the Advisory Committee in its report (See para. 256 below, draft resolution X, sect. I.)

D. IMPACT OF INFLATION ON THE BUDGETS OF THE ORGANIZATIONS OF THE UNITED NATIONS SYSTEM

27. The Committee considered the report of the Secretary-General on the impact of inflation on the budgets of the organizations of the United Nations system

²⁰ See also the discussion at the 16th meeting, on 13 October 1977 (A/C.5/32/SR.16, paras. 20-25), concerning the recommendation made by the Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament (A/32/41, para. 20).

tem (A/C.5/32/5) at its 27th and 29th meetings, on 26 and 28 October.

28. The Chairman of the Advisory Committee introduced the observations of that Committee on the report of the Secretary-General in an oral statement at the 27th meeting.

29. The comments and observations made by delegations during the discussion of this subject, as well as the replies made by the representative of the Secretary-General to questions raised, are reflected in the summary records of the meetings (A/C.5/32/SR.27 and 29).

Decision of the Committee

30. At its 29th meeting, the Fifth Committee decided, without objection, to recommend that the General Assembly should:

(a) Take note of the report of the Secretary-General on the impact of inflation on the budgets of the organizations of the United Nations system;

(b) Consider the report of the Secretary-General to be an interim report;

(c) Request the Secretary-General to report to the Assembly at its thirty-third session on the progress achieved with respect to the question of the impact of inflation on the budgets of the organizations of the United Nations, taking into account the views expressed in the Fifth Committee during its consideration of the question at the thirty-second session. (See para. 256 below, draft resolution X, sect. II).

E. IMPLICATIONS OF EXTENDING TO CERTAIN FORMER STAFF MEMBERS COVERAGE BY THE UNITED NATIONS JOINT STAFF PENSION FUND FOR SERVICE WITH THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST DURING THE PERIOD FROM 1950 TO 1960 INCLUSIVE

31. During the thirty-first session of the General Assembly, at its 57th meeting, on 20 December 1976, the Fifth Committee decided that consideration of the report of the Secretary-General on the subject²¹ should be deferred to the thirty-second session.²² When the Committee considered the question at its 31st and 33rd meetings on 1 and 2 November 1977, it also had before it a further report of the Secretary-General (A/C.5/32/14) and the related report of the Advisory Committee (A/32/8/Add.2).

32. In its report, which was introduced by its Chairman at the 31st meeting, the Advisory Committee concluded that the report of the Secretary-General did not address itself to all the implications related to the question and suggested that, should the Fifth Committee decide to pursue the question, it might wish to request the Secretary-General to study the matter further and to submit a detailed report on all the implications involved.

33. At the same meeting, the representative of the United States of America orally proposed that the Committee should take note of the report of the Secretary-General and should decide to take no further action on the matter.

34. At the 33rd meeting, following suggestions made by France and Pakistan, the representative of the United States, in the interests of compromise, withdrew the latter part of his proposal, which called for a decision to take no further action on the matter.

35. Attention was called to the fact that the United States proposal made no mention of the report of the Advisory Committee, and the omission was rectified.

36. The comments made by delegations in the course of the discussion are reflected in the summary records of the meetings (A/C.5/32/SR.31 and 33).

37. The Committee then decided, by consensus, to approve the United States proposal, as amended.

Decision of the Committee

38. At its 33rd meeting, the Fifth Committee decided to recommend that the General Assembly should:

(a) Take note of the reports of the Secretary-General on the implications of extending to certain former staff members coverage by the United Nations Joint Staff Pension Fund for service with the United Nations Relief and Works Agency for Palestine Refugees in the Near East during the period from 1950 to 1960 inclusive;

(b) Take note also of the related report of the Advisory Committee. (See para. 256 below, draft resolution X, sect. III.)

F. ORGANIZATIONAL NOMENCLATURE IN THE SECRETARIAT

39. During the thirty-first session of the General Assembly, at its 57th meeting, on 20 December 1976, the Fifth Committee decided to postpone to the thirty-second session²³ its consideration of the progress report of the Secretary-General on organizational nomenclature in the Secretariat,²⁴ submitted pursuant to the decision of the General Assembly at its thirtieth session with regard to the adoption of a standardized and uniform organizational nomenclature in the Secretariat.²⁵

40. When the Committee considered the question at its 34th, 37th and 41st meetings, on 3, 9 and 14 November 1977, it had before it a further report by the Secretary-General (A/C.5/32/17) as well as the related report of the Advisory Committee (A/32/8/Add.5).

41. At the 37th meeting, the representative of Japan introduced the following draft resolution (A/C.5/32/L.15) on behalf of Australia, Austria, Belgium, Colombia, Ecuador, India, Japan, Jordan, Kenya, Malaysia, New Zealand, the Philippines, Trinidad and Tobago, Turkey and Venezuela:

"The General Assembly,

"Emphasizing the need for logical and coherent organizational nomenclature in the Secretariat in the interest of a more rational and functional hierarchical structure;

"1. Takes note with appreciation of the reports of the Secretary-General (A/C.5/32/17) and of the Advisory Committee on Administrative and

²³ *Ibid.*, para. 100 (c).

²⁴ Document A/C.5/31/8 of 1 September 1976.

²⁵ *Official Records of the General Assembly, Thirtieth Session, Annexes, agenda item 96, document A/10500, para. 224 (m).*

²¹ Document A/C.5/31/71 of 6 December 1976.

²² *Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92, document A/31/470, para. 100 (g).*

Budgetary Questions (A/32/8/Add.5) on the question of organizational nomenclature in the Secretariat;

"2. *Endorses* the direction of reform in nomenclature proposed by the Secretary-General in his report and encourages him to proceed expeditiously with the implementation of the measures envisaged, taking into account the observations made by the Advisory Committee;

"3. *Welcomes* the intention of the Secretary-General to report to the General Assembly at its thirty-third session on the implementation of measures proposed in his report;

"4. *Decides* to consider this question at its thirty-third session on the basis of the above-mentioned report of the Secretary-General;

"5. *Invites* the attention of intergovernmental bodies to the need to avoid recommendations giving particular designations to organizational units or their heads which may not be in conformity with the nomenclature proposed by the Secretary-General."

In so doing, the representative of Japan announced that Indonesia, Singapore and Sweden had joined the sponsors of the draft resolution. At the same time, he informed the Committee that, in paragraph 5 of the draft resolution, the words "*Invites* the attention of intergovernmental bodies to the need to" were to be replaced by the words "*Urges* intergovernmental bodies to".

42. At the same meeting, the representative of the Union of Soviet Socialist Republics proposed the following amendments (A/C.5/32/L.17) to the draft resolution:

(a) The rephrasing of operative paragraphs 2 and 3 as follows:

"2. *Endorses* the organizational nomenclature at levels 1 and 2 proposed by the Secretary-General in his report and encourages him to proceed with preparation of final proposals with regard to nomenclature at levels 3 to 6, taking into account the observations made by the Advisory Committee and the views expressed by delegations in the Fifth Committee;

"3. *Welcomes* the intention of the Secretary-General to submit to the General Assembly at its thirty-third session a progress report on organizational nomenclature in the Secretariat";

(b) The deletion of the last part of paragraph 4, beginning with the words "on the basis".

43. At the 41st meeting, the representative of Japan introduced a revised version (A/C.5/32/L.15/Rev.1) of the draft resolution and announced that Ghana, Jamaica and Panama had joined as sponsors. Subsequently, Costa Rica also joined as a sponsor of the draft resolution. In the revised draft, the text of paragraph 2 was altered to read as follows:

"... [same text as operative paragraph 2 of draft resolution II in paragraph 256 below]".

At the same time, the representative of Japan replaced the word "implementation" in paragraph 3 of the draft resolution by the word "application".

44. After a short procedural discussion, the Committee voted on the Soviet amendments (A/C.5/32/

L.17), which were rejected by 34 votes to 22, with 41 abstentions.

45. The Committee then adopted draft resolution A/C.5/32/L.15/Rev.1, as orally amended, by 82 votes to 13, with 5 abstentions.

Decision of the Committee

46. At its 41st meeting, the Fifth Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.15/Rev.1, as orally amended (see para. 256 below, draft resolution II).

G. COMPREHENSIVE STUDY OF THE QUESTION OF HONORARIA PAYABLE TO MEMBERS OF ORGANS AND SUBSIDIARY ORGANS OF THE UNITED NATIONS

47. During the thirty-first session of the General Assembly, at its 57th meeting, on 20 December 1976, the Fifth Committee decided to postpone to the thirty-second session²⁶ its consideration of the Secretary-General's report on the subject.²⁷

Decision of the Committee

48. At its 47th meeting, on 22 November 1977, the Fifth Committee decided that consideration of the report of the Secretary-General on the comprehensive study of the question of honoraria payable to members of organs and subsidiary organs of the United Nations should be postponed to the thirty-third session of the General Assembly (see para. 255 (b) below).

H. HONORARIA OF MEMBERS OF THE HUMAN RIGHTS COMMITTEE

49. At its 55th meeting, on 2 December, the Committee considered a note by the Secretary-General (A/C.5/32/38) on the financial implications of article 35 of the International Covenant on Civil and Political Rights and the Optional Protocol, in which he proposed that, beginning in 1977, the Chairman of the Human Rights Committee should receive an annual lump-sum payment in the amount of \$2,500 and that other members should be paid \$1,000 a year each.

50. In its related report (A/32/8/Add.13), which was orally introduced by its Chairman, the Advisory Committee stated that it had no objection to the Secretary-General's proposal.

51. In the course of the discussion, some delegations suggested that consideration of the item be deferred to the thirty-third session of the General Assembly, when the comprehensive study made by the Secretary-General on the question of honoraria²⁷ would be considered, as decided by the Committee at its 47th meeting (see para. 48 above). After a short discussion, the delegations concerned decided not to raise any objections to the adoption of a decision on the question at the current session, pending the decision to be taken at the thirty-third session on the thorough study of the question of honoraria.

52. Comments made by delegations during the discussion of this question, as well as explanations of vote, are reflected in the summary record of the meeting (A/C.5/32/SR.55).

²⁶ *Ibid.*, *Thirty-first Session, Annexes*, agenda item 92, document A/31/470, para. 100 (a).

²⁷ Document A/C.5/31/2 of 15 June 1976.

Decision of the Committee

53. At its 55th meeting, the Fifth Committee decided, by 66 votes to 10, with 6 abstentions, to recommend that the General Assembly, pending a decision at the thirty-third session on the question of the comprehensive study of honoraria payable to members of organs and subsidiary organs of the United Nations, should:

(a) Decide that the lump-sum payment per annum of honoraria for members of the Human Rights Committee should be in the amount of \$2,500 for the Chairman and \$1,000 for the other members;

(b) Authorize that expenditures for those honoraria be made beginning on 1 January 1977;

(c) Note that additional expenditures in the amount of \$19,500 under section 18 of the programme budget for the biennium 1976-1977 would be absorbed within available appropriations for that biennium;

(d) Authorize an additional appropriation under section 18 of the proposed programme budget for the biennium 1978-1979 in the amount of \$39,000. (See para. 256 below, draft resolution X, sect. IV.)

I. SERVICES PROVIDED BY THE UNITED NATIONS TO ACTIVITIES FUNDED FROM EXTRABUDGETARY RESOURCES

54. During the thirty-first session of the General Assembly, at its 57th meeting, on 20 December 1976, the Fifth Committee decided to postpone to the thirty-second session²⁸ its consideration of the report of the Secretary-General on this subject.²⁹

55. At its 45th and 47th meetings, on 17 and 22 November 1977, the Committee considered the subject; it had before it a further report of the Secretary-General (A/C.5/32/29 and Corr.1), in which he provided up-to-date information regarding developments in the intervening period and suggested possible courses of future action.

56. The related report of the Advisory Committee (A/32/8/Add.9) was introduced by its Chairman at the 45th meeting.

57. At the 47th meeting, the Chairman of the Fifth Committee suggested that consideration of the two above-mentioned reports should be postponed to the thirty-third session of the General Assembly.

Decision of the Committee

58. At its 47th meeting, the Fifth Committee, pursuant to an oral proposal made by the United Kingdom, decided, without objection, to postpone its consideration of the question of the services provided by the United Nations to activities funded from extrabudgetary resources, on the understanding that an ultimate decision on the subject would rest with the governing bodies of the executive agencies and, primarily, with the General Assembly, and that consideration of the entire question would be given priority at the thirty-third session (see para. 255 (c) below).

J. ARABIC LANGUAGE SERVICES IN THE UNITED NATIONS

59. The question of Arabic language services in the United Nations was considered by the Committee

at its 19th, 20th, 46th, 50th, 56th and 57th meetings, between 18 October and 6 December.

60. For its consideration of the question, the Committee had before it a progress report of the Secretary-General (A/C.5/32/9), in which he indicated the developments since the thirty-first session of the General Assembly, at which the Assembly had approved the proposals made by the Secretary-General in his report on the subject.³⁰

61. At the 20th meeting, the representative of the Syrian Arab Republic introduced the following draft decision (A/C.5/32/L.10) on behalf of Algeria, Bahrain, Democratic Yemen, Egypt, Iraq, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen:

"The Fifth Committee recommends that the General Assembly:

"1. Take note of the progress report of the Secretary-General (A/C.5/32/9) concerning the Arabic language services in the United Nations and request the Secretary-General, while continuing the speedy implementation of the organizational arrangements contained in paragraphs 15 to 21 of his report,³⁰ to replace the present arrangement set out in paragraph 25 of the said report by the establishment, as of 1 January 1978, of an Arabic Translation Section in the United Nations Office at Geneva, to which would be attached a typing unit and the function of which would be to serve the United Nations Conference on Trade and Development and, on an "as available" basis, any bodies, meetings and conferences for which the General Assembly approves Arabic language services, including bodies of the United Nations Conference on Trade and Development other than those indicated in the report;³⁰

"2. Decide that, for the biennium 1978-1979, staff requirements for the said Arabic Translation Section at Geneva shall be provided by transfers from the manning tables of the Arabic Translation Service and Stenographic Unit at Headquarters, corresponding in number and levels to the posts already established under General Assembly resolution 31/208, section VIII, of 22 December 1976, to which one established P-5 post is hereby added for a Chief of the said Section;

"3. Invite the Secretary-General to prepare, in close consultation and co-operation with the Secretary-General of the United Nations Conference on Trade and Development, proposals aimed at the full implementation of Conference resolution 86 (IV), approved by the General Assembly in paragraph 18 of its resolution 31/159 of 20 December 1976, and to submit these proposals to the Assembly at its thirty-fourth session, together with their estimated financial and administrative implications;

"4. Request the Secretary-General to submit to the General Assembly at its thirty-third session appropriate proposals concerning measures to even out the workload of Arabic translation services provided to the General Assembly and its Main Committees as well as solutions to those problems to the continuation of which he referred in his progress report (A/C.5/32/9), especially in paragraph 23."

²⁸ Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92, document A/31/470, para. 100 (b).

²⁹ Document A/C.5/31/33 and Corr.1 of 26 October 1976.

³⁰ Document A/C.5/31/60 and Corr.1 of 29 November 1976.

62. At the same meeting, the United States of America requested, and later received from the Controller (in the form of a conference room working paper), information on the costs of services for each language of the United Nations, on Member States which use each language and on the financial contributions of the user States of each language.

63. At the 46th meeting, the Committee had before it a revision (A/C.5/32/L.10/Rev.1) of the draft decision; Saudi Arabia had joined the sponsors. The revised text read as follows:

“The Fifth Committee recommends that the General Assembly:

“1. Take note of the progress report of the Secretary-General (A/C.5/32/9) concerning the Arabic language services in the United Nations and request the Secretary-General, while continuing the speedy implementation of the organizational arrangements contained in paragraphs 15 to 21 of his report,³⁰ to establish, as of 1 January 1978, an Arabic Translation Section in the United Nations Office at Geneva, on a permanent basis, primarily to serve bodies of the United Nations Conference on Trade and Development;

“2. Request the Secretary-General to prepare, in close consultation and co-operation with the Secretary-General of the United Nations Conference on Trade and Development, proposals aimed at the full implementation of Conference resolution 86 (IV), approved by the General Assembly in paragraph 18 of its resolution 31/159 of 20 December 1976, and to submit these proposals to the Assembly at its thirty-fourth session;

“3. Request further that the Secretary-General continue his search for, and apply, adequate methods, including advance translation of appropriate documentation and provision of temporary assistance when necessary, to assure the timely provision of Arabic translation services to the General Assembly and its Main Committees, and report the results to the General Assembly as appropriate.”

64. The administrative and financial implications of the revised draft decision were submitted by the Secretary-General (A/C.5/32/42).

65. At the same meeting, the representative of the Syrian Arab Republic introduced a further revision of the draft decision in the form of a draft resolution (A/C.5/32/L.10/Rev.2), which read as follows:

“*The General Assembly,*

“... [the first three paragraphs of the preamble are the same as the corresponding paragraph of draft resolution III in paragraph 256 below];

“Noting, however, that, as far as Arabic translation services are concerned, the Secretary-General in his progress report (A/C.5/32/9) makes it clear that these organizational arrangements have failed to achieve their purported objectives both with regard to the United Nations Conference on Trade and Development and to the General Assembly and its Main Committees, while admitting the uncertain nature of their future prospects,

“... [the fifth, sixth and seventh paragraphs of the preamble and operative paragraphs 1 to 4 are the same as the corresponding paragraphs of draft resolution III in paragraph 256 below].”

66. The administrative and financial implications of the draft resolution (A/C.5/32/L.10/Rev.2) were submitted by the Secretary-General (A/C.5/32/42/Rev.1).

67. The Committee also had before it the recommendations of the Advisory Committee (A/32/8/Add.17) on the Secretary-General's statement of administrative and financial implications.

68. At the 56th meeting, the representative of Egypt, on behalf of the sponsors, offered to revise operative paragraph 2 of the draft resolution (A/C.5/32/L.10/Rev.2) by deleting the remainder of the paragraph following the words “bodies of the United Nations Conference on Trade and Development”. The revision was withdrawn by the sponsors at the 57th meeting.

69. Subsequently, it was announced that Ecuador, Ghana, Indonesia, Kenya and Pakistan had joined the sponsors of the draft resolution.

70. An oral proposal by the representative of Pakistan to replace the words “failed to achieve” in the fourth preambular paragraph by the words “not sufficiently achieved” was accepted by the sponsors of the draft resolution.

71. At the 57th meeting, the Committee adopted draft resolution A/C.5/32/L.10/Rev.2, as amended, by 89 votes to none, with 13 abstentions.

72. At the same meeting, the representative of the United States of America introduced the following draft decision (A/C.5/32/L.30):

“The Fifth Committee recommends to the General Assembly that it should request the Secretary-General to make a study of: (a) organizational and functional implications of improvement in the provision of language services and (b) alternate means of defraying language costs, including a user pay system, and to report with recommendations to the General Assembly at its thirty-third session; and that the Assembly should further decide to include” an item on language services in the agenda for the thirty-third session.”

73. After a short discussion of the draft decision, the representative of the United States agreed to withdraw it on the understanding that the reports of the Joint Inspection Unit on implications of additional languages in the United Nations system, as well as the related report of the Secretary-General, would take into account the discussion which had taken place on the draft proposal in the Fifth Committee.

74. Comments made by delegations as well as by the representative of the Secretary-General in the course of the discussion are reflected in the summary records of the meetings (A/C.5/32/SR.19, 20, 46, 50, 56 and 57).

Decision of the Committee

75. The Fifth Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.10/Rev.2, as amended (see para. 256 below, draft resolution III).

K. ESTABLISHMENT OF AN INFORMATION SERVICES UNIT IN THE DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS

76. During the thirty-first session of the General Assembly, at its 57th meeting, on 20 December 1976,

the Fifth Committee decided to postpone to the thirty-second session³¹ its consideration of the Secretary-General's report,³² in which he proposed the establishment of an information services unit in the Department of Economic and Social Affairs for the purpose of making accessible to the Department and other potential users selected information of lasting value contained in unpublished reports available in the Department.

77. The Committee considered the question at its 27th, 28th and 58th meetings on 26 and 27 October and 7 December 1977, respectively.

78. In its related report (A/32/256), introduced by its Chairman at the 27th meeting, the Advisory Committee requested additional information from the Secretary-General on the volume and nature of the data of permanent value available in unpublished material.

79. At the 58th meeting, in response to the Advisory Committee's request, the Committee had before it a note by the Secretary-General (A/C.5/32/47), in paragraph 5 of which it was proposed that, while the inventory of the existing material was being conducted, the information should be processed in such a way as to be "computer-ready", should such a technique prove appropriate in due course.

80. The recommendations of the Advisory Committee on the note by the Secretary-General appeared in the addendum to its report (A/256/Add.1), which was introduced by its Chairman at the same meeting.

81. The comments made by delegations in the course of the discussion of this question, as well as the replies to queries made by the representatives of the Secretary-General, are reflected in the summary records of the meetings (A/C.5/32/SR.27, 28 and 58).

Decision of the Committee

82. At its 58th meeting, the Fifth Committee decided, without objection, to recommend that the General Assembly should:

(a) Take note of the reports of the Advisory Committee on the question of the establishment of an information services unit in the Department of Economic and Social Affairs (A/32/256 and Add.1);

(b) Decide that the acceptance by the Secretary-General of the offer of voluntary funds in 1978-1979 would not imply any commitment on the part of the Organization subsequently to transfer the costs of the operation to the regular budget;

(c) Authorize the Secretary-General to proceed in accordance with the proposal contained in paragraph 5 of his report (A/C.5/32/47);

(d) Request the Secretary-General to report to the General Assembly at its thirty-third session on progress achieved with respect to the work carried out in 1978, so that the Assembly can pronounce on whether computerization should be undertaken. (See para. 256 below, draft resolution X, sect. V.)

L. RECOMMENDATIONS OF THE COMMITTEE FOR PROGRAMME AND CO-ORDINATION

83. The Fifth Committee considered the question of the implementation of the recommendations of the

Committee for Programme and Co-ordination at its 18th, 50th, 53rd, 55th, 58th to 60th and 63rd meetings, between 17 October and 14 December.

84. For its consideration of this question, the Committee had before it the report of CPC on the work of its seventeenth session (A/32/38) the report of the Secretary-General (A/C.5/32/26 and Corr.1) on the implications of the recommendations of CPC and the related report of the Advisory Committee (A/32/8/Add.14).

85. The Chairman of CPC introduced that Committee's report in a statement (A/C.5/32/23) before the Fifth Committee at its 18th meeting.

86. The Chairman of the Advisory Committee introduced that Committee's report (A/32/8/Add.14) at the 50th meeting.

87. At the same meeting, the representative of the Netherlands introduced a draft decision (A/C.5/32/L.18 and Corr.1) on behalf of Austria, Egypt, Italy, Mexico, the Netherlands, Panama, the Philippines, Poland, Portugal, Qatar, Romania, and Yugoslavia, and, at the same time, announced that Senegal had joined the sponsors. The draft decision read as follows:

"The Fifth Committee recommends that the General Assembly:

"Taking into account the decision of the Committee for Programme and Co-ordination at its seventeenth session to consider in depth at its eighteenth session, *inter alia*, the programme of social development and humanitarian affairs (para. 4 of its report (A/32/38));

"Decide to defer to its thirty-third session consideration of the recommendations in paragraph 23 (b) and (c) of the report of the Committee for Programme and Co-ordination concerning termination or curtailment of certain programme elements in the above-mentioned programme."

88. At the 55th meeting, the representative of Nepal introduced a draft resolution (A/C.5/32/L.24) on behalf of Colombia, Ecuador, Egypt, Ghana, India, the Ivory Coast, Japan, Jordan, Kenya, Madagascar, Nepal, Panama, the Philippines, Trinidad and Tobago and Turkey, later joined by Guatemala, Nicaragua, Peru and Venezuela. The draft resolution read as follows:

"The General Assembly,

"Noting with appreciation the recommendations of the Committee for Programme and Co-ordination, contained in its report on the work of its seventeenth session,

"Noting further the implications of the recommendations of the Committee in respect of public information programmes,

"1. *Decides* to continue the publication of the *Chronicle* on a monthly basis, while ensuring the timely issuance of its French and Spanish versions;

"2. *Decides* to defer consideration of the recommendations of the Committee for Programme and Co-ordination on short-wave broadcasting to Africa, the Middle East and Europe, and invites the Consultative Panel for Public Information to consider this question in the light of relevant information and make its expert views known to the Committee

³¹ Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92, document A/31/470, para. 100 (f).

³² Document A/C.5/31/69 of 3 December 1976.

through the Secretary-General, at its eighteenth session.”

89. At the 58th meeting, the representative of Belgium introduced the following draft resolution (A/C.5/32/L.31):

“*The General Assembly,*

“*Recalling* its resolution 31/93 on the medium-term plan, which endorsed the recommendations of the Committee for Programme and Co-ordination on the relative growth rates of major United Nations programmes for the 1978-1979 budget period,

“*Recalling also* Economic and Social Council resolution 2098 (LXIII) endorsing the recommendations of the Committee for Programme and Co-ordination at its seventeenth session,

“I

“1. *Confirms* that the Committee for Programme and Co-ordination, by virtue of its review of both the medium-term plan and the programme aspects of the programme budget, is the main subsidiary body of the Economic and Social Council and the General Assembly for planning, programming and co-ordination, with the perspective necessary to make recommendations on the relative priorities of United Nations programmes;

“2. *Urges* subsidiary bodies to refrain from making recommendations on the relative priority of the major programmes, as outlined in the medium-term plan;

“3. *Requests* such bodies to propose, through the Committee for Programme and Co-ordination, relative priorities to be accorded to the various subprogrammes within their respective fields of competence;

“II

“1. *Authorizes* the Committee for Programme and Co-ordination to hold, if necessary, a resumed session, between the conclusion of the summer session of the Economic and Social Council and the convening of the General Assembly, in order to provide a programme review of those proposals which are specifically designated by the appropriate intergovernmental bodies as responding to ‘a pressing need of an unforeseeable nature’, thus falling into the category of exceptions to the normal programming procedures established in resolution 31/93, and characterized in paragraph 6 of that resolution;

“2. *Decides* that the Secretary-General should inform the Committee, in the course of its deliberations, of the programme and resource implications of its recommendations;

“III

“1. *Notes* the methodology described by the Committee for Programme and Co-ordination in paragraph 3 of the report on its seventeenth session for improving its determinations of relative growth rates;

“2. *Requests* the Secretary-General to implement, in the light of the relevant recommendations of the Committee and in the most appropriate manner, the relative growth rates adopted by the General Assembly;

“3. *Requests* the Secretary-General to show, for each programme in his proposed programme budget, programme elements representing a total of approximately 10 per cent of the resources requested, to which the highest priority is to be assigned. The Secretary-General should also show, for each proposed programme, programme elements representing a total of approximately 10 per cent of the resources requested to which the lowest priority is to be assigned;

“4. *Requests* the Secretary-General to include in the final performance report on the implementation of his programme budget an analysis of any significant discrepancies between the output in his proposed programme budget and that actually delivered;

“IV

“*Approves* the remaining recommendations of the Committee for Programme and Co-ordination, as endorsed by the Economic and Social Council in resolution 2098 (LXIII).”

90. At the same meeting, the representative of Belgium introduced an amendment (A/C.5/32/L.34) to draft resolution A/C.5/32/L.24, calling for the replacement of operative paragraph 1 by the following:

“1. *Decides* to continue on a monthly basis the publication of the *Chronicle*, whose English, French and Spanish versions should be issued simultaneously”.

91. At the 59th meeting, the representative of India orally proposed that the Committee should:

(a) Approve the draft resolution recommended by CPC in paragraph 1 of its report (A/32/38);

(b) Decide not to take any decision on those recommendations of CPC which had financial implications;

(c) Decide not to vote on the proposals submitted in documents A/C.5/32/L.18 and Corr.1, A/C.5/32/L.24 and A/C.5/32/L.31.

92. The representative of India subsequently submitted the following draft decision (A/C.5/32/L.39):

“The Fifth Committee recommends to the General Assembly that it accept the recommendations of the Committee for Programme and Co-ordination on the decentralization of transport, in the light of paragraph 16 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.14) and authorizes the Secretary-General to submit, through the Committee for Programme and Co-ordination and the Advisory Committee, to the General Assembly at its thirty-third session, programme proposals for increased activity in the transport programmes of the Economic Commission for Africa, the Economic Commission for Latin America, the Economic Commission for Western Asia and the Economic and Social Commission for Asia and the Pacific and revised estimates up to the total resources to be decentralized.”

It was the understanding of the Committee that the draft decision was to be considered as a revision of the second of the oral proposals made by India (para. 91 (b) above).

93. At the 63rd meeting, the representative of Trinidad and Tobago introduced draft resolution A/

C.5/32/L.40 on behalf of Germany, Federal Republic of, India, the Netherlands and Trinidad and Tobago, later joined by Egypt and Nepal. In so doing, he stated that the draft resolution was the result of protracted negotiations and represented a consensus among interested parties. It was proposed on the understanding that it would be replacing all of the proposals and amendments (A/C.5/32/L.18 and Corr.1, A/C.5/32/L.24, A/C.5/32/L.31, A/C.5/32/L.34 and A/C.5/32/L.39) already before the Committee on this question. The draft resolution read as follows:

"The General Assembly,

"... [the preamble and sections I and II of the draft resolution are the same as the corresponding parts of draft resolution IV in paragraph 256 below];

"III

"1. Accepts the recommendations of the Committee for Programme and Co-ordination on the decentralization of certain transport activities, in the light of paragraph 16 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.14), and authorizes the Secretary-General, in consultation with the executive secretaries of the regional commissions concerned, to submit to the General Assembly at its thirty-third session, through the Economic and Social Council, programme proposals for increased activity in the transport programmes of the Economic Commission for Africa, the Economic Commission for Latin America, the Economic Commission for Western Asia and the Economic and Social Commission for Asia and the Pacific and revised estimates to that end;

"2. Decides, in the light of additional information provided to the General Assembly and of subsequent developments, to defer consideration of those other recommendations of the Committee for Programme and Co-ordination dealing with programme transfers and reductions until the thirty-third session of the General Assembly."

94. At the same meeting, the representative of the Union of Soviet Socialist Republics proposed the deletion of paragraph 1 in section III of the draft resolution (A/C.5/32/L.40). He explained that, as a direct consequence of his proposed amendment, paragraph 2 of section IV would become paragraph 1 and the words "those other" in that paragraph would be replaced by the word "the".

95. The sponsors of the draft resolution orally proposed instead to revise paragraph 1 of section III to read as follows:

"1. Authorizes the Secretary-General, in consultation with the executive secretaries of the regional commissions concerned, to submit to the General Assembly at its thirty-third session through the Economic and Social Council, in the light of paragraph 16 of the report of the Advisory Committee on Administrative and Budgetary Questions, programme proposals for increased activity in the transport programmes of the Economic Commission for Africa, the Economic Commission for Latin America, the Economic Commission for Western Asia and the Economic and Social Commission for Asia and the Pacific and revised estimates to that end."

Paragraph 2 would then read as amended by the Union of Soviet Socialist Republics.

96. The representative of Algeria orally proposed, and the sponsors accepted, the insertion of the words "the recommendations of the Committee for Programme and Co-ordination and of" after the words "in the light of" in the same paragraph.

97. At the same meeting, the Committee adopted draft resolution A/C.5/32/L.40, as amended, by consensus.

98. Comments made and reservations expressed by delegations in the course of the discussion of this subject, as well as statements made by the representative of the Secretary-General, are reflected in the summary records of the meetings (A/C.5/32/SR.18, 50, 53, 55, 58-60 and 63).

Decision of the Committee

99. The Fifth Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.40, as amended (see para. 256 below, draft resolution IV).

M. HONORARIUM OF THE CHAIRMAN OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

100. The Committee considered the question of the honorarium of the Chairman of the Advisory Committee at its 64th and 67th meetings on 15 and 17 December.

101. For its consideration of this question, the Committee had before it the report of the Secretary-General (A/C.5/32/92) submitted pursuant to section X of General Assembly resolution 31/208 of 22 December 1976, wherein the Secretary-General was requested "to review, within the context of the draft programme budget for the biennium 1978-1979, the amount of the honorarium received by the Chairman of the Advisory Committee on Administrative and Budgetary Questions and to report thereon to the General Assembly".

102. In his report, the Secretary-General reviewed the background of the current honorarium payable to the Chairman since it was established at \$25,000 net per annum under General Assembly resolution 2889 (XXVI) of 22 December 1971, and examined the position of three groups of officials who serve on a full-time basis but are not members of the Secretariat.

103. In paragraph 23 of his report, the Secretary-General proposed that, depending on the decision to be taken by the General Assembly as to the status and level of remuneration to be granted to the Chairman of the Advisory Committee, the level of the post of the Executive Secretary of the Advisory Committee be reclassified from D-1 to D-2.

104. At the 64th meeting, the representative of the Netherlands introduced the following draft resolution (A/C.5/32/L.42) on behalf of Algeria, Austria, Bangladesh, Colombia, Egypt, Ethiopia, Ghana, India, Indonesia, Jamaica, Kenya, the Netherlands, Pakistan, Panama, Senegal, Sierra Leone, Turkey and the Upper Volta:

"The General Assembly

"1. Takes note of the report of the Secretary-General on the honorarium of the Chairman of the

Advisory Committee on Administrative and Budgetary Questions (A/C.5/32/92);

“2. *Decides* to establish the honorarium of the Chairman of the Advisory Committee at the level of \$59,000 annually effective 1 January 1978.”

In so doing, he announced that Togo had joined the list of sponsors.

105. At the 67th meeting, the representative of Ghana, speaking on behalf of the sponsors, announced that they had decided to revise paragraph 2 of the draft resolution by replacing the figure “\$59,000” by the figure “\$50,000” in the light of the decision taken by the Committee in draft decision A/C.5/32/L.46 on the subject of compensation for officers other than Secretariat officials serving the General Assembly on a continuing basis (see para. 256 below, draft resolution X, sect. XI). He also announced that the Libyan Arab Jamahiriya had decided to join the sponsors.

106. The comments made and reservations expressed by delegations in the course of the discussion of this question are reflected in the summary records of the meetings (A/C.5/32/SR.64 and 67).

107. At its 67th meeting, the Committee adopted draft resolution A/C.5/32/L.42, as amended, by consensus, and approved an amount of \$50,000 for the purpose under section 1 of the proposed programme budget for the biennium 1978-1979.

Decisions of the Committee

108. The Fifth Committee decided, without objection, to approve the reclassification of the post of Executive Secretary of the Advisory Committee from D-1 to D-2 and approved an amount of \$10,400 for the purpose under section 1 of the proposed programme budget for the biennium 1978-1979.

109. The Committee also decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.42, as amended (see para. 256 below, draft resolution X, sect. VI).

N. FINANCIAL IMPLICATIONS OF THE DECISION TAKEN BY THE WORLD FOOD COUNCIL AT A SPECIAL SESSION HELD ON 16 NOVEMBER 1977

110. At its 68th meeting, on 18 December, the Committee considered a note by the Secretary-General (A/C.5/32/74), in which he informed the General Assembly that, at a special session held on 16 November 1977, the World Food Council had decided to request that steps be taken to upgrade the post of Executive Director of the World Food Council from its current level of Assistant Secretary-General to that of Under-Secretary-General.

111. In its related report (A/32/8/Add.27), introduced by its Chairman in an oral statement, the Advisory Committee noted that the Secretary-General had not expressed an opinion on the matter and that he had confined himself to transmitting the request of the World Food Council. In addition, the reasons which prompted the Council to make the request were not given in the Secretary-General's note. Under the circumstances, the Advisory Committee was unable to recommend approval of the proposed upgrading.

Decision of the Committee

112. At its 68th meeting, the Fifth Committee decided, without objection, to approve the conclusion

of the Advisory Committee that, under the circumstances, it could not recommend approval of the proposed upgrading of the post of Executive Director of the World Food Council.

O. STATUS OF CLASSIFICATION PROJECTS

113. At its 69th meeting, on 19 December, the Committee considered a note by the Secretary-General (A/C.5/32/57) on the status of classification projects.

114. In his note, the Secretary-General informed the General Assembly of the forms of the classification systems that were being established for posts at the Professional level and for posts at the General Service level at Geneva before the systems were implemented. The Secretary-General intended to submit a full report on the matter to the Assembly at its thirty-third session, in accordance with its resolution 31/27 of 29 November 1976.

Decision of the Committee

115. At its 69th meeting, the Fifth Committee decided, without objection, to recommend that the General Assembly should take note of the note by the Secretary-General (A/C.5/32/57) on the status of classification projects (see para. 256 below, draft resolution X, sect. VII).

P. INCLUSION OF ARABIC AS AN OFFICIAL LANGUAGE OF THE THIRD GENERAL CONFERENCE OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

116. At its 65th meeting, on 15 December, the Committee adopted, without objection, a proposal made by Egypt that Arabic be included as an official language of the Third General Conference of the United Nations Industrial Development Organization.

117. At its 68th meeting, on 18 December, the Committee considered a statement by the Secretary-General on the administrative and financial implications of the inclusion of Arabic as an official language of the Conference (A/C.5/32/111). In his statement, the Secretary-General estimated that the total cost of including Arabic as one of the official languages of the Conference was estimated at \$208,500, of which an amount of \$44,800 would be required for pre-session documentation.

118. In an oral statement, the Chairman of the Advisory Committee stated that the Committee recommended that, should the General Assembly decide to include Arabic as an official language of the Conference, the additional appropriation of \$44,800 requested by the Secretary-General under section 12 for the biennium 1978-1979 could be absorbed; it agreed that a request for the balance of the total resources required for servicing the Conference in 1980 should be resubmitted by the Secretary-General at the thirty-third session.

Decision of the Committee

119. At its 68th meeting, the Fifth Committee decided, without objection, to recommend that the General Assembly should approve the inclusion of Arabic as an official language of the Third General Conference of the United Nations Industrial Development Organization (see para. 256 below, draft resolution X, sect. VIII).

Q. UNITED NATIONS HABITAT AND HUMAN SETTLEMENTS FOUNDATION

120. At its 37th, 39th, 49th, 67th and 70th meetings, between 9 November and 19 December, the Committee considered the administrative arrangements regarding the United Nations Habitat and Human Settlements Foundation. It had before it a note by the Secretary-General (A/C.5/32/24 and Corr.1).

121. The Chairman of the Advisory Committee introduced that Committee's related report (A/32/8/Add.6) at the 37th meeting.

122. At the 70th meeting, the representative of France orally proposed that any decision on the question of administrative arrangements regarding the United Nations Habitat and Human Settlements Foundation should be deferred until the thirty-third session of the General Assembly. The Committee rejected the proposal by 43 votes to 31, with 14 abstentions.

123. Comments made by delegations in the course of the discussion of the question are reflected in the summary records of the meetings (A/C.5/32/SR.37, 39, 49, 67 and 70).

Decision of the Committee

124. At its 70th meeting, the Fifth Committee, by 57 votes to 4, with 23 abstentions, adopted a draft decision on the United Nations Habitat and Human Settlements Foundation orally proposed by the Chairman (see para. 257 below).

Decisions taken in first reading

125. The paragraphs which follow under this heading reflect action taken by the Committee on proposals made by delegations under certain sections in the course of the first reading of the proposed programme budget for the biennium 1978-1979 (A/32/6 and Corr.1 and 2) and the first report of the Advisory Committee thereon (A/32/8 and Corr.1).

SECTION 11A. UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

126. The Committee considered the estimates proposed by the Secretary-General for UNCTAD under section 11A for the biennium 1978-1979, in first reading, at its 25th, 26th, 28th and 31st meetings, from 25 to 27 October and on 1 November. The Committee also had before it the related recommendations of the Advisory Committee in its first report on the proposed programme budget for the biennium 1978-1979.

127. At the 31st meeting, the representative of India orally proposed the addition of \$49,200 to the recommendations of the Advisory Committee, for 1 post at the P-5 level which had been included in the estimates proposed by the Secretary-General.

Decisions of the Committee

128. At its 31st meeting, the Fifth Committee, by 80 votes to 10, with 11 abstentions, adopted the proposal by India.

129. The amount recommended by the Advisory Committee for section 11A (\$33,067,700), as amended by the Indian proposal—which added \$49,200 to that amount, giving a total of \$33,116,900—was approved in first reading by the Committee by 103 votes to 9.

SECTION 12. UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

130. The Committee considered the estimates proposed by the Secretary-General for UNIDO under section 12 for the biennium 1978-1979, in first reading, at its 29th to 31st meetings, between 28 October and 1 November. The Committee also had before it the related recommendations of the Advisory Committee in its first report on the proposed programme budget for the biennium 1978-1979.

131. At the 30th meeting, the representative of the United States of America proposed that the recommendation of the Advisory Committee for section 12 be reduced by \$1 million.

Decisions of the Committee

132. At its 31st meeting, the Fifth Committee approved, without objection, an oral proposal made by Egypt that the Committee should vote in the first instance on the amount recommended by the Advisory Committee on Administrative and Budgetary Questions for section 12.

133. The Committee then approved the recommendation of the Advisory Committee by 86 votes to 10.

SECTION 21. PUBLIC INFORMATION

134. The Committee considered the estimates proposed by the Secretary-General for section 21 at its 40th, 41st, 44th and 45th meetings, on 11, 14, 16 and 17 November. It also had before it the related recommendations of the Advisory Committee in its first report on the proposed programme budget for the biennium 1978-1979.

135. At the 40th meeting, the representative of Chad orally proposed approval of 2 posts, 1 at the P-3 level and 1 General Service post, which were requested by the Secretary-General for the French language programme in the Press and Publications Division but not recommended for approval by the Advisory Committee.

136. At the 41st meeting, the representative of Togo supported the proposal of Chad and further proposed that the Secretary-General's request for a post at the P-3 level for the External Relations Division, which was not recommended for approval by the Advisory Committee, should be granted. Togo subsequently withdrew the latter proposal at the 45th meeting.

137. At the 44th meeting, the representative of the United States of America orally proposed that the Secretary-General's request that 5 posts, 1 each at levels P-4, P-3 and P-2 and 2 General Service posts, be transferred from extrabudgetary funds to the regular budget for the Centre for Economic and Social Information should not be approved. In addition, the United States orally proposed that the estimate proposed for the issue of the *Yearbook of the United Nations* during the biennium be reduced by \$17,200.

Decisions of the Committee

138. At its 45th meeting, the Fifth Committee took the following decisions:

(a) The proposal of the United States regarding the disallowance of the 5 posts to be transferred to the regular budget for the Centre for Economic and Social

Information, amounting to a reduction of \$203,800 in the recommendations of the Advisory Committee, was rejected by 74 votes to 9, with 12 abstentions;

(b) The proposal of the United States for a reduction of \$17,200 in the estimate proposed for the issue of the *Yearbook* was rejected by 63 votes to 9, with 23 abstentions;

(c) The proposal of Chad for the reinstatement of 2 posts in the Press and Publications Division, amounting to an increase of \$54,100 over the recommendations of the Advisory Committee, was adopted by 74 votes to 13, with 11 abstentions;

(d) The Committee then approved, in first reading, an amount of \$36,393,700 for section 21 by 92 votes to 8, with 2 abstentions.

SECTION 23. CONFERENCE AND LIBRARY SERVICES

139. The Committee considered the estimates proposed by the Secretary-General for conference and library services under section 23 for the biennium 1978-1979, in first reading, at its 21st, 26th, 28th to 31st meetings, between 20 October and 1 November. The related recommendations of the Advisory Committee in its first report on the proposed programme budget for the biennium 1978-1979 were also before the Committee.

140. The recommendations of the Advisory Committee were introduced by its Chairman at the 21st meeting.

141. At the 26th meeting, the representative of the United States of America orally proposed that the estimates requested by the Secretary-General for this section be reduced by 5 per cent to a total of \$135,017,000.

142. At the 30th meeting, in response to requests by several delegations, the representative of the United States indicated the justification for the reduction his delegation had proposed under section 23.

143. At the 31st meeting, following an oral proposal by Pakistan, the United States agreed that its proposals should be referred to the Committee on Conferences for a study of all their implications, and that the Committee on Conferences should report thereon to the General Assembly at its thirty-third session.

Decision of the Committee

144. The comments made by delegations during the discussion of this question, as well as the statements made by the representatives of the Secretary-General, are reflected in the summary records of the meetings (A/C.5/32/SR.21, 26 and 28-31).

145. At its 31st meeting, the Fifth Committee approved, in first reading, by 92 votes to 10, the recommendations of the Advisory Committee for section 23 in the amount of \$140,072,400.

SECTION 10. ECONOMIC COMMISSION FOR WESTERN ASIA

146. The Committee considered the Secretary-General's proposed estimates for ECWA under section 10 in first reading at its 42nd and 43rd meetings, on 15 and 16 November, together with the related recommendations of the Advisory Committee in its first report on the proposed programme budget for the biennium 1978-1979.

147. The report of the Advisory Committee was introduced by its Chairman at the 42nd meeting.

148. The Executive Secretary of ECWA addressed the Committee at the same meeting.

149. At the 43rd meeting, after some discussion on the subject, in the course of which some delegations expressed concern with regard to the reductions recommended by the Advisory Committee, the representative of France orally proposed that the recommendations of the Advisory Committee with respect to section 10 should be recommended for approval on the understanding that the Secretary-General would review the situation of ECWA and, if necessary, request additional appropriations in 1978.

150. The representative of Yemen orally proposed that, in addition to the recommendations of the Advisory Committee, an additional post at the D-1 level, as requested by the Secretary-General, should be established for the head of the Population Division of ECWA.

151. Comments made and reservations expressed by delegations in the course of the discussion of this section are reflected in the summary records of the meetings (A/C.5/32/SR.42 and 43).

Decision of the Committee

152. At its 43rd meeting, the Fifth Committee decided, without objection, to recommend that the General Assembly should approve the recommendations of the Advisory Committee, including the reclassification of the post of Executive Secretary of ECWA, and to approve an additional post at the D-1 level for the head of the Population Division of ECWA on the understanding that the Secretary-General would review the situation and, if necessary, request additional appropriations in 1978.

SECTION 9. ECONOMIC COMMISSION FOR AFRICA

153. The Committee considered the Secretary-General's proposed estimates for ECA under section 9 in first reading at its 42nd, 43rd and 45th meetings, between 15 and 17 November, together with the related recommendations of the Advisory Committee in its first report on the proposed programme budget for the biennium 1978-1979.

154. The Chairman of the Advisory Committee introduced that Committee's report at the 42nd meeting.

155. At the 43rd meeting, the representative of the Upper Volta proposed that the sum of \$100,000, by which the Advisory Committee had reduced the Secretary-General's estimate for communications, be reinstated.

156. The comments made by delegations, the explanations of vote, as well as the replies to queries made by the Chairman of the Advisory Committee and the representative of the Secretary-General, are reflected in the summary records of the meetings (A/C.5/32/SR.42, 43 and 45).

Decision of the Committee

157. At its 45th meeting, the Fifth Committee decided, by 84 votes to 10, with 5 abstentions, to add the sum of \$100,000, as proposed by the Upper Volta, to the recommendation of the Advisory Committee for section 9 of the proposed programme budget for the biennium 1978-1979.

TECHNOLOGICAL INNOVATIONS IN THE PRODUCTION OF THE PUBLICATIONS AND DOCUMENTATION OF THE UNITED NATIONS

158. At its thirty-first session, the General Assembly decided to postpone to its thirty-second session³³ its consideration of the report of the Secretary-General on the subject.³⁴

159. At its 49th and 51st meetings, on 23 and 29 November, the Committee considered an updated report of the Secretary-General (A/C.5/32/11), in which he proposed revised estimates under section 23A for the installation of technological innovations in the production of the publications and documentation of the United Nations.

160. The related report of the Advisory Committee (A/32/8/Add.12) was introduced by its Chairman at the 49th meeting.

161. At the 51st meeting, the representative of Nepal introduced a draft resolution (A/C.5/32/L.20), sponsored by Canada, Nepal and Pakistan, later joined by Nigeria, Singapore and Trinidad and Tobago, which read as follows:

"The General Assembly,

"... [the preamble and operative paragraphs 1 to 3 are the same as the corresponding paragraphs of draft resolution V in paragraph 256 below];

"4. Requests the Secretary-General to report to the General Assembly, at its thirty-third session through the Committee on Conferences, on progress achieved in the implementation of approved measures, on the results of further studies, and on recommendations for additional measures to improve documentation and publications services, always bearing in mind the need for cost-effective approach."

162. The Committee also had before it the following amendments (A/C.5/32/L.22) submitted by the United Kingdom of Great Britain and Northern Ireland to the draft resolution:

(a) The insertion of a new paragraph 4 reading as follows:

"4. Requests the Secretary-General, as recommended by the Advisory Committee on Administrative and Budgetary Questions in its report (A/32/8/Add.12), to submit to the General Assembly at its thirty-third session through the Advisory Committee a clear estimate of the timing and amount of the quantifiable costs and benefits of the project, broken down into its component elements, and indicating the balance of financial advantage in the case of each component element;"

and the renumbering of former paragraph 4 as paragraph 5;

(b) The replacement, in new paragraph 5, of the words "Committee on Conferences" by the words "Advisory Committee on Administrative and Budgetary Questions";

(c) The replacement, in new paragraph 5, of the words "always bearing ... cost-effective approach" by

³³ *Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92, document A/31/470, para. 100 (h).*

³⁴ Document A/C.5/31/77 of 8 December 1976.

the words "subject to the conclusions of the cost-benefit analysis requested in paragraph 4 of this resolution."

163. At the same meeting, the representative of Nepal informed the Committee that the sponsors had decided to revise paragraph 4 of the draft resolution to read as follows:

"4. Requests the Secretary-General to report to the General Assembly at its thirty-third session on the progress achieved in the implementation of approved measures, on the results of further studies and on recommendations for additional measures to improve documentation and publications services."

164. The representative of the United Kingdom subsequently withdrew his delegation's amendments in the light of the revisions made to paragraph 4 by the sponsors of the draft resolution, which made it implicit that the role of the Advisory Committee, as laid down in rule 157 of the rules of procedure of the General Assembly, would be maintained, and on the understanding that a cost-benefit analysis was implicit in paragraph 2 of the draft resolution.

165. At the same meeting, the Committee adopted draft resolution A/C.5/32/L.20, as amended, without objection.

166. Comments made by delegations in the course of the discussion of this question, as well as explanations of vote, are reflected in the summary records of the meetings (A/C.5/32/SR.49 and 51).

Decisions of the Committee

167. At its 51st meeting, the Fifth Committee approved, by 69 votes to 10, an additional appropriation in the amount of \$314,700 under section 23A, as recommended by the Advisory Committee.

168. The Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.20, as amended (see para. 256 below, draft resolution V).

SECTION 17. OFFICE OF THE UNITED NATIONS
DISASTER RELIEF CO-ORDINATOR

169. The Committee considered the question of the financing of emergency relief assistance and technical co-operation activities under section 17 at its 34th, 51st and 55th meetings, on 3 and 29 November and 2 December.

170. In his proposed programme budget for the biennium 1978-1979, the Secretary-General proposed an amount of \$2,539,700 for UNDRO, which included an amount of \$400,000 for emergency relief assistance for natural disasters.

171. At the 34th meeting, the Chairman of the Advisory Committee introduced the recommendations of that Committee as they appeared in its first report on the proposed programme budget for the biennium 1978-1979, wherein it recommended a reduction in the amount of \$159,500 in the Secretary-General's estimate. It also proposed deletion of the \$400,000 for emergency relief assistance included under section 17.

172. At its 51st meeting, when the Committee considered the estimates of the Secretary-General and the recommendations of the Advisory Committee, it also had before it the report of the Secretary-General (A/C.5/32/49 and Corr.1), in which he reported on

the status of the Trust Fund established pursuant to General Assembly resolution 3243 (XXIX) of 29 November 1974 for the purpose of strengthening UNDR0. In paragraphs 8 and 9 of his report, the Secretary-General stated that, until such time as voluntary funds were contributed in sufficient quantity to the subaccount for emergency assistance, he had no alternative but to reiterate his request for an appropriation of \$400,000 for emergency assistance for the biennium 1978-1979.

173. At the same meeting, the Chairman of the Advisory Committee stated that the Advisory Committee had discussed the Secretary-General's report and, in view of the statement in paragraph 9 of the report, it had no objection to the approval of the Secretary-General's initial request for an appropriation of \$400,000 under section 17 for the biennium 1978-1979.

174. At the same meeting, the representative of Sweden, on behalf of the delegations of the Nordic countries, orally proposed that the Committee approve the proposals of the Secretary-General under section 17, and that the provision of \$400,000 for emergency relief assistance should be maintained in the regular budget as long as there was no reasonable guarantee that the activities could be financed from voluntary contributions.

175. The comments made during the discussion of the question as well as the explanations of vote are reflected in the summary records of the meetings (A/C.5/32/SR.34, 51 and 54).

Decisions of the Committee

176. At its 55th meeting, pursuant to a proposal by the representative of France, the Fifth Committee voted first on the inclusion of the amount of \$400,000 in the regular budget. The inclusion of the amount was approved by 74 votes to 11.

177. The Committee then voted for the restoration of an amount of \$159,500 which represented the reduction recommended by the Advisory Committee for section 17. The restoration of that amount was approved by 79 votes to 3.

UNITED NATIONS ACCOMMODATION AT NAIROBI

178. The Committee considered the question at its 49th, 51st, 54th, 55th and 57th meetings, between 23 November and 6 December, when it considered in first reading the revised estimates under section 13 (United Nations Environment Programme).

179. The Committee had before it for its consideration a report of the Secretary-General (A/C.5/32/19 and Add.1), in paragraph 32 of which, *inter alia*, he proposed that the General Assembly should accept the generous offer of the Government of Kenya for a free grant of the site at Gigiri, Nairobi, of approximately 40 hectares (100 acres) for the construction of the permanent headquarters of UNEP, and that it should approve in principle the project at a total estimated cost of \$23,547,000. The cost of the project would be phased out over a period of three biennia, beginning with an appropriation of \$4,541,000 under section 26 (Construction, alteration, improvement and major maintenance of premises) of the proposed estimates for the biennium 1978-1979. A breakdown of the total cost estimates for the project appeared in paragraphs 25 and 26 of the report.

180. In its related report (A/32/8/Add.10), which was introduced by its Chairman at the 49th meeting, the Advisory Committee recommended that the General Assembly should approve in principle the construction project and that it should take note of the estimated total construction cost (excluding the cost of the headquarters planning unit) as proposed by the Secretary-General in paragraph 26 of his report.

181. At the 51st meeting, the representative of the United States of America orally proposed that the report of the Advisory Committee be returned to that Committee for a more thorough review of the subject, and that the question of United Nations accommodation at Nairobi be deferred to the thirty-third session, at which time the Advisory Committee should submit a new report on the subject.

182. At the 54th meeting, the representative of India introduced a draft resolution (A/C.5/32/L.25), sponsored by Ethiopia, Ghana, India, Kenya, Sweden, Uganda and Zambia, as well as Bangladesh, Canada, Jordan, the Netherlands, Pakistan, Senegal, Togo, the United Republic of Tanzania and the Upper Volta. The draft resolution read as follows:

"The General Assembly,

"... [the preamble and operative paragraphs 1 to 5 are the same as the corresponding paragraphs of draft resolution VI in paragraph 256 below];

"6. Requests the Secretary-General to report to the General Assembly annually on the progress made on the construction of the project."

It was subsequently announced that Brazil, Chad, Egypt, the Syrian Arab Republic, Trinidad and Tobago and the United Republic of Cameroon had joined the sponsors of the draft resolution.

183. At the 57th meeting, the representative of the United States announced that his delegation would defer to the wishes expressed by other delegations and would withdraw its oral proposal, but requested a separate vote on operative paragraph 3 of the draft resolution before the Committee.

184. Pursuant to oral proposals made by the Philippines and India, the words "on the progress made on the construction of the project" in operative paragraph 6 of the draft resolution were replaced by the words "on the status of the project".

185. The Committee then voted separately on operative paragraph 3 of the draft resolution, which was adopted by 97 votes to 10. Draft resolution A/C.5/32/L.25 as a whole, as amended, was adopted by 98 votes to 9, with 1 abstention.

186. The comments made in the course of the discussion of this question are reflected in the summary records of the meetings (A/C.5/32/SR.49, 51, 54, 55 and 57).

Decisions of the Committee

187. At its 57th meeting, the Fifth Committee approved, by 96 votes to 9, with 1 abstention, additional appropriations in a net amount of \$4,260,000, representing the estimated cost of the construction project for the biennium 1978-1979.

188. The Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.25, as amended (see para. 256 below, draft resolution VI).

ENLARGEMENT OF THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON THE APPLICATION OF SCIENCE AND TECHNOLOGY TO DEVELOPMENT

189. At its 68th meeting, on 18 December, the Committee considered the financial implications of the Economic and Social Council draft resolution³⁵ in which it decided to enlarge the membership of the Advisory Committee on the Application of Science and Technology to Development from 24 to 28 members, with due regard to equitable geographical distribution and the desirability of increasing the participation in it of developing countries from all regions, as recommended in its resolution 2033 (LXI) of 4 August 1976.

190. In his statement of financial implications (A/C.5/32/107), the Secretary-General requested an additional appropriation under section 4 of \$23,600 for first-class travel and subsistence of the 4 additional members of the Committee.

191. In an oral statement, the Chairman of the Advisory Committee on Administrative and Budgetary Questions informed the Fifth Committee that the Advisory Committee recommended that the amount requested by the Secretary-General be absorbed and that, should the Secretary-General experience any difficulty in that regard, he should be permitted to report to the General Assembly in the context of his performance report on the programme budget for the biennium 1978-1979.

192. Comments made in the course of the discussion of the question in the Committee are reflected in the summary record of the meeting (A/C.5/32/SR.68).

Decision of the Committee

193. The Fifth Committee agreed, without objection, that no additional appropriation would be required in the proposed programme budget for the biennium 1978-1979 as a result of the decision contained in the draft resolution of the Economic and Social Council.

FINANCIAL IMPLICATIONS RESULTING FROM THE DECISIONS OF THE TRADE AND DEVELOPMENT BOARD AT ITS NINTH SPECIAL SESSION AND THE FIRST PART OF ITS SEVENTEENTH SESSION

194. At its 68th meeting, on 18 December, the Committee considered the statement of the Secretary-General on the financial implications resulting from the decisions of the Trade and Development Board at its ninth special session and the first part of its seventeenth session (A/C.5/32/105).

195. The Chairman of the Committee noted that the decisions of the Trade and Development Board would impose no additional requirements on the proposed programme budget for the biennium 1978-1979.

Decision of the Committee

196. The Fifth Committee decided to recommend that the General Assembly should take note of the report of the Secretary-General on the financial implications resulting from the decisions taken by the Trade and Development Board at its ninth special

session and at the first part of its seventeenth session (see para. 256 below, draft resolution X, sect. IX).

RECLASSIFICATION OF POSTS TO THE P-5 AND D-1 LEVELS

197. In paragraph 90 of its first report on the proposed programme budget for the biennium 1978-1979 (A/32/8 and Corr.1), the Advisory Committee recommended approval of 5 reclassifications of posts from P-4 to P-5 of the 10 requested by the Secretary-General, and 4 reclassifications of posts from P-5 to D-1 of the 8 requested by the Secretary-General, without giving an indication of which posts were recommended for reclassification.

198. At the 21st meeting, on 20 October, the Chairman of the Fifth Committee suggested that decisions taken by the Committee on individual sections of the budget in first reading should exclude any appropriations required for the above-mentioned reclassifications pending a clarification of which posts were to be reclassified.

199. At its 64th meeting, on 15 December, the Committee considered a note by the Secretary-General (A/C.5/32/83), in which he stated that, in the light of additional information provided to the Advisory Committee, it had given its concurrence to certain of the reclassifications, as enumerated in paragraph 2 of his note. In order to give effect to those reclassifications, an additional appropriation in the amount of \$110,000 would be required under the relevant sections of the budget, to be offset by an amount of \$7,100 under income section 1.

200. The comments made by delegations during the discussion of this question, as well as the explanations of vote, are reflected in the summary record of the meeting (A/C.5/32/SR.64).

Decision of the Committee

201. At its 64th meeting, the Fifth Committee decided to take note of the reclassifications from P-4 to P-5 and from P-5 to D-1 (A/C.5/32/83). It approved by 68 votes to 11, with 3 abstentions, an amount of \$102,900 under sections 2, 3, 5A, 7, 8, 16 and 22, and an amount of \$7,100 under section 25 to be offset by an equal amount under income section 1.

SECTION 22. ADMINISTRATION, MANAGEMENT AND GENERAL SERVICES

202. At its 67th meeting, on 17 December, in the course of the first reading of section 22, the Committee acted upon several proposals, which are reflected in the paragraphs that follow.

Proposed arrangement for a combined Internal Audit and Management Improvement Service

203. In paragraph 22.55 of its first report on the proposed programme budget for the biennium 1978-1979, the Advisory Committee, referring to the Secretary-General's proposed arrangements for a combined Internal Audit and Management Improvement Service, as described in paragraphs 22.123 to 22.137 of the proposed programme budget for the biennium 1978-1979, stated that:

"... the Advisory Committee is of the opinion that the maintenance of an adequate and capable management improvement service, as intended by

³⁵ Document E/L.1793. Adopted by the Economic and Social Council at its 2090th meeting, on 14 December 1977 (resolution 2130 (LXIII)).

resolution 31/94 C, would require an arrangement somewhat different from that now proposed by the Secretary-General. In particular, the Committee is concerned that the important concept of a small corps of qualified experts, dealing with management problems, whose independence and effectiveness is assured through a line of direct responsibility to the Under-Secretary-General for Administration and Management might become more difficult to sustain within the larger context of the proposed new Service.”

204. Based on a proposal made by the representative of Japan at the 61st meeting as a result of consultations with interested delegations, the Fifth Committee took the decision below without objection.

Decision of the Committee

205. The Fifth Committee decided to recommend that the General Assembly should:

(a) Take note of the observations of the Advisory Committee in paragraph 22.55 of its first report on the proposed programme budget for the biennium 1978-1979 (A/32/8 and Corr.1), as well as the views expressed in the Fifth Committee on the question of the proposed arrangements for a combined Internal Audit and Management Improvement Service in the Secretariat, which the Secretary-General is invited to take into account, and decide, in the meantime, to maintain the present organizational arrangements;

(b) Decide to return to and consider the questions raised by the Advisory Committee and by delegations at its thirty-third session in the context of the review of the question of administrative and management control of the United Nations, provided for under General Assembly resolution 31/94 C of 14 December 1976, it being understood that all options will be open to the Assembly when it considers the matter at that time. (See para. 256 below, draft resolution X, sect. X.)

International Civil Service Commission

206. In his revised estimates for section 22L.1 (A/C.5/32/28), the Secretary-General proposed that the honoraria of the Chairman and Vice-Chairman of the Commission be increased by \$9,000 to an amount of \$54,000 each per annum as from 1 January 1978 and requested an additional amount of \$36,000 for the biennium 1978-1979 for that purpose. In its related report (A/32/8/Add.11), the Advisory Committee agreed to the Secretary-General's proposal, with certain observations reflected in paragraphs 7 and 8 of its report.

207. At the 67th meeting, the representative of the United States of America introduced the following draft decision (A/C.5/32/L.46):

“Compensation for certain officers serving the General Assembly

“The General Assembly

“Decides to reconsider at its thirty-third regular session the proposals of the Secretary-General with regard to compensation for the two full-time Commissioners of the International Civil Service Commission contained in document A/C.5/32/28 and the relevant comments of the Advisory Committee in document A/32/8/Add.11;

“Requests the Secretary-General, with such impartial advice as he deems desirable, to prepare a

study on the conditions of service and compensation appropriate for those officers serving the General Assembly, other than Secretariat officials, whose terms and conditions of selection, duties and responsibilities preclude active engagement by governmental, intergovernmental or other specified entities.”

In so doing, he called attention to the first paragraph of the draft decision and informed the Committee that the words “without prejudice to the possibility of retroactive action on these proposals” should be added to the end of that paragraph.

208. In the discussion that followed, a number of oral amendments were proposed by Ghana, Japan, Nigeria, Turkey and the United Republic of Cameroon, as a result of which the draft decision was orally revised by the representative of the United States.

209. The Committee then adopted draft decision A/C.5/32/L.46, as amended, by consensus.

210. The comments made by delegations during the discussion of the draft decision as well as the full account of amendments proposed are reflected in the summary record of the meeting (A/C.5/32/SR.67).

Decision of the Committee

211. The Fifth Committee decided to recommend to the General Assembly the adoption of draft decision A/C.5/32/L.46, as amended (see para. 256 below, draft resolution X, sect. XI).

United Nations International School

212. With regard to the estimates for the United Nations International School under section 22C, the representative of the United Kingdom of Great Britain and Northern Ireland, at the 67th meeting, introduced the following draft resolution (A/C.5/32/L.28), which had previously been circulated:

“The General Assembly,

“Recalling its decision of the twenty-ninth session on the finances of the International School,³⁶

“1. Affirms its opposition to any form of subsidy to the International School;

“2. Decides that the provision from the regular budget of the United Nations for the servicing of the Board of Trustees of the School is a special case which does not constitute a subsidy to the School.”

At the same time, he stated that his delegation was withdrawing its proposal because a basis had not been established for arriving at a consensus on the draft resolution in the Committee, and reiterated his delegation's support of the relevant recommendation of the Advisory Committee in paragraph 22.16 of its first report on the proposed budget estimates for the biennium 1978-1979.

* * *

213. In his proposed programme budget estimates for the biennium 1978-1979, the Secretary-General requested appropriations in a total amount of \$157,733,700 under section 22. The Advisory Committee recommended total reductions in the amount of \$3,087,200 for a total of \$154,646,500. At the 67th meeting, the following action was taken by the

³⁶ *Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 85, document A/9983, para. 11.*

Fifth Committee on specific proposals made in the course of first reading with respect to the reinstatement of certain amounts requested by the Secretary-General but not recommended by the Advisory Committee:

(a) By 64 votes to 10, with 15 abstentions, the Committee, acting on a proposal of the Philippines, approved the reinstatement of an amount of \$33,900 in respect of a post at the P-3 level for work on placement and career development under section 22C (Office of Personnel Services, Headquarters);

(b) By 72 votes to 10, with 11 abstentions, the Committee, acting on a proposal by New Zealand, approved the reinstatement of an amount of \$56,000 with respect to 48 work-months of General Service temporary assistance for the United Nations International School under section 22C (Office of Personnel Services, Headquarters);

(c) By 41 votes to 28, with 23 abstentions, the Committee, acting on a proposal by the Philippines, approved the reinstatement of \$24,700 for long-distance telephone calls and an amount of \$80,800 with respect to 4 General Service posts in the Archives and Records Service under section 22D (Office of General Services, Headquarters);

(d) By 53 votes to 27, with 13 abstentions, the Committee, acting on a proposal by Tunisia, approved the reinstatement of an amount of \$28,500 for the professional studies programme under section 22J (Staff training activities);

(e) By 35 votes to 19, with 40 abstentions, the Committee rejected a proposal by Austria to reinstate an amount of \$48,500 in respect of overtime for the Electronic Data Processing and Information Systems Service under section 22F.

214. The Committee then took the following action on proposals made by the Union of Soviet Socialist Republics:

(a) It rejected by 32 votes to 15, with 42 abstentions, the proposal that a decision on the additional appropriation in the amount of \$854,500 recommended by the Secretary-General (A/C.5/32/37) and the Advisory Committee (A/32/8/Add.25) for section 22F (Electronic Data Processing and Information Systems Service) be postponed to the thirty-third session;

(b) It rejected by 43 votes to 20, with 28 abstentions, the proposal that the amount of \$47,400 for a post at the P-4 level under section 22J.2 (Staff training activities, Geneva) recommended by the Secretary-General (A/C.5/32/67) and the Advisory Committee (A/32/8/Add.26) be deleted.

Decision of the Committee

215. At its 67th meeting, the Fifth Committee, taking into account the above-mentioned decisions taken with respect to section 22, decided, by 77 votes to 11, with 3 abstentions, to approve in first reading for section 22 an amount of \$154,834,400 representing an increase of \$187,900 over the amount recommended by the Advisory Committee.

*Revised estimates under section 22B.1
(Office of Financial Services)*

216. At its 69th meeting, on 19 December, the Committee considered the Secretary-General's report (A/C.5/32/66) on revised estimates for the Office of Financial Services under section 22B.1.

217. In his report, the Secretary-General proposed certain additional appropriations for the Office of Financial Services pursuant to certain key proposals made by the Board of Auditors as a result of a general evaluation of the financial management and control systems of the Organization.

218. The comments made in the course of the short discussion on this question are reflected in the summary record of the meeting (A/C.5/32/SR.69).

Decision of the Committee

219. At its 69th meeting, the Fifth Committee decided, without objection, to defer its examination of this question to the thirty-third session on the understanding that it would be considered on a priority basis (see para. 255 (d) below).

Other decisions

220. In the course of its examination of the proposed programme budget for the biennium 1978-1979, the Committee took a number of broader decisions with respect to the budget, which are reflected in the paragraphs that follow.

EFFECTS OF INFLATION AND MONETARY INSTABILITY

221. At the 61st meeting, on 12 December, the representative of Cuba introduced the following draft resolution (A/C.5/32/L.27):

"The General Assembly,

"Deeply concerned at the persistence of inflation and monetary instability in the developed countries in which the United Nations incurs expenditure,

"Considering the responsibility borne by the developed countries in which the United Nations has headquarters for the generation of their own internal inflation and for readjustments and fluctuations in the exchange rates of their currencies,

"Considering further the economic advantages which those developed countries derive from the presence of the headquarters of United Nations bodies in their territory,

"Recognizing that countries which are not responsible for inflation in, and readjustments and fluctuations in the exchange rates of, developed countries in which United Nations bodies have headquarters should not defray the cost of the losses occasioned thereby,

"Taking into account the fact that the losses sustained by the United Nations as a result of internal inflation in, and readjustments and fluctuations in the exchange rates of the currencies of, developing countries in which it has headquarters are relatively small,

"Taking into account also that the provisions of this resolution shall not apply to those developed countries in which the United Nations has headquarters and which make voluntary contributions for this purpose, meeting the requirements mentioned in operative paragraph 3 of this resolution,

"Mindful of the provisions of Article 17 of the Charter of the United Nations,

"Believing that, in order to cover the substantial losses caused by inflation and monetary instability,

a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

"1. *Decides* that the losses sustained by the United Nations as a result of inflation and monetary instability in the developed countries in which it has headquarters shall be covered in the following way:

"(a) Eighty per cent of such losses shall be borne by the developed countries in which the United Nations has headquarters, in proportion to the expenditures incurred in those countries;

"(b) The remaining twenty per cent shall be borne by the other countries, pro-rated in shares determined by the scale of assessments approved by the General Assembly for the corresponding period;

"2. *Decides also* that the losses sustained by the United Nations as a result of internal inflation in, and readjustments and fluctuations in the exchange rates of the currencies of, the developing countries in which it has headquarters shall be absorbed by the regular budget of the United Nations;

"3. *Decides further* that the provisions of this resolution shall not apply to developed countries in which the United Nations has headquarters and which make voluntary contributions in order to offset the losses sustained by the United Nations as a result of inflation and monetary instability, provided that those contributions are in an amount at least equivalent to the amount which would be payable by them as a result of their own internal inflation and readjustments and fluctuations in the exchange rates of their currencies."

222. After a procedural discussion, the representative of the Federal Republic of Germany proposed that consideration of the draft resolution be deferred to the thirty-third session.

Decision of the Committee

223. At its 61st meeting, the Fifth Committee, by 56 votes to 20, with 15 abstentions, decided to defer its consideration of draft resolution A/C.5/32/L.27 to the thirty-third session of the General Assembly (see para. 255 (e) below).

* * *

224. At the 63rd meeting, on 14 December, the representative of Australia introduced the following draft resolution (A/C.5/32/L.32/Rev.1), on behalf of Australia and Singapore:

"The General Assembly,

"Recalling the decision of the Fifth Committee adopted at its 1770th meeting³⁷ requesting the Secretary-General to base his assumptions for rates of inflation on the latest available forecast and for currency alignments on the actual rate prevailing at the time the documents are prepared,

"Noting that the proposed programme budget for the biennium 1978-1979 includes an appropriation for inflation, and exchange rate variation based on assumptions whose accuracy will only be tested as the biennium progresses,

"Desiring to ensure that appropriate control is exercised over the expenditure of appropriations al-

located to programmes especially that portion provided for inflation, and exchange rate variation,

"1. *Decides* that in issuing allotments to programme managers the Secretary-General should during the biennium 1978-1979 and subsequent biennia satisfy himself that movements in inflation and currency exchange rates are in accordance with budget projections, and if the actual rates are favourable by comparison reduce the allocations accordingly;

"2. *Further decides* that if additional allocations are requested by programme managers because of higher rates of inflation or unfavourable movements in currency rates, the Secretary-General should ascertain whether savings are possible from other sources and reduce the allocations accordingly;

"3. *Requests* that if proposals for additional appropriations are made to the General Assembly to cover higher rates of inflation or less favourable exchange rates than those budgeted for at various duty stations, detailed information should be provided on:

"(a) Savings resulting from lower inflation rates or favourable currency variations at other duty stations;

"(b) Attempts to cover these additional costs by means of savings from other sources, for example, economies achieved in executing programmes, or the completion of programmes earlier than anticipated."

At the same time, he announced that the word "especially", in the third preambular paragraph, should read "including", and that in operative paragraph 2 the word "currency" should read "exchange".

225. After a short procedural discussion, the representative of Cuba proposed that consideration of the draft resolution be deferred to the thirty-third session.

Decision of the Committee

226. At its 63rd meeting, the Fifth Committee, by 37 votes to 28, with 18 abstentions, decided to defer its consideration of draft resolution A/C.5/32/L.32/Rev.1 to the thirty-third session (see para. 255 (f) below).

EXPENDITURE WITH RESPECT TO EXPERTS AND CONSULTANTS IN THE UNITED NATIONS

227. At its 63rd meeting, on 14 December, the representative of New Zealand introduced a draft resolution (A/C.5/32/L.29) on behalf of Argentina, Australia, Ghana, Kenya, Madagascar, New Zealand, the Philippines, Portugal, Singapore and Venezuela. Italy subsequently joined the sponsors. The draft resolution read as follows:

"The General Assembly,

"... [the first preambular paragraph is the same as the corresponding paragraph of draft resolution VII in paragraph 256 below],

"Noting with concern that the aggregate appropriation for experts and consultants proposed by the Secretary-General for the biennium 1978-1979 totals \$11,423,000 compared with approved appropriations for 1974-1975 of \$6,784,000, and that, whereas the initial estimate requested by the Secre-

³⁷ *Ibid.*, Thirtieth Session, Supplement No. 34, p. 145, item 96, subpara. (w) (i).

tary-General for 1976-1977 was \$6,655,000, actual expenditure of \$6,902,876 for the first eighteen months already substantially exceeded that figure,

“... [the third preambular paragraph and operative paragraphs 1 and 2 are the same as the corresponding paragraphs of draft resolution VII in paragraph 256 below].”

In introducing the draft resolution, the representative of New Zealand announced that the sponsors had decided to delete the last part of the second preambular paragraph after the figure “6,784,000”.

228. At the same meeting, after some discussion, the Committee adopted draft resolution A/C.5/32/L.29, as revised, by consensus.

229. Comments made by delegations in the course of the discussion of this question are reflected in the summary record of the meeting (A/C.5/32/SR.63).

Decision of the Committee

230. The Fifth Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.29, as revised (see para. 256 below, draft resolution VII).

FORM OF PRESENTATION OF THE UNITED NATIONS BUDGET

231. At the 65th meeting, on 15 December, the representative of Cuba introduced a draft resolution (A/C.5/32/L.33), which read as follows:

“The General Assembly,

“... [the preamble is the same as that of draft resolution VIII in paragraph 256 below],

“Requests the Secretary-General to endeavour, in preparing the proposed programme budget for the biennium 1980-1981, to improve its form, content and structure, taking into account the opinions expressed and suggestions made in the Fifth Committee during the general debate on the proposed programme budget for the biennium 1978-1979, and in particular to submit a summary of the proposed budget containing, *inter alia*, the following information:

“(a) The information contained in the foreword and annexes of the proposed programme budget for the biennium 1978-1979;

“(b) Additional relevant information, including that proposed in chapter I of the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1978-1979 (A/32/8 and Corr.1);

“(c) Expenditure by programme and subprogramme in absolute figures;

“(d) Expenditure by programme and organizational unit;

“(e) Expenditure by programme and object of expenditure.”

232. After some discussion, in the course of which he representative of the Secretary-General replied to queries, the representative of the Federal Republic of Germany proposed that the words “as far as practicable” be added after the words “following information” in the phrase immediately before subparagraph (a). The amendment was accepted by Cuba.

233. The Committee then adopted draft resolution A/C.5/32/L.33, as amended, by 36 votes to 7, with 35 abstentions.

234. Comments made by delegations during the discussion of the draft resolution, as well as explanations of vote, are reflected in the summary record of the meeting (A/C.5/32/SR.65).

Decision of the Committee

235. The Fifth Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.33, as amended (see para. 256 below, draft resolution VIII).

PRESENTATION OF THE UNITED NATIONS BUDGET

236. At its 65th meeting, on 15 December, the representative of France introduced the following draft resolution (A/C.5/32/L.37/Rev.1) on behalf of Argentina, Australia, Canada, Denmark, Egypt, France, Federal Republic of Germany, Ghana, the Ivory Coast, Mauritania, New Zealand, Pakistan, Portugal, Venezuela and Zaire:

“The General Assembly,

“... [the first two preambular paragraphs are the same as the corresponding paragraphs of draft resolution IX in paragraph 256 below],

“Recalling in that connexion the statement made by the Chairman of the Fifth Committee at the Committee's 16th meeting (A/C.5/32/SR.16, paras. 95-101), and the relevant passages of the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8 and Corr.1, paras. 3-42),

“1. Considers that the most important of the aforementioned problems relate to:

“(a) The need to apply effectively paragraphs 9 and 11 (b) of General Assembly resolution 31/93, concerning activities that are obsolete, of marginal usefulness or ineffective;

“... [paragraphs 1 (b) to 1 (e) are the same as the corresponding paragraphs of draft resolution IX in paragraph 256 below];

“2. Requests the Secretary-General to make a study of the aforementioned matters and to submit to the General Assembly at its thirty-third session, through the Advisory Committee on Administrative and Budgetary Questions, a report which shall contain proposals relating to:

“(a) The aforementioned provisions of General Assembly resolution 31/93;

“... [paragraphs 2 (b) and 2 (c) and operative paragraph 3 are the same as the corresponding paragraphs in draft resolution IX in paragraph 256 below].”

At the same time, he announced that Italy had joined the sponsors.

237. The representative of the Union of Soviet Socialist Republics orally proposed the following amendments:

(a) Operative paragraph 1 (a) should be amended to read:

“(a) The need to apply effectively the provisions of General Assembly resolutions 3534 (XXX) of 17 December 1975 and 31/93 of 14 December 1976 concerning activities that are obsolete, of marginal usefulness or ineffective”;

(b) Operative paragraph 2 (a) should be amended to read:

“(a) The aforementioned provisions of General Assembly resolutions 3534 (XXX) and 31/93”.

238. The representative of Poland orally proposed that the words “programmes, projects and” be inserted after the word “concerning” in operative paragraph 1 (a).

239. The representative of Austria orally proposed that the words “as well as the relevant comments of the Committee for Programme and Co-ordination in its report on the work of its seventeenth session” be inserted in the third preambular paragraph after “(A/C.5/32/SR.16, paras. 95-101)”. He also proposed the insertion of the words “and the Committee for Pro-

gramme and Co-ordination” in operative paragraph after the words “Advisory Committee on Administrative and Budgetary Questions”.

240. The sponsors of the draft resolution accepted all the oral amendments proposed with the exception of the second amendment proposed by Austria.

241. At its 65th meeting, the Committee adopted draft resolution A/C.5/32/L.37/Rev.1, as amended by consensus.

Decision of the Committee

242. The Fifth Committee decided to recommend to the General Assembly the adoption of draft resolution A/C.5/32/L.37/Rev.1, as amended (see para. 256 below, draft resolution IX).

First reading of the proposed programme budget

243. At its 18th, 21st, 26th, 29th, 31st, 33rd, 35th, 38th, 39th, 41st to 43rd, 45th, 46th, 48th to 50th, 55th, 62nd, 67th and 69th meetings, between 17 October and 19 December, the Fifth Committee voted at the first reading on the proposed programme budget for the biennium 1978-1979.

244. The results of the decisions taken by the Committee in first reading on individual expenditure and income sections were as follows:

<i>Section</i>	<i>Recommended appropriation</i>	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
<i>United States dollars</i>				
EXPENDITURE SECTIONS				
1. Over-all policy-making, direction and co-ordination	18 103 200	78	10	0
2. Political and Security Council affairs; peace-keeping activities	47 012 600	Approved without objection		
3. Political affairs, trusteeship and decolonization	8 205 300	Approved without objection		
4. Policy-making organs (economic and social activities)	1 557 500	84	0	8
5A. Department of Economic and Social Affairs	46 552 100	75	10	0
5B. Transnational corporations	6 185 500	87	9	7
6. Economic Commission for Europe	16 852 500	72	0	15
7. Economic and Social Commission for Asia and the Pacific	19 388 600	64	0	9
8. Economic Commission for Latin America	23 748 300	69	0	11
9. Economic Commission for Africa	23 455 500	91	0	8
10. Economic Commission for Western Asia	10 977 300	85	1	10
11A. United Nations Conference on Trade and Development	33 116 900	103	9	0
11B. International Trade Centre	5 620 000	69	8	0
12. United Nations Industrial Development Organization	57 797 800	86	10	0
13. United Nations Environment Programme	8 171 100	76	8	4
14. International drug control	4 669 500	66	0	7
15. Regular programme of technical assistance	22 846 500	85	13	3
16. Office of the United Nations High Commissioner for Refugees	18 477 600	Approved without objection		
17. Office of the United Nations Disaster Relief Co-ordinator	2 539 700	76	9	5
18. Human rights	6 294 200	82	0	8
19. International Court of Justice	6 055 500	79	9	0
20. Legal activities	8 686 400	82	0	8

Section	Recommended appropriation	In favour	Against	Abstentions
<i>United States dollars</i>				
21. Public information	36 393 700	92	8	2
22. Administration, management and general services	154 834 400	77	11	3
23. Conference and library services	140 072 400	92	10	0
24. United Nations bond issue	16 817 000	59	13	5
25. Staff assessment	144 518 000	Approved without objection		
26. Construction, alteration, improvement and major maintenance of premises ..	29 407 000	77	7	0
TOTAL	918 356 100			
INCOME SECTIONS				
1. Income from staff assessment	147 504 600	Approved without objection		
2. General income	12 509 000	Approved without objection		
3. Revenue-producing activities	6 903 100	Approved without objection		
TOTAL	166 916 700			

245. The observations made and reservations expressed by delegations in explanation of the vote during the first reading of the budget estimates are to be found in the summary records of the meetings at which the votes were taken (A/C.5/32/SR.18, 21, 26, 29, 31, 33, 35, 38, 39, 41-43, 45, 46, 48-50, 55, 62, 67 and 69).

Second reading of the proposed programme budget

246. Decisions taken in first reading by the Committee concerning certain expenditures and income sections were affected by actions taken subsequently on the basis of the recommendations of the Advisory Committee regarding certain revised estimates submitted by the Secretary-General under various sections of the budget, and on the appropriation required for the implementation of resolutions adopted by the General Assembly at its current session on the recommendation of other Main Committees.

247. The relevant documentation and the amounts requested by the Secretary-General and those approved by the Committee, distributed by budget section, are listed below.

Documentation	Amount proposed by the Secretary-General	Reduction recommended by the Fifth Committee	Amount approved	Budget section*
<i>United States dollars</i>				
I. INITIAL ESTIMATES				
(A/32/6 and Corr.1 and 2, A/32/8 and Corr.1)				
Expenditure	936 555 300 ^{a, b}	(20 694 500) ^b	915 860 800	All
Income	166 772 500 ^c	(878 800)	165 893 700	All
II. REVISED ESTIMATES				
(i) Expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters (A/C.5/32/4 and Corr.1 and Add.1, A/32/8/Add.1, A/C.5/32/SR.25, General Assembly resolution 32/212, sect. I)				
	14 706 400	(6 141 200)	8 565 200	26
	82 500	—	82 500	22
	14 788 900	(6 141 200)	8 647 700	

<i>Documentation</i>	<i>Amount proposed by the Secretary-General</i>	<i>Reduction recommended by the Fifth Committee</i>	<i>Amount approved</i>	<i>Budget section*</i>
<i>United States dollars</i>				
(ii) Restructuring of the Office of the Under-Secretaries-General for Special Political Affairs (A/C.5/32/15, A/32/8/Add.3, A/C.5/32/SR.62)	395 500	(60 100)	335 400	1
	(173 100)	—	(173 100)	2
	70 000	(15 200)	54 800	22
	64 200	(12 200)	52 000	25
	356 600	(87 500)	269 100	
	64 200	(12 200)	52 000	1 (income)
(iii) United Nations accommodation at Nairobi (A/C.5/32/19 and Add.1, A/32/8/Add.10, A/C.5/32/SR.57, General Assembly resolution 32/208) ..	260 000	—	260 000	13A
	55 000	—	55 000	25
	4 541 000	(541 000)	4 000 000	26
	4 856 000	(541 000)	4 315 000	
	55 000	—	55 000	1 (income)
(iv) International Trade Centre (A/C.5/32/18, A/32/8/Add.8, A/C.5/32/SR.48)	109 000 ^d	(41 000)	68 000	11B
(v) Decisions of the Economic and Social Council at its sixty-second and sixty-third sessions (A/C.5/32/16 and Corr.1 and 2, A/32/8/Add.7, A/C.5/32/SR.48)	74 000	—	74 000	1
	32 000	—	32 000	4
	170 000	(53 000)	117 000	18
	14 400	—	14 400	25
	290 400	(53 000)	237 400	
	14 400	—	14 400	1 (income)
(vi) International Civil Service Commission (A/C.5/32/28, A/32/8/Add.11, A/C.5/32/SR.67)	34 300 ^e	(36 000)	(1 700)	22
	(41 100)	—	(41 100)	2 (income)
(vii) Major maintenance of premises, Geneva (A/C.5/32/77, A/C.5/32/SR.65)	85 900	(15 900)	70 000	26
(viii) Alteration and improvement of premises, Geneva (A/C.5/32/32, A/C.5/32/SR.55) ...	56 000	—	56 000	26
(ix) Technological innovations in the production of the publications and documentation of the United Nations (A/C.5/32/11, A/32/8/Add.12, A/C.5/32/SR.51, General Assembly resolution 32/207)	950 200	(635 500)	314 700	23
(x) United Nations Conference on Science and Technology for Development (A/C.5/32/39 and Corr.1, A/32/8/Add.19, A/C.5/32/SR.58)	3 981 500 ^f	(624 300)	3 357 200	4
	756 000	84 200	671 800	25
	4 737 500	(708 500)	4 029 000	
	756 000	(84 200)	671 800	1 (income)
(xi) Electronic Data Processing and Information Systems Service (A/C.5/32/37, A/32/8/Add.25, A/C.5/32/SR.67) ..	1 125 500 ^g	(271 000)	854 500	22
	250 000 ^h	—	250 000	26
	1 375 500	(271 000)	1 104 500	

<i>Documentation</i>	<i>Amount proposed by the Secretary-General</i>	<i>Reduction recommended by the Fifth Committee</i>	<i>Amount approved</i>	<i>Budget section*</i>
<i>United States dollars</i>				
(xii) Staff training activities, regional commissions (A/C.5/32/35, A/C.5/32/SR.55) . . .	213 500	(61 400)	152 100	22
	27 400	(27 400)	—	25
	240 900	(88 800)	152 100	
	27 400	(27 400)	—	1 (income)
(xiii) Visitors' Service, Geneva (A/C.5/32/44, A/C.5/32/SR.55)	(61 300)	—	(61 300)	1 (income)
	92 000	—	92 000	3 (income)
	30 700	—	30 700	
(xiv) Incorporation into the regular budget of the infrastructure posts of the Latin American Demographic Centre (A/C.5/32/45, A/32/8/Add.23, A/C.5/32/SR.63)	673 100	(79 600)	593 500	8
	177 400	(12 400)	165 000	25
	850 500	(92 000)	758 500	
	177 400	(12 400)	165 000	1 (income)
(xv) Office of the United Nations Disaster Relief Co-ordinator (A/C.5/32/49 and Corr.1, A/C.5/32/SR.55)	400 000 ⁱ	—	400 000	17
(xvi) Administration, management and general services and the Department of Economic and Social Affairs (A/C.5/32/53, A/C.5/32/SR.57)	62 300	—	62 300	5A
	285 700	—	285 700	22
	68 000	—	68 000	25
	416 000	—	416 000	
	68 000	—	68 000	1 (income)
(xvii) Alteration and improvement of premises, Headquarters (A/C.5/32/56, A/32/8/Add.18, A/C.5/32/SR.57, General Assembly resolution 32/212, sect. I)	2 204 000 ^j	(250 000)	1 954 000	26
(xviii) General income (A/C.5/32/60, A/C.5/32/SR.65)	339 100	—	339 100	2 (income)
(xix) Administrative and Financial Services, Geneva, and staff-training activities, Geneva (A/C.5/32/67, A/32/8/Add.26, A/C.5/32/SR.67)	273 600 ^k	(85 600)	188 000	22
	58 200	(18 200)	40 000	25
	331 800	(103 800)	228 000	
	58 200	(18 200)	40 000	1 (income)
(xx) United Nations international assistance programmes (A/C.5/32/73, A/32/8/Add.21, A/C.5/32/SR.61)	428 000	—	428 000	1
	27 000	—	27 000	22
	90 700	—	90 700	25
	545 700	—	545 700	
	90 700	—	90 700	1 (income)
(xxi) Restoration of the initial reduction recommended by the Advisory Committee relating to mission installation allowance (rent supplements) for Field Service staff of UNTSO and UNMOGIP	880 200	—	880 200	2

<i>Documentation</i>	<i>Amount proposed by the Secretary-General</i>	<i>Reduction recommended by the Fifth Committee</i>	<i>Amount approved</i>	<i>Budget section*</i>
<i>United States dollars</i>				
(xxii) Implications of the recommendations of the Committee for Programme and Co-ordination A/C.5/32/26 and Corr.1, A/32/8/Add.14) ¹				
(xxiii) Office of Financial Services (A/C.5/32/66) ^m				
TOTAL, II:				
<i>Expenditure</i>	33 509 400	(9 065 200)	24 444 200	All
<i>Income</i>	1 640 000	(154 400)	1 485 600	All
III. FINANCIAL IMPLICATIONS				
(i) Report of the Economic and Social Council: assistance for the reconstruction of Viet Nam (A/C.5/32/20, A/32/274, General Assembly resolution 32/3)	100 300	—	100 300	1
	35 700	—	35 700	22
	23 300	(300)	23 000	25
	159 300	(300)	159 000	
	23 300	(300)	23 000	1 (income)
(ii) Question of Namibia (A/C.5/32/30 and Corr.1 and Add.1, A/32/8/Add.4, A/32/322, General Assembly resolution 32/9)	1 060 800	(117 600)	943 200	3
	175 300	(18 000)	157 300	21
	28 400	(4 200)	24 200	22
	18 400	(7 500)	10 900	25
	1 282 900	(147 300)	1 135 600	
	18 400	(7 500)	10 900	1 (income)
(iii) Honoraria of members of the Human Rights Committee (A/C.5/32/38, A/32/8/Add.13, General Assembly resolution 32/212, sect. IV)	39 000	—	39 000	18
(iv) Pattern of conferences (A/C.5/32/41, A/32/410, General Assembly resolution 32/72)	54 100	—	54 100	23
	12 200	—	12 200	25
	66 300	—	66 300	
	12 200	—	12 200	1 (income)
(v) Arabic language services in the United Nations (A/C.5/32/42/Rev.1, A/32/8/Add.17, General Assembly resolution 32/205)	444 800	—	444 800	23
	95 500	—	95 500	25
	540 300	—	540 300	
	95 500	—	95 500	1 (income)
(vi) Question of East Timor (A/C.5/32/46, A/32/364, General Assembly resolution 32/34)	23 600	(4 600)	19 000	3
(vii) Report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/C.5/32/52, A/32/414, General Assembly resolution 32/59)	84 700	(15 500)	69 200	4

<i>Documentation</i>	<i>Amount proposed by the Secretary-General</i>	<i>Reduction recommended by the Fifth Committee</i>	<i>Amount approved</i>	<i>Budget section*</i>
<i>United States dollars</i>				
(viii) Enlargement of the membership of the Advisory Committee on the Application of Science and Technology to Development (A/C.5/32/107)	23 600	(23 600)	—	4
(ix) United Nations Conference on Succession of States in Respect of Treaties (A/C.5/32/40/Rev.1 and Corr.1, A/32/8/Add.15, A/32/417, General Assembly resolution 32/47)	35 200	(1 800)	33 400	20
(x) Third United Nations Conference on the Law of the Sea (A/C.5/32/109, A/32/487, General Assembly resolution 32/194)	274 900	—	274 900	2
	2 300	—	2 300	25
	277 200	—	277 200	
	2 300	—	2 300	1 (income)
(xi) Report of the International Civil Service Commission (A/32/30, A/C.5/32/51, A/32/8/Add.16, A/32/447, General Assembly resolution 32/200)	(5 900)	—	(5 900)	1
	(2 600)	—	(2 600)	5A
	(61 800)	—	(61 800)	6
	(176 900)	—	(176 900)	11A
	(15 300)	—	(15 300)	14
	(50 100)	—	(50 100)	16
	(10 700)	—	(10 700)	17
	(35 400)	—	(35 400)	18
	(9 200)	—	(9 200)	21
	(278 100)	—	(278 100)	22
	(677 600)	—	(677 600)	23
	(605 000)	—	(605 000)	25
	(1 928 600)	—	(1 928 600)	
	(610 100)	—	(610 100)	1 (income)
	11 500	—	11 500	3 (income)
(xii) Report of the Economic and Social Council: Transport and Communications Decade in Africa (A/C.5/32/63, A/32/452, paras. 1-5; General Assembly resolution 32/160)	203 500	—	203 500	9
(xiii) Question of Palestine: report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/C.5/32/64 and Corr.1, A/32/403, paras. 1-6; General Assembly resolution 32/40 A)	118 600	—	118 600	1
	29 400	—	29 400	25
	148 000	—	148 000	
	29 400	—	29 400	1 (income)
(xiv) Question of Palestine: report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/C.5/32/65 and Corr.1, A/32/403, paras. 7-12; General Assembly resolution 32/40 B)	113 100	—	113 100	1
	80 000	—	80 000	21
	29 700	—	29 700	22
	22 000	—	22 000	25
	244 800	—	244 800	
	22 000	—	22 000	1 (income)

<i>Documentation</i>	<i>Amount proposed by the Secretary-General</i>	<i>Reduction recommended by the Fifth Committee</i>	<i>Amount approved</i>	<i>Budget section*</i>
<i>United States dollars</i>				
(xv) Special Session of the General Assembly devoted to disarmament (A/C.5/32/69, A/32/8/Add.20, A/32/427, General Assembly resolution 32/88) .	382 200	(30 000)	352 200	1
	113 100	—	113 100	2
	495 300	(30 000)	465 300	
(xvi) General and complete disarmament (A/C.5/32/70, A/32/8/Add.20, A/32/426, General Assembly resolution 32/87 E)	124 900	(39 500)	85 400	2
	22 700	(7 500)	15 200	22
	28 800	(5 100)	23 700	25
	176 400	(52 100)	124 300	
	28 800	(5 100)	23 700	1 (income)
(xvii) Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/C.5/32/71, A/32/434, paras. 6-11; General Assembly resolution 32/91 C) .	135 800	—	135 800	18
	29 800	—	29 800	25
	165 600	—	165 600	
	29 800	—	29 800	1 (income)
(xviii) Report of the Economic and Social Council: United Nations international assistance programmes (A/C.5/32/72, A/32/8/Add.21, A/32/446, General Assembly resolutions 32/96, 32/99, 32/100 and 32/101)	68 200	—	68 200	1
(xix) World Food Council (A/C.5/32/74, A/32/8/Add.27)	12 000	(12 000)	—	1
	9 800	(9 800)	—	25
	21 800	(21 800)	—	
	9 800	(9 800)	—	1 (income)
(xx) United Nations Conference on Technical Co-operation among Developing Countries (A/C.5/32/75 and Add.1, A/32/8/Add.24, A/32/477, General Assembly resolution 32/183) .	791 500	(54 100)	737 400	4
	132 000	(12 000)	120 000	25
	923 500	(66 100)	857 400	
	132 000	(12 000)	120 000	1 (income)
(xxi) United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/C.5/32/76, A/32/431, General Assembly resolution 32/90 D)	7 400	(7 400)	—	2
(xxii) Advisory Committee on Administrative and Budgetary Questions (A/C.5/32/78, A/32/454, General Assembly resolution 32/103)	115 900	—	115 900	1

<i>Documentation</i>	<i>Amount proposed by the Secretary-General</i>	<i>Reduction recommended by the Fifth Committee</i>	<i>Amount approved</i>	<i>Budget section*</i>
<i>United States dollars</i>				
(xxiii) Policies of <i>apartheid</i> of the Government of South Africa (A/C.5/32/79 and Corr.1, A/32/8/Add.22, A/32/455, General Assembly resolution 32/105)	578 900	(22 400)	556 500	3
	277 700	—	277 700	21
	29 300	—	29 300	22
	57 400	—	57 400	25
	943 300	(22 400)	920 900	
	57 400	—	57 400	1 (income)
(xxiv) Observance of the thirtieth anniversary of the Universal Declaration of Human Rights (A/C.5/32/99, A/32/479, General Assembly resolution 32/123)	124 000	(24 000)	100 000	18
	76 400	(76 400)	—	15
	200 400	(100 400)	100 000	
(xxv) United Nations Environment Programme (A/C.5/32/84, A/32/484, paras. 3-7; General Assembly resolution 32/171)	110 900	—	110 900	5A
(xxvi) Restructuring of the economic and social sectors of the United Nations system (A/C.5/32/86 and Corr.1 and Amend.1 and 2, A/32/8/Add.30, A/32/485/Add.1, General Assembly resolution 32/197)	333 600	—	333 600	5C
	37 500	—	37 500	5D
	22 700	—	22 700	5E
	784 200	(301 700)	482 500	5F
	280 800	—	280 800	22
	397 300	(93 300)	304 000	25
	1 856 100	(395 000)	1 461 100	
	397 300	(93 300)	304 000	1 (income)
(xxvii) Drafting of an international convention against the taking of hostages (A/C.5/32/88, A/32/476, General Assembly resolution 32/148)	17 700	(5 700)	12 000	20
(xxviii) International Year for Disabled Persons (A/C.5/32/89, A/32/478, General Assembly resolution 32/133)	136 600	—	136 600	5A
	13 100	(10 700)	2 400	22
	39 300	—	39 300	25
	189 000	(10 700)	178 300	
	39 300	—	39 300	1 (income)
(xxix) Third General Conference of UNIDO (A/C.5/32/90, A/C.5/32/111, A/32/483, paras. 3-10; General Assembly resolution 32/164)	44 800	(44 800)	—	12
	146 500	—	146 500	12

<i>Documentation</i>	<i>Amount proposed by the Secretary-General</i>	<i>Reduction recommended by the Fifth Committee</i>	<i>Amount approved</i>	<i>Budget section*</i>
<i>United States dollars</i>				
(xxx) International co-operation in the field of human settlements (A/C.5/32/91 and Corr.1, A/32/8/Add.28, A/32/452, paras. 6-18; General Assembly resolution 32/162)	(17 300)	—	(17 300)	4
	(3 223 100)	—	(3 223 100)	5A
	20 000	—	20 000	8
	20 000	—	20 000	9
	20 000	—	20 000	10
	5 515 700	(879 500)	4 636 200	13B
	—	(157 000)	(157 000)	22
	123 600	(88 800)	34 800	25
	2 458 900	(1 125 300)	1 333 600	
	123 600	(88 800)	34 800	1 (income)
(xxxi) Honorarium of the Chairman of the Advisory Committee on Administrative and Budgetary Questions (A/C.5/32/92, General Assembly resolution 32/212, sect. VI)	50 000	—	50 000	1
Reclassification of the post of the Executive Secretary of the Advisory Committee to the D-2 level	10 400	—	10 400	1
	5 700	—	5 700	25
	66 100	—	66 100	
	5 700	—	5 700	1 (income)
(xxxii) Economic co-operation among developing countries (A/C.5/32/93, A/32/486, General Assembly resolution 32/180) .	221 000	(101 000)	120 000	11A
	52 000	(20 500)	31 500	25
	273 000	(121 500)	151 500	
	52 000	(20 500)	31 500	1 (income)
(xxxiii) UNIDO (A/C.5/32/97, A/32/483, paras. 11-17; General Assembly resolution 32/167)	23 800	—	23 800	12
(xxxiv) United Nations Conference on Desertification (A/C.5/32/98, A/32/484, paras. 8-13; General Assembly resolution 32/172)	69 100	—	69 100	4
(xxxv) Acceleration of the transfer of real resources to developing countries (A/C.5/32/101, A/32/485, General Assembly resolution 32/177)	70 000	(20 000)	50 000	11A
(xxxvi) Consolidated statement of conference-servicing costs (A/C.5/32/110, A/32/8/Add.29)	2 998 600	(1 048 600)	1 950 000	23
	9 000	—	9 000	21
	79 500	(38 500)	41 000	22
TOTAL, III:	3 087 100	(1 087 100)	2 000 000	
<i>Expenditure</i>	12 730 600	(3 303 400)	9 427 200	All
<i>Income</i>	480 200	(237 300)	242 900	All

<i>Section</i>	<i>Amount approved</i>	<i>Total</i>
	<i>United States dollars</i>	
(n) Report of the International Civil Service Commission	(5 900)	19 863 400
(o) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		245 900
		<u>20 109 300</u>
2. <i>Political and Security Council affairs; peace-keeping activities</i>		
(a) Approved in first reading	47 012 600	
(b) Restructuring of the Office of the Under-Secretaries-General for Special Political Affairs	(173 100)	
(c) Special session of the General Assembly devoted to disarmament	113 100	
(d) General and complete disarmament	85 400	
(e) Reclassification of post to the D-1 level	8 600	
(f) Third United Nations Conference on the Law of the Sea	274 900	
(g) Mission installation allowance for Field Service staff of UNTSO and UNMOGIP	880 200	48 201 700
(h) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		(105 100)
		<u>48 096 600</u>
3. <i>Political affairs, trusteeship and decolonization</i>		
(a) Approved in first reading	8 205 300	
(b) Question of Namibia	943 200	
(c) Question of East Timor	19 000	
(d) Policies of <i>apartheid</i> of the Government of South Africa	556 500	
(e) Reclassification of post to the D-1 level	8 600	9 732 600
4. <i>Policy-making organs (economic and social activities)</i>		
(a) Approved in first reading	1 557 500	
(b) United Nations Conference on Science and Technology for Development	3 357 200	
(c) Report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	69 200	
(d) Decisions of the Economic and Social Council at its sixty-second and sixty-third sessions	32 000	
(e) United Nations Conference on Technical Co-operation among Developing Countries	737 400	
(f) International co-operation in the field of human settlements	(17 300)	
(g) United Nations Conference on Desertification ...	69 100	5 805 100
(h) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		(2 000)
		<u>5 803 100</u>
5A. <i>Department of Economic and Social Affairs</i>		
(a) Approved in first reading	46 552 100	
(b) Revised estimates for administration, management and general services and the Department of Economic and Social Affairs	62 300	
(c) Reclassification of post to the P-5 level	15 100	

<i>Section</i>	<i>Amount approved</i>	<i>Total</i>
		<i>United States dollars</i>
(d) Report of the International Civil Service Commission	(2 600)	
(e) United Nations Environment Programme	110 900	
(f) International Year for Disabled Persons	136 600	
(g) International co-operation in the field of human settlements	(3 223 100)	43 651 300
(h) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		275 600
		<u>43 926 900</u>
5B. <i>Transnational corporations</i>		
(a) Approved in first reading	6 185 500	6 185 500
(b) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)	10 800	6 196 300
5C. <i>Department of Economic Co-operation and Development^a</i>		
(a) Restructuring of the economic and social sectors of the United Nations system	333 600	333 600
5D. <i>Department of Technical Co-operation for Development^a</i>		
(a) Restructuring of the economic and social sectors of the United Nations system	37 500	37 500
5E. <i>Office of Secretariat Services for Economic and Social Matters^a</i>		
(a) Restructuring of the economic and social sectors of the United Nations system	22 700	22 700
5F. <i>Director-General for Development and International Economic Co-operation</i>		
(a) Restructuring of the economic and social sectors of the United Nations system	482 500	482 500
6. <i>Economic Commission for Europe</i>		
(a) Approved in first reading	16 852 500	
(b) Report of the International Civil Service Commission	(61 800)	16 790 700
(c) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		2 223 500
		<u>19 014 200</u>
7. <i>Economic and Social Commission for Asia and the Pacific</i>		
(a) Approved in first reading	19 388 600	
(b) Reclassification of posts to the P-5 and D-1 levels	16 200	19 404 800
8. <i>Economic Commission for Latin America</i>		
(a) Approved in first reading	23 748 300	
(b) Incorporation into the regular budget of the infrastructure posts of the Latin American Demographic Centre	593 500	
(c) Reclassification of post to the D-1 level	9 100	
(d) International co-operation in the field of human settlements	20 000	24 370 900

<i>Section</i>	<i>Amount approved</i>	<i>Total</i>
		<i>United States dollars</i>
9. <i>Economic Commission for Africa</i>		
(a) Approved in first reading	23 455 500	
(b) International co-operation in the field of human settlements	20 000	
(c) Transport and Communications Decade in Africa	203 500	23 679 000
10. <i>Economic Commission for Western Asia</i>		
(a) Approved in first reading	10 977 300	
(b) International co-operation in the field of human settlements	20 000	10 997 300
(c) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		(431 300)
		10 566 000
11A. <i>United Nations Conference on Trade and Development</i>		
(a) Approved in first reading	33 116 900	
(b) Report of the International Civil Service Commission	(176 900)	
(c) Economic co-operation among developing countries	120 000	
(d) Acceleration of the transfer of real resources to developing countries	50 000	33 110 000
(e) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		4 648 600
		37 758 600
11B. <i>International Trade Centre</i>		
(a) Approved in first reading	5 620 000	5 620 000
(b) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		884 800
		6 504 800
12. <i>United Nations Industrial Development Organization</i>		
(a) Approved in first reading	57 797 800	
(b) Third General Conference of UNIDO	146 500	
(c) UNIDO	23 800	57 968 100
(d) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		2 146 600
		60 114 700
13A. <i>United Nations Environment Programme</i>		
(a) Approved in first reading	8 171 100	
(b) United Nations accommodation at Nairobi	260 000	8 431 100
(c) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		335 300
		8 766 400
13B. <i>Habitat: Centre for Human Settlements^a</i>		
(a) International co-operation in the field of human settlements	4 636 200	4 636 200
(b) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		465 300
		5 101 500

<i>Section</i>	<i>Amount approved</i>	<i>Total</i>
		<i>United States dollars</i>
14. <i>International drug control</i>		
(a) Approved in first reading	4 669 500	
(b) Report of the International Civil Service Commission	(15 300)	4 654 200
(c) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		658 000
		<u>5 312 200</u>
15. <i>Regular programme of technical assistance</i>		
(a) Approved in first reading	22 846 500	22 846 500
(b) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		209 300
		<u>23 055 800</u>
16. <i>Office of the United Nations High Commissioner for Refugees</i>		
(a) Approved in first reading	18 477 600	
(b) Reclassification of post to the P-5 level	15 100	
(c) Report of the International Civil Service Commission	(50 100)	18 442 600
(d) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		1 269 100
		<u>19 711 700</u>
17. <i>Office of the United Nations Disaster Relief Co-ordinator</i>		
(a) Approved in first reading	2 539 700	
(b) Report of the International Civil Service Commission	(10 700)	2 529 000
(c) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		297 700
		<u>2 826 700</u>
18. <i>Human Rights</i>		
(a) Approved in first reading	6 294 200	
(b) Decisions of the Economic and Social Council at its sixty-second and sixty-third sessions	117 000	
(c) Report of the International Civil Service Commission	(35 400)	
(d) Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories	135 800	
(e) Honoraria of members of the Human Rights Committee	39 000	
(f) Observance of the thirtieth anniversary of the Universal Declaration of Human Rights	100 000	6 650 600
(g) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		927 100
		<u>7 577 700</u>
19. <i>International Court of Justice</i>		
(a) Approved in first reading	6 055 500	6 055 500
(b) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		71 200
		<u>6 126 700</u>

<i>Section</i>	<i>Amount approved</i>	<i>Total</i>
	<i>United States dollars</i>	
20. <i>Legal activities</i>		
(a) Approved in first reading	8 686 400	
(b) United Nations Conference on Succession of States in Respect of Treaties	33 400	
(c) Drafting of an international convention against the taking of hostages	12 000	8 731 800
(d) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		70 300
		<u>8 802 100</u>
21. <i>Public information</i>		
(a) Approved in first reading	36 393 700	
(b) Question of Namibia	157 300	
(c) Report of the International Civil Service Com- mission	(9 200)	
(d) Question of Palestine	80 000	
(e) Policies of <i>apartheid</i> of the Government of South Africa	277 700	
(f) Consolidated statement of conference-servicing costs	9 000	36 908 500
(g) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		351 500
		<u>37 260 000</u>
22. <i>Administration, management and general services</i>		
(a) Approved in first reading	154 834 400	
(b) Expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters	82 500	
(c) Restructuring of the Office of the Under-Secretaries- General for Special Political Affairs	54 800	
(d) Revised estimates for staff training activities, re- gional commissions	152 100	
(e) Revised estimates for administration, management and general services and the Department of Eco- nomic and Social Affairs	285 700	
(f) Report of the Economic and Social Council: assist- ance for the reconstruction of Viet Nam	35 700	
(g) Reclassification of posts to the P-5 level	30 200	
(h) Report of the International Civil Service Com- mission	(278 100)	
(i) Restructuring of the economic and social sectors of the United Nations system	280 800	
(j) Question of Namibia	24 200	
(k) Question of Palestine	29 700	
(l) Revised estimates for United Nations international assistance programmes	27 000	
(m) General and complete disarmament	15 200	
(n) Policies of <i>apartheid</i> of the Government of South Africa	29 300	
(o) International Year for Disabled Persons	2 400	
(p) Consolidated statement of conference-servicing costs	41 000	
(q) International co-operation in the field of human settlements	(157 000)	155 489 900

<i>Section</i>	<i>Amount approved</i>	<i>Total</i>
		<i>United States dollars</i>
(r) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		5 762 600
		<u>161 252 500</u>
23. <i>Conference and library services</i>		
(a) Approved in first reading	140 072 400	
(b) Technological innovations in the production of the publications and documentation of the United Nations	314 700	
(c) Pattern of conferences	54 100	
(d) Arabic language services in the United Nations ..	444 800	
(e) Report of the International Civil Service Com- mission	(677 600)	
(f) Consolidated statement of conference-servicing costs	<u>1 950 000</u>	142 158 400
(g) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		7 967 600
		<u>150 126 000</u>
24. <i>United Nations bond issue</i>		
(a) Approved in first reading	<u>16 817 000</u>	<u>16 817 000</u>
25. <i>Staff assessment</i>		
(a) Approved in first reading	144 518 000	
(b) Restructuring of the economic and social sectors of the United Nations system	<u>304 000</u>	144 822 000
(c) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		6 196 000
		<u>151 018 000</u>
26. <i>Construction, alteration, improvement and major main- tenance of premises</i>		
(a) Approved in first reading	29 407 000	
(b) Expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters	8 565 200	
(c) United Nations accommodation at Nairobi	4 000 000	
(d) Revised estimates under section 26B (Alteration and improvement of premises, Geneva)	56 000	
(e) Electronic Data Processing and Information Sys- tems Service	250 000	
(f) Revised estimates under section 26B (Alteration and improvement of premises, Headquarters) ...	1 954 000	
(g) Revised estimates under section 26C (Major main- tenance of premises, Geneva)	<u>70 000</u>	44 302 200
(h) Adjustment to reflect current rates of exchange (United Nations December 1977 operational rates)		1 702 700
		<u>46 004 900</u>
	GRAND TOTAL	<u><u>985 913 300</u></u>
INCOME SECTIONS		
1. <i>Income from staff assessment</i>		
(a) Approved in first reading	147 504 600	

<i>Section</i>	<i>Amount approved</i>	<i>Total</i>
	<i>United States dollars</i>	
(b) Restructuring of the economic and social sectors of the United Nations system	304 000	147 808 600
(c) Adjustment to reflect current exchange rates (United Nations December 1977 operational rates)		6 496 000
		<u>154 304 600</u>
2. <i>General income</i>		
(a) Approved in first reading	12 509 000	
(b) Revised estimates for the International Civil Service Commission	(41 100)	
(c) Revised estimates, income section 2	339 100	12 807 000
		<u>12 807 000</u>
3. <i>Revenue-producing activities</i>		
(a) Approved in first reading	6 903 100	
(b) Visitors' Service, Geneva	92 000	
(c) Report of the International Civil Service Commission	11 500	7 006 600
		<u>7 006 600</u>
GRAND TOTAL		<u><u>174 118 200</u></u>

• Provisional title.

249. At its 72nd meeting, on 20 December, the Fifth Committee voted in second reading on the programme budget for the biennium 1978-1979. The result of the voting was as follows:

<i>Section</i>	<i>Recommended appropriation</i>	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
	<i>United States dollars</i>			
EXPENDITURE SECTIONS				
1. Over-all policy-making, direction and co-ordination	20 109 300	93	10	0
2. Political and Security Council affairs; peace-keeping activities	48 096 600	95	0	9
3. Political affairs, trusteeship and decolonization	9 732 600	96	0	8
4. Policy-making organs (economic and social activities)	5 803 100	95	10	0
5A. Department of Economic and Social Affairs	43 926 900	96	11	0
5B. Transnational corporations	6 196 300	89	9	7
5C. Department of Economic Co-operation and Development ^a	333 600	98	9	0
5D. Department of Technical Co-operation for Development ^a	37 500	97	9	0
5E. Office of Secretariat Services for Economic and Social Matters ^a	22 700	97	9	0
5F. Director-General for Development and International Economic Co-operation ..	482 500	98	9	0
6. Economic Commission for Europe	19 014 200	94	8	4
7. Economic and Social Commission for Asia and the Pacific	19 404 800	95	0	10
8. Economic Commission for Latin America	24 370 900	94	9	3
9. Economic Commission for Africa.	23 679 000	97	9	1
10. Economic Commission for Western Asia	10 566 000	95	1	10
11A. United Nations Conference on Trade and Development	37 758 600	98	9	0

Section	Recommended appropriation	In favour	Against	Abstentions	
	<i>United States dollars</i>				
11B. International Trade Centre	6 504 800	98	9	0	
12. United Nations Industrial Development Organization	60 114 700	96	10	0	
13A. United Nations Environment Programme	8 766 400	97	9	1	
13B. Habitat: Centre for Human Settlements ^a	5 101 500	93	9	4	
14. International drug control	5 312 200	97	10	0	
15. Regular programme of technical assistance	23 055 800	92	11	2	
16. Office of the United Nations High Commissioner for Refugees	19 711 700	96	9	0	
17. Office of the United Nations Relief Coordinator	2 826 700	92	9	5	
18. Human rights	7 577 700	93	10	1	
19. International Court of Justice	6 126 700	96	10	0	
20. Legal activities	8 802 100	97	10	0	
21. Public information	37 260 000	95	12	0	
22. Administration, management and general services	161 252 500	92	11	3	
23. Conference and library services	150 126 000	95	11	1	
24. United Nations bond issue	16 817 000	89	12	5	
25. Staff assessment	151 018 000	Approved without objection			
26. Construction, alteration, improvement and major maintenance of premises	46 004 900	94	10	3	
	TOTAL	985 913 300	89	9	6
INCOME SECTIONS					
1. Income from staff assessment	154 304 600	Approved without objection			
2. General income	12 807 000	Approved without objection			
3. Revenue-producing activities	7 006 600	Approved without objection			
	TOTAL	174 118 200	Approved without objection		

^a Provisional title.

250. The results of the recorded votes on the various sections are set forth below.

(a) The voting on section 1 was as follows:³⁸

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United

³⁸ The representative of Nigeria subsequently stated that, had his delegation been present during the voting, it would have voted in favour of the appropriation.

Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, German Democratic Republic, Hungary, Israel, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(b) The voting on section 2 was as follows ³⁸

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra

Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: None.

Abstaining: Benin, Bulgaria, Byelorussian Soviet Socialist Republic, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

(c) The voting on section 3 was as follows:³⁸

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

(d) The voting on section 4 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, German Democratic Republic, Hungary, Israel, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(e) The voting on section 5A was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Israel, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America.

Abstaining: None.

(f) The voting on section 5B was as follows.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Benin, France, Ghana, Greece, Liberia, Panama, Peru.

(g) The voting on section 5C was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mex-

ico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(h) The voting on section 5D was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(i) The voting on section 5E was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic,

Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(j) The voting on section 5F was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(k) The voting on section 6 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Poland, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Ghana, Togo, United States of America, Zaire.

(l) The voting on section 7 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Gua-

temala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America.

(m) The voting on section 8 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Colombia, France, United States of America.

(n) The voting on section 9 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and

Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: United States of America.

(o) The voting on section 10 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America.

(p) The voting on section 11A was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(q) The voting on section 11B was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(r) The voting on section 12 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America.

Abstaining: None.

(s) The voting on section 13A was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast,

Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: France.

(t) The voting on section 13B was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Belgium, France, Italy, Japan.

(u) The voting on section 14 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(v) The voting on section 15 was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, France, German Democratic Republic, Hungary, Mongolia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Italy, Poland.

(w) The voting on section 16 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(x) The voting on section 17 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Belgium, France, Italy, Japan, United States of America.

(y) The voting on section 18 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Bhutan, Brazil, Burma, Burundi, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Israel, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Benin.

(z) The voting on section 19 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Ja-

pan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(aa) The voting on section 20 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

(bb) The voting on section 21 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Re-

public, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Israel, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America.

Abstaining: None.

(cc) The voting on section 22 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Israel, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: France, Italy, United States of America.

(dd) The voting on section 23 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Israel, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: United States of America.

(*ee*) The voting on section 24 was as follows:

In favour: Algeria, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Argentina, India, Portugal, Tunisia.

(*ff*) The voting on section 26 was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Sene-

gal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Belgium, France, United States of America.

(*gg*) The voting on the total estimates of expenditure was as follows:³⁹

In favour: Afghanistan, Algeria, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Benin, Cuba, France, Italy, Romania, United States of America.

251. The views and reservations expressed in explanation of vote during the second reading of the budget estimates are reflected in the summary records of the meetings.

³⁹ The representative of Australia and Lesotho said that they had intended to vote in favour, but their votes had not been recorded; the representative of Israel said that he had intended to abstain, but his vote had not been recorded.

ESTABLISHED POSTS, 1978-1979

252. The decisions of the Fifth Committee under the various expenditure and income sections involved the approval for the biennium 1978-1979 of established posts for the programmes covered by those sections, as follows:

A. SUMMARY

Budget section* and organizational unit	Category and level																	TOTAL
	Professional and above										General Service and other categories							
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	
I. Recommended by the Advisory Committee on Administrative and Budgetary Questions in its report (A/32/8 and Corr.1) on the initial estimates	—	22	18	88	256	634	1 101	1 256	602	3 977	516	3 235	223	298	401	1 998	6 671	10 648
II. Additional posts approved by the Fifth Committee in first reading (sects. 5A, 10, 11A, 17, 21, 22) ..	—	—	—	—	2	1	—	2	1	6	—	5	—	—	—	—	5	11
III. Revised estimates:																		
(i) Joint Inspection Unit (sect. 22)	—	—	—	1	—	2	2	1	2	8	1	12	—	—	—	—	13	21
(ii) Restructuring of the Office of the Under-Secretaries-General for Special Political Affairs (sect. 1)	—	—	—	2	(2)	—	—	1	1	2	—	3	—	—	—	—	3	5
(iii) International Civil Service Commission (sect. 22)	—	—	—	—	—	—	—	—	1	1	1	(1)	—	—	—	—	—	1
(iv) Electronic Data Processing and Information Systems Service (sect. 22)	—	—	—	—	—	—	—	1	1	2	—	1	—	—	—	—	1	3
(v) Incorporation into the regular budget of the infrastructure posts of the Latin American Demographic Centre (sect. 8)	—	—	—	—	1	4	—	—	—	5	—	—	—	—	—	5	5	10
(vi) Administrative and Financial Services and staff training activities, Geneva (sect. 22)	—	—	—	—	—	1	(1)1	—	—	1	—	—	—	—	—	—	—	1
(vii) Visitors' Service, Geneva (income sect. 3)	—	—	—	—	—	—	—	1	—	1	(1)	(1)	—	—	—	—	(2) ^a	(1)
IV. Financial implications:																		
(i) Pattern of conferences (sect. 23)	—	—	—	—	—	—	—	1	—	1	—	1	—	—	—	—	1	2
(ii) Arabic language services in the United Nations (sect. 23)	—	—	—	—	—	1	—	1	—	2	1	—	—	—	—	—	1	3

A. SUMMARY (continued)

Budget section* and organizational unit	Category and level																	
	Professional and above										General Service and other categories							
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL
(iii) General and complete disarmament (sect. 2)	—	—	—	—	—	—	1	—	—	1	—	1	—	—	—	—	1	2
(iv) Policies of <i>apartheid</i> of the Government of South Africa (sect. 3)	—	—	—	—	—	1	—	—	—	1	—	2	—	—	—	—	2	3
(v) Economic co-operation among developing countries (sect. 11A)	—	—	—	—	—	—	2	—	—	2	—	1	—	—	—	—	1	3
(vi) Advisory Committee on Administrative and Budgetary Questions (sect. 1)	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	—
(vii) International co-operation in the field of human settlements (sect. 13B)	—	1	—	—	—	—	—	1	—	2	—	—	—	—	—	2	2	4
(viii) Restructuring of the economic and social sectors of the United Nations (sects. 5C, 5D, 5E, 5F)	1 ^b	1	3	(2)	—	—	—	—	—	3	3	3	—	—	—	—	6	9
TOTAL	1	24	21	90	256	644	1 106	1 265	608	4 015	521	3 262	223	298	401	2 005	6 710	10 725

* Unless otherwise indicated, the sections referred to are expenditure sections.
^a Surrender of existing posts.

^b Director-General for Development and International Economic Co-operation.

B. BY ORGANIZATIONAL UNIT

NOTE. The classification of changes is indicated as follows: (a) 1976-1977 posts; (b) new posts; (c) reclassifications; (d) conversion from temporary assistance; (e) surrendering of existing posts or adjustments; and (f) transfer from extrabudgetary funds.

Budget section and organizational unit	Category and level																		
	Professional and above										General Service and other categories								
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL	
EXPENDITURE SECTIONS																			
1. Over-all policy-making, direction and co-ordination																			
Advisory Committee on Administrative and Budgetary Questions	(a)	—	—	—	—	1	1	—	1	—	3	1	2	—	—	—	—	3	6
	(b)	—	—	—	—	—	—	1	—	—	1	—	1	—	—	—	—	1	2

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit	Category and level																	
	Professional and above									General Service and other categories								
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL
(c)	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	—	—	1	—	1	1	1	—	4	1	3	—	—	—	—	4	8
United Nations Board of Auditors	—	—	—	—	—	1	—	1	—	2	—	4	—	—	—	—	4	6
World Food Council	(a)	—	1	—	—	4	3	1	—	9	3	7	—	—	—	—	10	19
	(d)	—	—	1	1	2	3	—	—	7	1	5	—	—	—	—	6	13
		—	1	1	1	6	6	1	—	16	4	12	—	—	—	—	16	32
Executive Office of the Secretary-General	(a)	—	1	4	4	4	3	3	4	23	6	23	1	—	1	—	31	54
	(b)	—	—	—	—	—	—	1	—	1	—	—	—	—	—	—	—	1
	(e)	—	—	(1)	(1)	—	—	—	—	(2)	—	(1)	—	—	—	—	(1)	(3)
		—	1	3	3	4	3	4	4	22	6	22	1	—	1	—	30	52
Office of the Under-Secretary-General for Political and General Assembly Affairs	(a)	—	1	1	1	1	3	2	2	11	2	5	—	—	—	—	7	18
	(b)	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	1	1
	(e)	—	—	—	—	—	—	—	(1)	(1)	—	—	—	—	—	—	—	(1)
		—	1	1	1	1	3	2	1	10	3	5	—	—	—	—	8	18
Office of the Under-Secretaries-General for Special Political Affairs	(a)	—	2	1	2	—	1	—	1	7	3	5	—	—	—	—	8	15
	(b)	—	—	—	—	—	—	1	1	2	—	3	—	—	—	—	3	5
	(c)	—	—	2	(2)	—	—	—	—	—	—	—	—	—	—	—	—	—
	(e)	—	—	1	1	2	—	—	—	4	—	1	—	—	—	—	1	5
		—	2	4	1	2	1	1	2	13	3	9	—	—	—	—	12	25
Office of the Assistant-Secretary-General for Special Political Questions	(a)	—	—	1	—	—	—	1	—	2	1	2	—	—	—	—	3	5
Office for Inter-Agency Affairs and Co-ordination ...	(a)	—	1	1	1	2	2	3	1	11	2	5	—	—	—	—	7	18
Office of the Director-General, Geneva	(a)	—	1	—	2	1	3	1	1	11	3	8	—	—	—	—	11	22

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit	Category and level																			
	Professional and above										General Service and other categories									
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL		
2. Political and Security Council affairs; peace-keeping activities																				
Department of Political and Security Council Affairs ..	(a)	—	1	1	3	9	17	24	14	7	76	9	35	—	—	—	—	44	120	
	(b)	—	—	—	—	—	—	1	—	—	1	—	1	—	—	—	—	1	2	
	(c)	—	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	
	(d)	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—	—	2	2	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		—	1	1	3	10	16	25	14	7	77	9	38	—	—	—	—	47	124	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Special missions	(a)	—	—	2	—	2	5	1	—	—	10	1	4	—	293	—	218	516	526	
	(b)	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	1	1	
	(d)	—	—	—	—	—	—	—	—	—	—	—	—	—	4	—	29	33	33	
	(e)	—	—	—	—	—	(2)	—	—	—	(2)	—	—	—	—	—	—	—	(2)	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		—	—	2	—	2	3	1	—	—	8	1	4	—	298	—	247	550	558	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
United Nations Relief and Works Agency for Palestine Refugees in the Near East	(a)	—	—	1	2	10	16	34	16	1	80	—	9	—	—	—	—	9	89	
	(c)	—	—	—	—	—	—	2	(2)	—	—	—	—	—	—	—	—	—	—	
	(e)	—	—	—	—	—	—	—	(1)	—	(1)	—	—	—	—	—	—	—	(1)	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		—	—	1	2	10	16	36	13	1	79	—	9	—	—	—	—	9	88	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
3. Political affairs, trusteeship and decolonization																				
Department of Political Affairs, Trusteeship and Decolonization	(a)	—	1	—	1	3	10	9	9	7	40	5	22	—	—	—	—	27	67	
	(c)	—	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	
	(e)	—	—	—	—	—	—	—	(1)	(1)	(2)	—	—	—	—	—	—	—	(2)	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		—	1	—	1	4	9	9	8	6	38	5	22	—	—	—	—	27	65	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Namibia	(a)	—	—	1	—	1	3	1	1	4	11	1	8	—	—	—	5	14	25	
	(e)	—	—	—	—	—	—	—	—	—	—	—	(3)	—	—	—	3	—	—	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		—	—	1	—	1	3	1	1	4	11	1	5	—	—	—	8	14	25	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit	Category and level																Subtotal	TOTAL	
	Professional and above										General Service and other categories								
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level			
Centre against Apartheid ..	(a)	—	—	—	1	—	2	4	3	3	13	1	7	—	—	—	—	8	21
	(b)	—	—	—	—	—	1	—	—	—	1	—	2	—	—	—	—	2	3
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	1	—	3	4	3	3	14	1	9	—	—	—	—	10	24
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
5A. Department of Economic and Social Affairs																			
Department of Economic and Social Affairs, Headquarters	(a)	—	1	2	13	30	69	115	96	65	391	57	276	—	—	—	—	333	724
	(b)	—	—	—	—	2	1	3	—	1	7	1	3	—	—	—	—	4	11
	(c)	—	—	—	(2)	—	1	(1)	3	(3)	(2)	—	—	—	—	—	—	—	(2)
	(e)	—	—	—	(1)	(1)	(5)	(9)	(9)	(5)	(30)	(3)	(12)	—	—	—	—	(15)	(45)
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	1	2	10	31	66	108	90	58	366	55	267	—	—	—	—	322	688
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
Division of Social Affairs, Geneva	(a)	—	—	—	—	1	1	4	—	1	7	2	5	—	—	—	—	7	14
5B. Transnational corporations																			
United Nations Centre on Transnational Corporations	(a)	—	—	1	2	4	5	8	6	4	30	7	18	—	—	—	—	25	55
	(b)	—	—	—	—	—	1	—	2	1	4	—	2	—	—	—	—	2	6
	(d)	—	—	—	—	—	5	4	3	—	12	—	1	—	—	—	4	5	17
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	—	1	2	4	11	12	11	5	46	7	21	—	—	—	4	32	78
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
5C. Department of Economic Co-operation and Development ^a	(b)	—	—	2	—	—	—	—	—	—	2	2	2	—	—	—	—	4	6
5D. Department of Technical Co-operation for Development ^a	(c)	—	1	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1
5E. Office of Secretariat Services for Economic and Social Matters ^a	(c)	—	—	1	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1
5F. Director-General for Development and International Economic Co-operation ^a	(b)	1 ^b	—	—	—	—	—	—	—	—	1	1	1	—	—	—	—	2	3

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit		Category and level																		
		Professional and above									General Service and other categories									
		Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL	
6.	Economic Commission for Europe	(a)	—	—	1	1	11	23	29	32	20	117	8	103	—	—	—	—	111	228
		(b)	—	—	—	—	—	—	1	—	1	2	—	—	—	—	—	—	—	2
		(c)	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		(d)	—	—	—	—	—	—	2	—	—	2	—	—	—	—	—	—	—	2
			—	1	—	1	11	23	32	32	21	121	8	103	—	—	—	—	111	232
			==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
7.	Economic and Social Commission for Asia and the Pacific	(a)	—	—	1	1	10	25	50	49	32	168	—	—	—	—	—	327	327	495
		(b)	—	—	—	—	—	—	—	2	1	3	—	—	—	—	—	10	10	13
		(c)	—	1	(1)	—	1	(1)1	(1)1	(1)	—	—	—	—	—	—	—	—	—	—
		(d)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	13	13	13
			—	1	—	1	11	25	50	50	33	171	—	—	—	—	—	350	350	521
			==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
8.	Economic Commission for Latin America	(a)	—	—	1	1	11	30	47	46	32	168	—	—	—	—	—	356	356	524
		(b)	—	—	—	—	—	—	1	2	—	3	—	—	—	—	—	5	5	8
		(c)	—	1	(1)	—	1	(1)	—	1	(1)	—	—	—	—	—	—	—	—	—
		(d)	—	—	—	—	—	2	4	—	—	6	—	—	—	—	—	14	14	20
		(f)	—	—	—	—	1	4	—	—	—	5	—	—	—	—	—	5	5	10
			—	1	—	1	13	35	52	49	31	182	—	—	—	—	—	380	380	562
			==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
9.	Economic Commission for Africa	(a)	—	—	1	1	11	25	40	61	33	172	—	—	—	—	—	362	362	534
		(b)	—	—	—	—	—	1	1	—	—	2	—	—	—	—	—	—	—	2
		(c)	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		(d)	—	—	—	—	2	2	7	2	—	13	—	—	—	—	—	21	21	34
			—	1	—	1	13	28	48	63	33	187	—	—	—	—	—	383	383	570
			==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
10.	Economic Commission for Western Asia	(a)	—	—	1	1	6	17	27	27	8	87	—	—	—	—	—	142	142	229
		(b)	—	—	—	—	1	1	2	1	1	6	—	—	—	—	—	1	1	7
		(c)	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
			—	1	—	1	7	18	29	28	9	93	—	—	—	—	—	143	143	236
			==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit	Category and level																		
	Professional and above										General Service and other categories								
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL	
11A. United Nations Conference on Trade and Development ...	(a)	—	1	1	9	15	44	50	59	30	209	15	166	—	—	—	—	181	390
	(b)	—	—	—	—	2	2	2	—	—	6	—	3	—	—	—	—	3	9
	(c)	—	—	—	—	—	—	—	—	1	1	(1)	—	—	—	—	—	(1)	—
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	1	1	9	17	46	52	59	31	216	14	169	—	—	—	—	183	399
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
12. United Nations Industrial Development Organization	(a)	—	1	1	5	23	71	101	89	47	338	20	330	—	—	69	—	419	757
	(b)	—	—	—	—	—	1	2	3	1	7	—	4	—	—	—	—	4	11
	(c)	—	—	—	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—
	(e)	—	—	—	—	—	—	—	(2)	(2)	(4)	—	(2)	—	—	—	—	(2)	(6)
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	1	1	5	23	72	104	89	46	341	20	332	—	—	69	—	421	762
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
13A. United Nations Environment Programme	(a)	—	1	2	3	4	9	11	3	3	36	1	5	—	—	—	60	66	102
	(f)	—	—	—	—	—	1	3	1	—	5	—	—	—	—	—	4	4	9
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	1	2	3	4	10	14	4	3	41	1	5	—	—	—	64	70	111
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
13B. Habitat: Centre for Human Settlements ^a	(b)	—	1	—	—	—	—	—	1	—	2	—	—	—	—	—	2	2	4
	(e)	—	—	—	1	1	5	9	9	5	30	3	15	—	—	—	—	18	48
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	1	—	1	1	5	9	10	5	32	3	15	—	—	—	2	20	52
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
14. International drug control ...	(a)	—	—	—	1	3	3	9	7	8	31	4	22	—	—	—	—	26	57
	(b)	—	—	—	—	—	1	—	—	—	1	—	—	—	—	—	—	—	1
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	1	3	4	9	7	8	32	4	22	—	—	—	—	26	58
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
16. Office of the United Nations High Commissioner for Refugees	(a)	—	1	—	2	8	29	27	16	12	95	4	62	—	—	—	119	185	280
	(c)	—	—	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—
	(f)	—	—	—	—	—	2	1	3	1	7	—	2	—	—	—	3	5	12
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	1	—	2	8	32	27	19	13	102	4	64	—	—	—	122	190	292
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit		Category and level																		
		Professional and above									General Service and other categories									
		Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL	
17.	Office of the United Nations Disaster Relief Co-ordinator	(a)	—	1	—	1	—	3	2	1	—	8	—	7	—	—	—	—	7	15
		(f)	—	—	—	—	2	—	2	1	1	6	1	3	—	—	—	—	4	10
			—	1	—	1	2	3	4	2	1	14	1	10	—	—	—	—	11	25
18.	Human rights	(a)	—	—	—	1	2	8	11	12	8	42	2	28	—	—	—	—	30	72
		(b)	—	—	—	—	—	1	—	—	—	1	—	1	—	—	—	—	1	2
		(d)	—	—	—	—	—	—	2	—	—	2	—	1	—	—	—	—	1	3
			—	—	—	1	2	9	13	12	8	45	2	30	—	—	—	—	32	77
19.	International Court of Justice	(a)	—	—	1	1	1	3	3	2	5	16	4	15	—	—	—	—	19	35
		(b)	—	—	—	—	—	—	—	—	—	—	1	1	—	—	—	—	2	2
		(c)	—	—	—	—	—	—	—	—	—	—	1	(1)	—	—	—	—	—	—
			—	—	1	1	1	3	3	2	5	16	6	15	—	—	—	—	21	37
20.	Legal activities																			
	Office of Legal Affairs ...	(a)	—	1	—	2	6	12	16	10	5	52	8	34	—	—	—	—	42	94
		(b)	—	—	—	—	—	—	—	1	—	1	—	—	—	—	—	—	—	1
			—	1	—	2	6	12	16	11	5	53	8	34	—	—	—	—	42	95
21.	Public information																			
	Office of Public Information, Headquarters	(a)	—	—	1	4	11	19	27	42	29	133	31	90	—	—	—	—	121	254
		(b)	—	—	—	—	—	—	—	2	—	2	—	1	—	—	—	—	1	3
		(c)	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		(f)	—	—	—	—	—	—	1	—	1	2	1	1	—	—	—	—	2	4
			—	1	—	4	11	19	28	44	30	137	32	92	—	—	—	—	124	261
	Information Service, Geneva	(a)	—	—	—	1	3	7	7	1	4	16	4	15	—	—	—	—	19	35
	Information centres	(a)	—	—	—	5	12	28	28	5	2	52	—	—	—	—	—	—	283	335
		(b)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	1	1
		(d)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	18	18	18
			—	—	—	5	12	28	28	5	2	52	—	—	—	—	—	—	302	354

BY ORGANIZATIONAL UNIT (Continued)

Budget section and organizational unit	Category and level																		
	Professional and above										General Service and other categories								
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL	
22. Administration, management and general services																			
Office of the Under-Secretary-General for Administration and Management	(a)	—	1	—	1	1	—	—	—	3	2	2	—	—	—	—	4	7	
Office of Financial Services, Headquarters	(a)	—	—	1	4	8	12	13	14	12	64	22	56	—	—	—	78	142	
	(b)	—	—	—	—	—	—	1	1	—	2	—	2	—	—	—	2	4	
	(c)	—	—	—	—	1	—	(1)	—	—	—	3	(3)	—	—	—	—	—	
	(d)	—	—	—	—	—	—	—	1	—	1	1	2	—	—	—	3	4	
	(e)	—	—	—	—	—	—	(1)	—	—	(1)	—	2	—	—	—	2	1	
		—	—	1	4	8	13	12	16	12	66	26	59	—	—	—	85	151	
Office of Personnel Services, Headquarters	(a)	—	—	1	3	4	11	19	12	3	53	13	72	—	—	—	85	138	
	(b)	—	—	—	—	—	—	—	1	—	1	—	1	—	—	—	1	2	
	(c)	—	—	—	1	(1)	—	—	—	—	—	4	(4)	—	—	—	—	—	
	(d)	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	1	1	
	(e)	—	—	—	—	—	—	—	1	—	1	—	8	—	—	—	8	9	
		—	—	1	4	3	11	19	14	3	55	17	78	—	—	—	95	150	
Office of General Services, Headquarters	(a)	—	—	1	3	5	11	14	15	22	71	51	250	219	—	184	704	775	
	(b)	—	—	—	—	—	—	—	1	—	1	1	4	—	—	4	9	10	
	(c)	—	—	—	—	1	(1)	1	(1)	1	1	(1)	(1)	—	—	—	(1)	—	
	(d)	—	—	—	—	—	—	—	—	—	—	—	14	1	—	5	20	20	
	(e)	—	—	—	—	—	—	—	(1)	—	(1)	(1)	(18)	—	—	—	(19)	(20)	
		—	—	1	3	5	12	14	14	23	72	51	249	220	—	193	713	785	
Internal Audit																			
Headquarters	(a)	—	—	—	1	—	2	5	7	8	23	3	3	—	—	—	6	29	
Geneva	(a)	—	—	—	—	—	1	1	2	2	6	1	6	—	—	—	7	13	
Administrative and management services	(a)	—	—	—	1	2	3	3	2	—	11	2	5	—	—	—	7	18	
	(d)	—	—	—	—	1	1	—	—	—	2	—	2	—	—	—	2	4	
	(e)	—	—	—	(1)	—	—	—	(1)	—	(2)	—	—	—	—	—	—	(2)	
		—	—	—	—	3	4	3	1	—	11	2	7	—	—	—	9	20	

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit	Category and level																		
	Professional and above										General Service and other categories								
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL	
Electronic Data Processing and Information Systems Service	(a)	—	—	—	1	2	3	11	7	3	27	6	22	—	—	—	—	28	55
	(b)	—	—	—	—	—	—	—	1	1	2	—	1	—	—	—	—	1	3
		—	—	—	1	2	3	11	8	4	29	6	23	—	—	—	—	29	58
Administrative and Financial Services, Geneva	(a)	—	—	—	1	3	7	4	12	7	34	9	72	—	—	—	—	81	115
	(c)	—	—	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	1	3	8	3	12	7	34	9	72	—	—	—	—	81	115
General Services Division, Geneva	(a)	—	—	—	—	1	4	3	2	10	20	11	201	—	—	107	—	319	339
	(d)	—	—	—	—	—	—	—	—	—	—	—	12	—	—	2	—	14	14
		—	—	—	—	1	4	3	2	10	20	11	213	—	—	109	—	333	353
Technical Assistance Recruitment Service	(a)	—	—	—	—	1	1	5	—	—	7	5	16	—	—	—	—	21	28
	(c)	—	—	—	—	—	—	—	—	—	—	1	(1)	—	—	—	—	—	—
		—	—	—	—	1	1	5	—	—	7	6	15	—	—	—	—	21	28
Geneva	(a)	—	—	—	—	—	1	2	1	—	4	—	5	—	—	—	—	5	9
	(c)	—	—	—	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	1	3	—	—	4	—	5	—	—	—	—	5	9
Staff-training activities	(a)	—	—	—	—	1	1	2	3	8	15	3	9	—	—	—	—	12	27
	(d)	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—	—	2	2
		—	—	—	—	1	1	2	3	8	15	3	11	—	—	—	—	14	29
Geneva	(a)	—	—	—	—	—	1	—	1	—	2	—	4	—	—	—	—	4	6
	(b)	—	—	—	—	—	—	1	—	—	1	—	—	—	—	—	—	—	1
		—	—	—	—	—	1	1	1	—	3	—	4	—	—	—	—	4	7

B. BY ORGANIZATIONAL UNIT (continued)

Budget section and organizational unit	Category and level																		
	Professional and above										General Service and other categories								
	Director-General	Under-Secretary-General	Assistant Secretary-General	D-2	D-1	P-5	P-4	P-3	P-2/1	Subtotal	Principal level	Other levels	Security Service	Field Service	Manual Workers	Local level	Subtotal	TOTAL	
United Nations participation in jointly financed administrative activities																			
International Civil Service Commission	(a)	—	—	1	1	2	9	2	1	16	2	20	—	—	—	—	22	38	
	(b)	—	—	—	—	—	—	—	1	1	—	—	—	—	—	—	—	1	
	(c)	—	—	—	—	—	—	—	—	—	1	(1)	—	—	—	—	—	—	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		—	—	1	1	2	9	2	2	17	3	19	—	—	—	—	22	39	
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	
Joint Inspection Unit ...	(a)	—	—	1	—	1	—	1	2	5	—	7	—	—	—	—	7	12	
	(b)	—	—	—	—	1	2	—	—	3	—	6	—	—	—	—	6	9	
	(c)	—	—	—	—	—	—	—	—	—	1	(1)	—	—	—	—	—	—	
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		—	—	1	—	2	2	1	2	8	1	12	—	—	—	—	13	21	
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	
23. Library and conference services																			
Department of Conference Services, Headquarters ...	(a)	—	1	—	4	10	38	168	334	84	639	114	566	—	—	21	—	701	1 340
	(b)	—	—	—	—	—	—	—	1	1	2	2	1	—	—	—	—	3	5
	(e)	—	—	—	—	—	—	—	—	—	—	1	(12)	—	—	—	—	(11)	(11)
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	1	—	4	10	38	168	335	85	641	117	555	—	—	21	—	693	1 334
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
Office of Conference Services, Geneva	(a)	—	—	—	1	3	21	86	149	19	279	13	359	—	—	—	—	372	651
	(b)	—	—	—	—	—	1	—	5	—	6	1	1	—	—	—	—	2	8
	(c)	—	—	—	—	—	—	—	1	(1)	—	—	—	—	—	—	—	—	—
	(d)	—	—	—	—	—	1	4	3	—	8	—	—	—	—	—	—	—	8
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	1	3	23	90	158	18	293	14	360	—	—	—	—	374	667
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==
Library, Headquarters	(a)	—	—	—	1	2	2	7	33	21	66	8	72	—	—	8	—	88	154
Library, Geneva	(a)	—	—	—	—	1	2	2	4	9	18	3	25	—	—	—	—	28	46
	(b)	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1	1
		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	1	2	2	4	9	18	3	26	—	—	—	—	29	47
		==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==

Draft resolution on the biennium 1978-1979

253. At its 72nd meeting, the Fifth Committee adopted the draft resolutions on the biennium 1978-1979 contained in paragraph 256 below (draft resolutions XI A to C, XII and XIII).

254. The results of the recorded votes were as follows:

	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
Draft resolution XI A	89	9	6
Draft resolution XI B	102	0	0
Draft resolution XI C	90	0	15
Draft resolution XI as a whole .	90	9	6
Draft resolution XII	91	10	3
Draft resolution XIII	92	0	14

(a) The voting on draft resolution XI A was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Cuba, France, Israel, Italy, Romania, United States of America.

(b) The voting on draft resolution XI B was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet

Socialist Republics, 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, Zambia.

Against: None.

Abstaining: None.

(c) The voting on draft resolution XI C was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France, German Democratic Republic, Hungary, Israel, Italy, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America.

(d) The voting on draft resolution XI as a whole was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Cuba, France, Israel, Italy, Romania, United States of America.

(e) The voting on draft resolution XII was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Cuba, Israel, Italy.

(f) The voting on draft resolution XIII was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Empire, Chad, Chile, China, Colombia, Costa Rica, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Federal Republic of, Ghana, Greece, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, Zambia.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France, German Democratic Republic, Hungary, Israel, Italy, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Decisions of the Fifth Committee

255. The Fifth Committee decided to postpone to the thirty-third session of the General Assembly its consideration of the following documents:

(a) Report of the Secretary-General (A/C.5/32/34 and Corr.1) on the revision of the Financial Regulations of the United Nations;

(b) Report of the Secretary-General (A/C.5/31/2) on the comprehensive study of the question of honoraria payable to members of organs and subsidiary organs of the United Nations;

(c) Report of the Secretary-General (A/C.5/32/29 and Corr.1) and of the Advisory Committee (A/32/8/Add.9) on the question of services provided by the United Nations to activities funded from extra-budgetary resources;

(d) Report of the Secretary-General (A/C.5/32/66) on the revised estimates for the Office of Financial Services, on the understanding that it would be considered on a priority basis;

(e) Draft resolution proposed by Cuba (A/C.5/32/L.27) on the subject of the effects of inflation and monetary instability;

(f) Draft resolution proposed by Australia and Singapore (A/C.5/32/L.32/Rev.1) on the subject of appropriations for movements in inflation and for exchange rate variations.

Recommendations of the Fifth Committee

256. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Use of experts and consultants in the United Nations

The General Assembly,

Recalling its decision of 18 December 1974,⁴⁰ adopted at its twenty-ninth session, by which it outlined principles and guidelines for the use of experts and consultants in the United Nations, and its decision of 17 December 1975,⁴¹ taken at its thirtieth session, in which it reaffirmed the aforesaid principles and guidelines, which should be implemented promptly, fully and effectively,

Recalling further its resolution 31/205 of 22 December 1976, in which it reaffirmed the decisions taken at its twenty-ninth and thirtieth sessions and requested the Secretary-General to submit to the General Assembly at its thirty-second session, through the Advisory Committee on Administrative and Budgetary Questions, a report on the implementation of the aforementioned decisions,

Taking note of the report of the Secretary-General (A/C.5/32/7),

Expressing the view that the above-mentioned report does not adequately respond to the requirements of the relevant decisions of the General Assembly and still reflects deficiencies in the implementation of the principles and guidelines on the use of experts and consultants,

Taking note of the assurances of the Secretary-General that future reports will fully and adequately reflect

⁴⁰ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31 and corrigendum, pp. 136 and 137 item 73.

⁴¹ *Ibid.*, Thirtieth Session, Supplement No. 34, p. 14; item 96, para. (t).

the existing practice in the use of experts and consultants in the United Nations,

1. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session a full and comprehensive report, showing his efforts to eliminate existing deficiencies in the implementation of principles and guidelines on the use of experts and consultants in the United Nations;

2. *Requests further* that such a report should contain detailed comparative data as well as a statement evaluating the status of implementation of the principles and guidelines set by the General Assembly.

DRAFT RESOLUTION II

Organizational nomenclature in the Secretariat

The General Assembly,

Emphasizing the need for logical and coherent organizational nomenclature in the Secretariat in the interest of a more rational and functional hierarchical structure,

1. *Takes note with appreciation* of the reports of the Secretary-General (A/C.5/32/17) and of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.5) on the question of organizational nomenclature in the Secretariat;

2. *Endorses* the general direction of reform in nomenclature proposed by the Secretary-General in his report and encourages him to proceed expeditiously with the application of the measures envisaged, taking into account the observations made by the Advisory Committee and the views expressed in the Fifth Committee;

3. *Welcomes* the intention of the Secretary-General in his report to the General Assembly at its thirty-third session on the application of the measures proposed in his report;

4. *Decides* to consider this question at its thirty-third session on the basis of the report to be submitted by the Secretary-General;

5. *Urges* intergovernmental bodies to avoid recommendations giving particular designations to organizational units or their heads which may not be in conformity with the nomenclature proposed by the Secretary-General.

DRAFT RESOLUTION III

Arabic language services in the United Nations

The General Assembly,

Recalling its resolution 31/159 of 21 December 1976, in paragraph 18 of which it decided to include Arabic among the official and working languages of the machinery of the United Nations Conference on Trade and Development, particularly all sessions of the Conference, the Trade and Development Board and its main committees,

Noting that the rules of procedure of the United Nations Conference on Trade and Development,⁴² the Trade and Development Board⁴³ and some of its main committees have already been amended accordingly,

⁴² TD/63/Rev.1 (United Nations publication, Sales No. 68.I.17) and Amend.1 and 2.

⁴³ TD/B/16/Rev.2 (United Nations publication, Sales No. 73.II.D.11) and Corr.1 and 2 and Amend.1.

Recalling that, in section VIII of its resolution 31/208 of 22 December 1976, it approved the organizational arrangements proposed by the Secretary-General in his report to the General Assembly at its thirty-first session⁴⁴ with a view to providing an initial target level of Arabic language services to the United Nations Conference on Trade and Development while simultaneously alleviating some of the chronic problems facing the provision of such services to the Assembly and its Main Committees,

Noting, however, that, as far as Arabic translation services are concerned, the Secretary-General in his progress report (A/C.5/32/9) makes it clear that those organizational arrangements have not sufficiently achieved their purported objectives with regard to the United Nations Conference on Trade and Development and to the General Assembly and its Main Committees, while admitting the uncertain nature of their future prospects,

Recognizing the great importance which the Arab States Members of the United Nations attach to the work of the United Nations Conference on Trade and Development as well as their expressed need for having its documentation issued in Arabic in time to enable their delegations to participate constructively in its deliberations and activities,

Convinced that an efficient, timely and less costly provision of Arabic translation services to the United Nations Conference on Trade and Development can be achieved only by the installation of an adequately staffed service at its headquarters,

Bearing in mind the magnitude and urgency of the efforts needed to enable such a service to meet adequately the Arabic translation requirements of the fifth session of the United Nations Conference on Trade and Development, to be held in 1979,

1. *Takes note* of the progress report of the Secretary-General (A/C.5/32/9) concerning Arabic language services in the United Nations;

2. *Requests* the Secretary-General, while continuing the speedy implementation of the organizational arrangements contained in paragraphs 15 to 21 of his report,⁴⁴ to replace the present arrangement set out in paragraph 25 of his report by establishing, as from 1 January 1978, on a permanent basis, an Arabic Translation Section in the United Nations Office at Geneva primarily to serve the bodies of the United Nations Conference on Trade and Development and, as an initial step, to provide the staff requirements for the biennium 1978-1979 for this Section by transferring to it the posts already established under section VIII of General Assembly resolution 31/208, with the addition of a post of Chief of Section;

3. *Requests* the Secretary-General to prepare, in close consultation and co-operation with the Secretary-General of the United Nations Conference on Trade and Development, proposals aimed at the full implementation of Conference resolution 86 (IV) of 28 May 1976,⁴⁵ endorsed by the General Assembly in para-

⁴⁴ A/C.5/31/60 and Corr.1.

⁴⁵ See *Proceedings of the United Nations Conference on Trade and Development, Fourth Session, vol. I, Report and Annexes* (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

graph 18 of its resolution 31/159, and to submit those proposals to the Assembly at its thirty-fourth session;

4. *Further requests* the Secretary-General to continue his search for and to apply adequate methods, including advance translation of appropriate documentation and provision of temporary assistance when necessary, to ensure the timely provision of Arabic translation services to the General Assembly and its Main Committees, and to report on the results to the Assembly as appropriate.

DRAFT RESOLUTION IV

Recommendations of the Committee for Programme and Co-ordination

The General Assembly,

Recalling that the Economic and Social Council, in the annex to its resolution 2008 (LX) of 14 May 1976, set out the terms of reference of the Committee for Programme and Co-ordination, in paragraph 2 (a) (ii) of which it is stated that the Committee shall recommend an order of priorities among United Nations programmes as defined in the medium-term plan,

Recalling also paragraph 10 of General Assembly resolution 31/93 of 14 December 1976 on the medium-term plan,

Noting Economic and Social Council resolution 2098 (LXIII) of 3 August 1977 dealing with the recommendations of the Committee for Programme and Co-ordination at its seventeenth session (A/32/38),

Taking note of the report of the Secretary-General on the implications of the recommendations of the Committee for Programme and Co-ordination (A/C.5/32/26 and Corr.1) and the relevant comments of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.14),

I

1. *Confirms* that the Committee for Programme and Co-ordination, by virtue of its review of both the medium-term plan and the programme aspects of the programme budget, is the main subsidiary body of the Economic and Social Council and the General Assembly for planning, programming and co-ordination with the perspective necessary to make recommendations on the relative priorities of United Nations programmes;

2. *Urges* subsidiary bodies to refrain from making recommendations on the relative priority of the major programmes, as outlined in the medium-term plan;

3. *Requests* such bodies to propose, through the Committee for Programme and Co-ordination, relative priorities to be accorded to the various subprogrammes within their respective fields of competence;

4. *Requests* the Secretary-General to give all assistance to the Committee for Programme and Co-ordination in its work, *inter alia* in connexion with the recommendation in paragraph 2 of the report of the Committee on its seventeenth session (A/32/38), in particular to enable the Committee to assess the implications of its recommendations;

II

1. *Notes* the methodology described by the Committee for Programme and Co-ordination in paragraph 3 of the report on its seventeenth session (A/

32/38) for improving its determination of relative growth rates;

2. *Requests* the Secretary-General to implement, in the light of the relevant recommendations and comments of the Committee for Programme and Co-ordination and in the most appropriate manner, the relative growth rates accepted by the General Assembly as the framework of programme priorities;

3. *Considers* that the Committee for Programme and Co-ordination, while proposing priorities in its programme review, should continue to limit its recommendations to ranges of growth;

4. *Invites* the Committee for Programme and Co-ordination, in its review of the medium-term plan at its eighteenth session, to take into account the above-mentioned consideration;

III

1. *Authorizes* the Secretary-General, in consultation with the executive secretaries of the regional commissions concerned, to submit to the General Assembly at its thirty-third session through the Economic and Social Council, in the light of the recommendations of the Committee for Programme and Co-ordination and of paragraph 16 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.14), programme proposals for increased activity in the transport programmes of the Economic Commission for Africa, the Economic Commission for Latin America, the Economic Commission for Western Asia and the Economic and Social Commission for Asia and the Pacific and revised estimates to that end;

2. *Decides*, in the light of additional information provided to the General Assembly and of subsequent developments, to defer until its thirty-third session consideration of the recommendations of the Committee for Programme and Co-ordination dealing with programme transfers and reductions.

DRAFT RESOLUTION V

Technological innovations in the production of the publications and documentation of the United Nations

The General Assembly,

Concerned about significant costs accruing to all Member States, including direct costs to themselves as well as charges to the United Nations, which result from current methods of producing and distributing the publications and documentation of the United Nations,

1. *Commends* the Secretary-General for his efforts and initiatives to improve documentation and publications services;

2. *Concurs* with the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report (A/32/8/Add.12) to pursue measures proposed by the Secretary-General with regard to technological innovations in the production of the publications and documentation of the United Nations;

3. *Requests* the Secretary-General to explore and recommend additional measures to improve and expedite the production and distribution of publications and documentation, using a cautious, step-by-step approach, and in particular, requests him to study:

(a) The means to ensure publication of the full official records of sessions of the General Assembly;

(b) Increased revenue from the sale of publications and documentation in recognition of the improved service;

(c) Further limitations on free distribution of publications and documents;

(d) Installation of modern facilities to improve the in-session availability of important documents;

4. *Requests* the Secretary-General to report to the General Assembly at its thirty-third session on the progress achieved in the implementation of approved measures, on the results of further studies and on recommendations for additional measures to improve documentation and publications services.

DRAFT RESOLUTION VI

United Nations accommodation at Nairobi

The General Assembly,

Recalling its resolution 3004 (XXVII) of 15 December 1972, in which it decided to locate the secretariat of the United Nations Environment Programme in a developing country and further decided to locate it at Nairobi,

1. *Takes note* of the report of the Secretary-General on United Nations accommodation at Nairobi (A/C.5/32/19 and Add.1) and of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.10);

2. *Accepts with appreciation* the generous grant by the Government of Kenya of the site at Gigiri, Nairobi, upon which to construct the project, subject to a suitable agreement between the Secretary-General and the Government;

3. *Concurs* in the observations and recommendations of the Advisory Committee (*ibid.*, paras. 10-29);

4. *Approves*, in principle, the construction of permanent headquarters facilities for the United Nations Environment Programme and accommodation for the other United Nations offices at Nairobi;

5. *Authorizes* the Secretary-General, bearing in mind the observations and recommendations of the Advisory Committee, to proceed in accordance with the recommendations contained in his report (A/C.5/32/19, para. 32);

6. *Requests* the Secretary-General to report to the General Assembly annually on the status of the project.

DRAFT RESOLUTION VII

Expenditure with respect to experts and consultants in the United Nations

The General Assembly,

Recalling that its decision of 18 December 1974,⁴⁶ taken at its twenty-ninth session, in which it outlined principles and guidelines for the use of experts and consultants in the United Nations, provided, *inter alia*, that:

(a) The Secretary-General should ensure that expenditure for consultant services is maintained within

the approved figure for 1974-1975 and that no supplementary estimates are presented;

(b) The estimates under this heading in future biennial programme budgets should be prepared with determined restraint, with a view to achieving reductions in the funds requested for this field of activities;

Noting with concern that the aggregate appropriation for experts and consultants proposed by the Secretary-General for the biennium 1978-1979 totals \$11,423,000, compared with approved appropriations for 1974-1975 of \$6,784,000,

Noting that the commendable reduction in proposed expenditure on consultant services envisaged in the estimates for the Department of Economic and Social Affairs of the Secretariat, in section 5A of the programme budget for the biennium 1978-1979, arising from greater utilization of staff resources available within the Secretariat and highly selective recourse to external assistance (A/32/6 and Corr.1 and 2, para. 5A.1) has not been reflected in the estimates for certain other budget sectors,

1. *Requests* the Secretary-General to re-examine proposed expenditure on experts and consultants in 1978-1979 following approval of the programme budget with a view to achieving savings in the aggregate allocation for such activities and to report thereon to the General Assembly at its thirty-third session;

2. *Further requests* the Secretary-General to ensure that no supplementary estimates are presented for expenditure on experts and consultants during the biennium 1978-1979.

DRAFT RESOLUTION VIII

Form of presentation of the United Nations budget

The General Assembly,

Having considered the proposed programme budget for the biennium 1978-1979 (A/32/6 and Corr.1 and 2),

Taking into account that, by resolution 3043 (XXVII) of 19 December 1972, it approved on an experimental basis the new form of presentation of the United Nations budget directed towards the establishment of programme budgeting,

Recalling the statement in the second preambular paragraph of that resolution that the new form of presentation constitutes a useful basis for proceeding towards the introduction of a system of programme budgeting in the United Nations,

Recalling also the decision in that resolution to keep under continuous review the progress achieved in the implementation by the Secretary-General of the new form of presentation of the United Nations budget,

Recognizing that an over-all view of the programme budget is essential for a global analysis thereof,

Requests the Secretary-General to endeavour, in preparing the proposed programme budget for the biennium 1980-1981, to improve its form, content and structure, taking into account the opinions expressed and suggestions made in the Fifth Committee during the general debate on the proposed programme budget for the biennium 1978-1979, and, in particular, to submit a summary of the proposed budget containing, *inter alia*, the following information as far as practicable:

⁴⁶ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31 and corrigendum, pp. 136 and 137, em 73.

(a) The information contained in the foreword and annexes of the proposed programme budget for the biennium 1978-1979;

(b) Additional relevant information, including that proposed in chapter I of the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1978-1979 (A/32/8 and Corr.1);

(c) Expenditure by programme and subprogramme in absolute figures;

(d) Expenditure by programme and organizational unit;

(e) Expenditure by programmes and object of expenditure.

DRAFT RESOLUTION IX

Presentation of the United Nations budget

The General Assembly,

Having noted that, during the consideration of the item entitled "Proposed programme budget for the biennium 1978-1979", and especially during the general debate in the Fifth Committee on that item, important problems of principle and method were raised,

Having observed that there is a large measure of agreement concerning the interest in some of these problems and the need to study them further with a view to improving budgetary procedures in the light of the views expressed in the Fifth Committee,

Recalling in that connexion the statement made by the Chairman of the Fifth Committee at the Committee's 16th meeting (A/C.5/32/SR.16, paras. 95-101), as well as the relevant comments of the Committee for Programme and Co-ordination in its report on the work of its seventeenth session (A/32/38) and the relevant passages of the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8 and Corr.1, paras. 3-42),

1. *Considers* that the most important of the aforementioned problems relate to:

(a) The need to apply effectively the provisions of General Assembly resolutions 3534 (XXX) of 17 December 1975 and 31/93 of 14 December 1976 concerning programmes, projects and activities that are obsolete, of marginal usefulness or ineffective;

(b) The need to assess more accurately the resources required for programme implementation and especially the method followed in determining the amount corresponding to "maintenance of programmes" and the composition of that amount;

(c) The best way of dealing with inflationary trends and currency instability in a biennial programme budget;

(d) Refinement of the methods of calculating absolute and real growth of the budget;

(e) The need for a study in depth of problems relating to the implementation of the budget;

2. *Requests* the Secretary-General to make a study of the aforementioned matters and to submit to the General Assembly, through the Advisory Committee on Administrative and Budgetary Questions, a report, which shall contain proposals relating to:

(a) The aforementioned provisions of General Assembly resolutions 3534 (XXX) and 31/93;

(b) The method to be followed in making a satisfactory determination of the amount corresponding to "maintenance of programmes" and the composition of that amount, for example by proposing the adoption of a zero base for the calculation of some elements thereof, and in making a more accurate assessment of staff costs;

(c) A study of the advantages and disadvantages of "semi-full budgeting" and the methods used or proposed to apply this system;

and requests the Advisory Committee to submit its observations and recommendations on the Secretary-General's conclusions to the General Assembly at its thirty-third session;

3. *Decides* to consider, at its thirty-third session, the reports of the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions as a preliminary to the preparation of the programme budget for the biennium 1980-1981.

DRAFT RESOLUTION X

Questions relating to the programme budget for the biennium 1978-1979

The General Assembly

I

EXPANSION OF MEETING ROOMS AND IMPROVEMENT OF CONFERENCE-SERVICING AND DELEGATE FACILITIES AT UNITED NATIONS HEADQUARTERS

1. *Takes note* of the report of the Secretary-General on the expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters (A/C.5/32/4 and Corr.1 and Add.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.1),

2. *Concurs* with the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions in its report (*ibid.*);

II

IMPACT OF INFLATION ON THE BUDGETS OF THE ORGANIZATIONS OF THE UNITED NATIONS SYSTEM

1. *Takes note* of the report of the Secretary-General on the impact of inflation on the budgets of the organizations of the United Nations system (A/C.5/32/5);

2. *Considers* the report of the Secretary-General to be an interim report;

3. *Requests* the Secretary-General to report to the General Assembly at its thirty-third session on the progress achieved with respect to the question of the impact of inflation on the budgets of the organizations of the United Nations system, taking into account the views expressed in the Fifth Committee during its consideration of this question at the thirty-second session;

III

IMPLICATIONS OF EXTENDING TO CERTAIN FORMER STAFF MEMBERS COVERAGE BY THE UNITED NATIONS JOINT STAFF PENSION FUND FOR SERVICE WITH THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

1. *Takes note* of the reports of the Secretary-General on the implications of extending to certain former

staff members coverage by the United Nations Joint Staff Pension Fund for service with the United Nations Relief and Works Agency for Palestine Refugees in the Near East during the period 1950 to 1960 inclusive (A/C.5/31/71 and A/C.5/32/14);

2. *Takes note also* of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.2);

IV

HONORARIA OF MEMBERS OF THE HUMAN RIGHTS COMMITTEE

1. *Decides* that the lump-sum payment per annum of honoraria for members of the Human Rights Committee shall be in the amount of \$2,500 for the Chairman and \$1,000 for other members;

2. *Authorizes* that expenditures for these honoraria be made beginning on 1 January 1977;

3. *Notes* that additional expenditures in the amount of \$19,500 under section 18 of the programme budget for the biennium 1976-1977 will be absorbed within available appropriations for that biennium;

4. *Authorizes* an additional appropriation under section 18 of the proposed programme budget for the biennium 1978-1979 in the amount of \$39,000;

V

ESTABLISHMENT OF AN INFORMATION SERVICES UNIT IN THE DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS

1. *Takes note* of the reports of the Advisory Committee on Administrative and Budgetary Questions on the question of the establishment of an information services unit in the Department of Economic and Social Affairs of the Secretariat (A/32/256 and Add.1);

2. *Decides* that the acceptance by the Secretary-General of the offer of voluntary funds in 1978-1979 would not imply any commitment on the part of the Organization subsequently to transfer the costs of the operation to the regular budget;

3. *Authorizes* the Secretary-General to proceed in accordance with the proposal contained in paragraph 5 of his report (A/C.5/32/47);

4. *Requests* the Secretary-General to report to the General Assembly at its thirty-third session on the progress achieved with respect to the work carried out in 1978 so that the Assembly can pronounce itself on whether computerization should be undertaken;

VI

HONORARIUM OF THE CHAIRMAN OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

1. *Takes note* of the report of the Secretary-General on the honorarium of the Chairman of the Advisory Committee on Administrative and Budgetary Questions (A/C.5/32/92);

2. *Decides* to establish the honorarium of the Chairman of the Advisory Committee at the level of \$50,000 annually, effective 1 January 1978;

VII

STATUS OF CLASSIFICATION PROJECTS

Takes note of the note by the Secretary-General on the status of classification projects (A/C.5/32/57);

VIII

INCLUSION OF ARABIC AS AN OFFICIAL LANGUAGE OF THE THIRD GENERAL CONFERENCE OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

Approves the inclusion of Arabic as an official language of the Third General Conference of the United Nations Industrial Development Organization;

IX

FINANCIAL IMPLICATIONS RESULTING FROM DECISIONS OF THE TRADE AND DEVELOPMENT BOARD

Takes note of the report of the Secretary-General (A/C.5/32/105) on the financial implications resulting from the decisions taken by the Trade and Development Board at its ninth special session and at the first part of its seventeenth session;

X

PROPOSED ARRANGEMENT FOR A COMBINED INTERNAL AUDIT AND MANAGEMENT IMPROVEMENT SERVICE

1. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions in paragraph 22.55 of its first report on the proposed programme budget for the biennium 1978-1979 (A/32/8 and Corr.1), as well as the views expressed in the Fifth Committee on the question of the proposed arrangements for a combined Internal Audit and Management Improvement Service in the Secretariat, which the Secretary-General is invited to take into account, and decides, in the meantime, to maintain the present organizational arrangements;

2. *Decides* to return to and consider the questions raised by the Advisory Committee and by delegations at its thirty-third session in the context of the review of the question of administrative and management control of the United Nations, provided for under General Assembly resolution 31/94 C of 14 December 1976, it being understood that all options will be open to the Assembly when it considers the matter at that time;

XI

CONDITIONS OF SERVICE AND COMPENSATION FOR OFFICERS OTHER THAN SECRETARIAT OFFICIALS SERVING THE GENERAL ASSEMBLY

1. *Decides* to consider on a priority basis at its thirty-third session the proposals of the Secretary-General with regard to compensation for the two full-time Commissioners of the International Civil Service Commission (A/C.5/32/28) and the relevant comments of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.11) without prejudice to the possibility of retroactive action on these proposals;

2. *Requests* the Secretary-General, with such advice as he deems desirable, to prepare, in the context of the comprehensive study of the question of honoraria, a study of the conditions of service and compensation appropriate for those officers other than Secretariat officials serving the General Assembly whose terms and conditions of selection, duties and responsibilities preclude active engagement by governmental, intergovernmental or other specified entities

DRAFT RESOLUTION XI

Programme budget for the biennium 1978-1979⁴⁷

A

BUDGET APPROPRIATIONS FOR THE BIENNIUM 1978-1979

The General Assembly

Resolves that for the biennium 1978-1979:

1. Appropriations totalling \$US 985,913,300 are hereby voted for the following purposes:

<i>Section</i>	<i>United States dollars</i>	
<i>PART I. Over-all policy-making, direction and co-ordination</i>		
1. Over-all policy-making, direction and co-ordination ...	20 109 300	
TOTAL, PART I		20 109 300
<i>PART II. Political and peace-keeping activities</i>		
2. Political and Security Council affairs; peace-keeping activities	48 096 600	
TOTAL, PART II		48 096 600
<i>PART III. Political affairs, trusteeship and decolonization activities</i>		
3. Political affairs, trusteeship and decolonization	9 732 600	
TOTAL, PART III		9 732 600
<i>PART IV. Economic, social and humanitarian activities</i>		
4. Policy-making organs (economic and social activities)	5 803 100	
5A. Department of Economic and Social Affairs	43 926 900	
5B. Transnational corporations	6 196 300	
5C. Department of Economic Co-operation and Development ^a	333 600	
5D. Department of Technical Co-operation for Development ^a	37 500	
5E. Office of Secretariat Services for Economic and Social Matters ^a	22 700	
5F. Director-General for Development and International Economic Co-operation	482 500	
6. Economic Commission for Europe	19 014 200	
7. Economic and Social Commission for Asia and the Pacific	19 404 800	
8. Economic Commission for Latin America	24 370 900	
9. Economic Commission for Africa	23 679 000	
10. Economic Commission for Western Asia	10 566 000	
11A. United Nations Conference on Trade and Development	37 758 600	
11B. International Trade Centre	6 504 800	
12. United Nations Industrial Development Organization ..	60 114 700	
13A. United Nations Environment Programme	8 766 400	
13B. Habitat: Centre for Human Settlements	5 101 500	
14. International drug control	5 312 200	
15. Regular programme of technical assistance	23 055 800	
16. Office of the United Nations High Commissioner for Refugees	19 711 700	
17. Office of the United Nations Disaster Relief Co-ordinator	2 826 700	
TOTAL, PART IV		322 989 900
<i>PART V. Human rights</i>		
18. Human rights	7 577 700	
TOTAL, PART V		7 577 700

⁴⁷ See also document A/32/485/Add.1 above, paras. 16 and 18.

<i>Section</i>	<i>United States dollars</i>	
<i>PART VI. International Court of Justice</i>		
19. International Court of Justice	6 126 700	
	<u>TOTAL, PART VI</u>	6 126 700
<i>PART VII. Legal activities</i>		
20. Legal activities	8 802 100	
	<u>TOTAL, PART VII</u>	8 802 100
<i>PART VIII. Common services</i>		
21. Public information	37 260 000	
22. Administration, management and general services	161 252 500	
23. Conference and library services	150 126 000	
	<u>TOTAL, PART VIII</u>	348 638 500
<i>PART IX. Special expenses</i>		
24. United Nations bond issue	16 817 000	
	<u>TOTAL, PART IX</u>	16 817 000
<i>PART X. Staff assessment</i>		
25. Staff assessment	151 018 000	
	<u>TOTAL, PART X</u>	151 018 000
<i>PART XI. Capital expenditures</i>		
26. Construction, alteration, improvement and major main- tenance of premises	46 004 900	
	<u>TOTAL, PART XI</u>	46 004 900
	<u>GRAND TOTAL</u>	<u>985 913 300</u>

^a Provisional title.

2. The Secretary-General shall be authorized to transfer credits between sections of the budget with the concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The total net provision made under the various sections of the budget for contractual printing shall be administered as a unit under the direction of the United Nations Publications Board;

4. The appropriations for technical assistance programmes under section 15 shall be administered in accordance with the Financial Regulations of the United Nations, except that the definition of obligations and the period of validity of obligations shall be subject to the following procedures:

(a) Obligations for personal services established in the current biennium shall be valid for the succeeding biennium, provided that appointments of the experts concerned are effected by the end of the current biennium and that the total period to be covered by obligations established for these purposes against the resources of the current biennium shall not exceed twenty-four man-months;

(b) Obligations established in the current biennium for fellowships shall remain valid until liquidated, provided that the fellow has been nominated by the requesting Government and accepted by the Organization and that a formal letter of award has been issued to the requesting Government;

(c) Obligations in respect of contracts or purchase orders for supplies or equipment recorded in the current biennium will remain valid until payment is effected to the contractor or vendor, unless they are cancelled;

5. In addition to the appropriations voted under paragraph 1 above, an amount of \$27,000 is appropriated for each year of the biennium 1978-1979 from accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

B

INCOME ESTIMATES FOR THE BIENNIUM 1978-1979

The General Assembly

Resolves that for the biennium 1978-1979:

1. Estimates of income other than assessments on Member States totalling \$US 174,118,200 are approved as follows:

<i>Income section</i>	<i>United States dollars</i>
<i>PART I Income from staff assessment</i>	
1. Income from staff assessment	154 304 600
TOTAL, PART I	154 304 600
<i>PART II. Other income</i>	
2. General income	12 807 000
3. Revenue-producing activities	7 006 600
TOTAL, PART II	19 813 600
GRAND TOTAL	174 118 200

2. The income from staff assessments shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955:

3. Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, television services and the sale of publications, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

C

FINANCING OF APPROPRIATIONS FOR THE YEAR 1978

The General Assembly

Resolves that for the year 1978:

1. Budget appropriations totalling \$US 498,512,650 consisting of \$US 492,956,650, being one half of the appropriations approved for the biennium 1978-1979 under resolution A above, together with supplementary appropriations for 1976-1977 totalling \$US 5,556,000⁴⁸ shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations as follows:

(a) \$9,906,800 being half of the estimated income other than staff assessment approved for the biennium 1978-1979 under resolution B above;

(b) \$610,500 being the increase in the revised income other than staff assessment for 1976-1977;

(c) \$224,151 being contributions of new Member States for 1976-1977;

(d) \$487,771,199 being the assessment on Member States in accordance with General Assembly resolution 32/39 of 2 December 1977 on the scale of assessments for the years 1978 and 1979.

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of \$US 84,812,500 consisting of:

(a) \$77,152,300 being half of the estimated staff assessment income approved for the biennium 1978-1979 under resolution B above;

(b) \$7,660,200 being the increase in the revised income from staff assessment for 1976-1977.

⁴⁸ See document A 32/488, para. 13, draft resolution II A; subsequently adopted as General Assembly resolution 32/202 A.

DRAFT RESOLUTION XII

*Unforeseen and extraordinary expenses for the biennium 1978-1979**The General Assembly*

1. *Authorizes* the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations and the provisions of paragraph 3 below, to enter into commitments in the biennium 1978-1979 to meet unforeseen and extraordinary expenses arising during that biennium, provided that the concurrence of the Advisory Committee shall not be necessary for:

(a) Such commitments, not exceeding a total of \$US 2 million in any one year of the biennium 1978-1979, as the Secretary-General certifies relate to the maintenance of peace and security;

(b) Such commitments as the President of the International Court of Justice certifies relate to expenses occasioned by:

- (i) The designation of *ad hoc* judges (Statute of the Court, Article 31), not exceeding a total of \$100,000;
- (ii) The appointment of assessors (Statute, Article 30), or the calling of witnesses and the appointment of experts (Statute, Article 50), not exceeding a total of \$50,000;
- (iii) The holding of sessions of the Court away from The Hague (Statute, Article 22), not exceeding a total of \$150,000;
- (iv) The maintenance in office of judges who have not been re-elected (Statute, Article 13, paragraph 3), not exceeding a total of \$75,000 in 1978;
- (v) The payment of pensions and travel and removal expenses of retiring judges, and travel and removal expenses of new members of the Court, not exceeding a total of \$130,000 in 1978, and the payment of pensions of retiring judges not exceeding a total of \$130,000 in 1979;

2. *Resolves* that the Secretary-General shall report to the Advisory Committee on Administrative and Budgetary Questions and to the General Assembly at its thirty-third and thirty-fourth sessions all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the Assembly in respect of such commitments;

3. *Decides* that if, as a result of a decision of the Security Council, commitments relating to the maintenance of peace and security should arise in an estimated total exceeding \$10 million before either the thirty-third or the thirty-fourth session of the General Assembly, a special session of the Assembly shall be convened by the Secretary-General to consider the matter.

DRAFT RESOLUTION XIII

*The General Assembly**Resolves that:*

1. The Working Capital Fund shall be established for the biennium 1978-1979 in the amount of \$US 40 million;

2. Member States shall make advances to the Working Capital Fund in accordance with the scale adopted by the General Assembly for contributions of Member States to the budget for the biennium 1978-1979;

3. There shall be set off against this allocation of advances:

(a) Credits to Member States resulting from transfers made in 1959 and 1960 from surplus account to the Working Capital Fund in an adjusted amount of \$1,025,092;

(b) Cash advances paid by Member States to the Working Capital Fund for the biennium 1976-1977 under General Assembly resolution 3541 (XXX) of 17 December 1975;

4. Should the credits and advances paid by any Member State to the Working Capital Fund for the biennium 1976-1977 exceed the amount of that Member State's advance under the provisions of paragraph 2 above, the excess shall be set off against the amount of the contributions payable by the Member State in respect of the biennium 1978-1979;

5. The Secretary-General is authorized to advance from the Working Capital Fund:

(a) Such sums as may be necessary to finance budgetary appropriations pending the receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolutions adopted by the General Assembly, in particular resolution — of — December 1977 [draft resolution XII above] relating to unforeseen and extraordinary expenses; the Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(c) Such sums as, together with net sums outstanding for the same purpose, do not exceed \$200,000, to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities; advances in excess of the total of \$200,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(d) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, such sums as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the biennium in which payment is made; the Secretary-General shall make provision in the budget estimates of each biennium, during the life of the related policies, to cover the charges applicable to each biennium;

(e) Such sums as may be necessary to enable the Tax Equalization Fund to meet current commitments pending the accumulation of credits; such advances shall be repaid as soon as credits are available in the Tax Equalization Fund;

6. Should the provision in paragraph 1 above prove inadequate to meet the purposes normally related to the Working Capital Fund, the Secretary-General is authorized to utilize, in the biennium 1978-1979, cash from special funds and accounts in his custody, under the conditions approved in General Assembly

resolution 1341 (XIII) of 13 December 1958, or the proceeds of loans authorized by the Assembly.

* * *

257. The Fifth Committee also decided to recommend that the General Assembly should:

(a) Take note of the note by the Secretary-General (A/C.5/32/24 and Corr.1), in particular paragraphs 8 and 10 thereof, and of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.6);

(b) Concur with the recommendations of the Advisory Committee in paragraphs 12 to 14 of its report;

(c) Approve the addition of the following new regulations to the Financial Regulations of the United Nations:

(i) "Regulation 5.10. Under rules established by the Secretary-General, borrowings may be incurred for the reimbursable seeding operations of the United Nations Habitat and Human Settlements Foundation from Governments and governmental agencies and intergovernmental organizations provided that:

"(a) The net borrowings outstanding at any time under this regulation shall not exceed limits established by the Secretary-General, with due regard to the maintenance of adequate reserves to secure such borrowings and to the proper functioning of the Foundation;

"(b) The principal of any borrowings under this regulation and any interest or other charges thereon shall only be payable from the resources of the Foundation, and no lender shall have any claim against the United Nations or any of its other assets. Resources of the Foundation may be committed as security for the repayment of borrowings and the charges thereon. The Executive Director shall identify the resources which will be available for this purpose."

(ii) "Regulation 9.4. Under rules established by the Secretary-General, loans may be made from the resources of the United Nations Habitat and Human Settlements Foundation, including those borrowed pursuant to regulation 5.10, in implementation of the approved programmes of the Foundation."

DOCUMENT A/32/432

Computerization of treaty information and registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations

Report of the Sixth Committee

[Original: English/French]
[13 December 1977]

1. By his note of 14 September 1977 (A/32/214), the Secretary-General reported, in the context of the proposed programme budget for the biennium 1978-1979, on the progress of computerization of treaty information and on the registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations. Taking into account that the only specific proposal contained in his note (*ibid.*, paras. 29-34) concerned the implementation of the General Assembly regulations to give effect to Article 102 of the Charter and did not have financial implications, the General Assembly, at its 5th plenary meeting, on 23 September 1977, decided to refer the Secretary-General's note to the Sixth Committee.

2. At its 33rd meeting, on 31 October 1977, the Sixth Committee established an informal working group to deal with the matter. The Working Group was composed of the following States, which had been designated by the Committee on a regional basis or which had decided to accept the Committee's invitation to take part in the work of the Working Group: Argentina, Australia, Brazil, Byelorussian Soviet Socialist Republic, Finland, France, India, Israel, Poland, Spain, Sri Lanka, Surinam, Swaziland, Togo, Tunisia, United Kingdom of Great Britain and Northern Ireland and United States of America.

3. The Working Group devoted three meetings to the question, on 10 and 22 November and 1 December. Part I of the report of the Working Group (A/C.6/32/5) contains a draft resolution adopted by the

Group for consideration by the Sixth Committee and Part II (A/C.6/32/5/Add.1) contains a summary of the discussions held by the Working Group.

4. At its 3rd meeting, on 1 December, the Working Group adopted, without a vote, the text of the draft resolution submitted to the Sixth Committee.

5. At the 65th meeting of the Sixth Committee, on 7 December, the Chairman of the Working Group introduced the draft resolution, which the Committee adopted by consensus (see para. 6 below).

Recommendation of the Sixth Committee

6. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Computerization of treaty information and registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations

The General Assembly,

Having considered the note by the Secretary-General concerning the computerization of treaty information and the registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations (A/32/214),

Recalling the regulations to give effect to Article 102 of the Charter of the United Nations adopted by the

General Assembly in its resolutions 97 (I) of 14 December 1946—as modified by resolutions 364 B (IV) of 1 December 1949 and 482 (V) of 12 December 1950—as well as its resolutions 254 A and B (III) of 3 November 1948, 364 A (IV) of 1 December 1949 and 1092 (XI) of 27 February 1957,

Also recalling its recommendation, made on 14 December 1974 at its 2319th plenary meeting, concerning the notifications that States and international organizations⁴⁹ depositaries of multilateral treaties are called upon to send to the Secretariat,⁵⁰

Noting that the United Nations Treaty Information System, which is expected to become fully operational at the beginning of 1978, has been conceived as an open system, capable of utilizing not only the data resulting from the registration process under Article 102 of the Charter, but all data relating to treaties and international agreements, regardless of their origin,

Recalling that the General Assembly has consistently taken the view that treaties and international agreements should be published with the least possible delay and that, in this respect, an interval of one year between registration and publication has generally been held to be reasonable,

Noting in this connexion that, according to the information provided by the Secretary-General, the interval between registration and publication of treaties and international agreements had reached five years as an

⁴⁹ Wherever it appears in the draft resolution, the term "international organizations" is understood, in the light of the 1969 Vienna Convention on the Law of Treaties, as applying to intergovernmental organizations. For the text of the Convention, see A/CONF.39/11/Add.2 (United Nations publication, Sales No. E.70.V.5), pp. 287-301.

⁵⁰ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31 and corrigendum, p. 149, agenda item 87.

average at 31 July 1977, while the delay in the administrative process of registration itself amounted to twenty months,

1. *Emphasizes anew* the importance of having every treaty and every international agreement registered and published as soon as possible in accordance with Article 102 of the Charter of the United Nations and the General Assembly regulations to give effect thereto;

2. *Requests* the Secretary-General to initiate forthwith, within the means available and in co-operation, as appropriate, with the specialized agencies and other international organizations concerned, such measures as would contribute towards the reduction of the current arrears, both in the field of registration and in the field of publication of treaties and international agreements;

3. *Approves*, as a temporary measure, the proposals of the Secretary-General contained in paragraphs 29 to 34 of his note with regard to the publication of treaties and international agreements;

4. *Requests* the Secretary-General to approach as soon as possible the Governments and international organizations concerned, especially those that act as depositaries of multilateral treaties and agreements, in order to ascertain the best means of putting the United Nations Treaty Information System to full use for the benefit of the international community;

5. *Also requests* the Secretary-General to report to the General Assembly, at its thirty-third session, on the implementation of the present resolution;

6. *Decides* to include in the provisional agenda of its thirty-third session an item entitled "Registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 34th plenary meeting, on 14 October 1977, the General Assembly adopted the recommendation made by the Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament,⁵¹ taking into account the decision of the Fifth Committee at its 16th meeting (A/C.5/32/SR.16, para. 24) (see decision 32/403⁵²).

At its 90th plenary meeting, on 2 December 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 5 of its report (A/32/389) (see decision 32/414⁵²).

At its 102nd plenary meeting, on 14 December 1977, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/32/454, para. 9). For the final text, see resolution 32/103.⁵²

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/432, para. 6). For the final text, see resolution 32/144.⁵²

At its 110th plenary meeting, on 21 December 1977, the General Assembly voted on draft resolutions I to XIII submitted by the Fifth Committee in its report (A/32/490, para. 256). The results of the voting were as follows: it adopted draft resolution I without a vote; draft resolution II by 122 votes to 9;* draft resolution III by 123 votes to none, with 12 abstentions;* draft resolutions IV and V without a vote; draft resolution VI by 122 votes to 9, with

⁵¹ *Ibid.*, Thirty-second Session, Supplement No. 41, para. 20.

⁵² *Ibid.*, Supplement No. 45.

* Recorded vote.

2 abstentions;* draft resolution VII without a vote; draft resolution VIII by 123 votes to 1, with 11 abstentions;* and draft resolution IX without a vote. The eleven sections of draft resolution X were dealt with separately: section I was adopted by 126 votes to 10;* sections II and III without a vote; section IV by 123 votes to 12;* and sections V to XI without a vote. The Assembly then voted on the remaining draft resolutions: draft resolution XI A was adopted by 119 votes to 9, with 6 abstentions;* draft resolution XI B without a vote; draft resolution XI C by 122 votes to none, with 13 abstentions;* draft resolution XII by 123 votes to 9, with 3 abstentions;* and draft resolution XIII by 122 votes to none, with 13 abstentions.* For the final text, see resolutions 32/203 to 32/215.⁵²

At the same meeting, the General Assembly, by 107 votes to 7, with 21 abstentions,* adopted the recommendation made by the Fifth Committee in paragraph 257 of its report (A/32/490) (see decision 32/451⁵²).

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 100 that are not reproduced in the present fascicle.

Where there is no mention in the column "Observations and references", the document exists only in mimeographed form.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
A/32/6 and Corr.1 and 2	Proposed programme budget for the biennium 1978-1979	<i>Ibid., Supplement No. 6 and corrigenda</i>
A/32/6/Add.1	Programme budget for the biennium 1978-1979	<i>Ibid., Supplement No. 6A</i>
A/32/8 and Corr.1	First report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1978-1979	<i>Ibid., Supplement No. 8 and corrigendum</i>
A/32/8/Add.1-30	Second to thirty-first reports of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1978-1979	<i>Ibid., Supplement No. 8A</i>
A/32/38	Report of the Committee for Programme and Co-ordination on the work of its seventeenth session (9 and 23 May-17 June 1977)	<i>Ibid., Supplement No. 38</i>
A/32/214	Computerization of treaty information and registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations: note by the Secretary-General	
A/32/237	Report of the Joint Inspection Unit on the implications of additional languages in the United Nations system: note by the Secretary-General transmitting the report	
A/32/256 and Add.1	Establishment of an information services unit in the Department of Economic and Social Affairs: report of the Advisory Committee on Administrative and Budgetary Questions	
A/32/265 and Add.1 and Add.3	Report of the Second Committee	<i>Ibid., Thirty-second Session, Annexes, agenda item 12</i>
A/32/338	Report of the Sixth Committee	<i>Ibid., agenda item 116</i>
A/32/351	Report of the Special Political Committee	<i>Ibid., agenda item 55</i>
A/32/357	Report of the Fourth Committee	<i>Ibid., agenda item 93</i>
A/32/359	Report of the Third Committee	<i>Ibid., agenda item 77</i>
A/32/366	Report of the Sixth Committee	<i>Ibid., agenda item 122</i>
A/32/367	Report of the First Committee	<i>Ibid., agenda item 33</i>
A/32/369	Ditto	<i>Ibid., agenda item 38</i>
A/32/379	Ditto	<i>Ibid., agenda item 48</i>
A/32/380	Ditto	<i>Ibid., agenda item 51</i>
A/32/381	Ditto	<i>Ibid., agenda item 52</i>
A/32/382	Ditto	<i>Ibid., agenda item 53</i>
A/32/407	Report of the Special Political Committee	<i>Ibid., agenda item 57</i>
A/32/418	Report of the First Committee	<i>Ibid., agenda item 35</i>
A/32/437	Report of the Third Committee	<i>Ibid., agenda item 82</i>
A/32/453	Report of the Sixth Committee	<i>Ibid., agenda item 118</i>

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/456	Report of the Second Committee	<i>Ibid.</i> , agenda item 70
A/32/457	Ditto	<i>Ibid.</i> , agenda item 72
A/32/458	Report of the Third Committee	<i>Ibid.</i> , agenda item 12
A/32/462/Add.1	Report of the Second Committee	<i>Ibid.</i> , agenda item 59
A/32/463	Ditto	<i>Ibid.</i> , agenda item 62
A/32/466	Report of the Sixth Committee	<i>Ibid.</i> , agenda item 37
A/32/467	Ditto	<i>Ibid.</i> , agenda item 119
A/32/480 and Add.1	Report of the Second Committee	<i>Ibid.</i> , agenda item 67
A/32/481	Ditto	<i>Ibid.</i> , agenda item 58
A/32/L.4 and Add.1-3	Draft resolution submitted by 63 countries	<i>Ibid.</i> , agenda item 91
A/32/L.5 and Add.1-3	Draft resolution submitted by 62 countries	<i>Ibid.</i>
A/32/L.6 and Add.1-3	Draft resolution submitted by 62 countries	<i>Ibid.</i>
A/32/L.7 and Add.1-3	Draft resolution submitted by 57 countries	<i>Ibid.</i>
A/32/L.8 and Add.1-3	Draft resolution submitted by 58 countries	<i>Ibid.</i>
A/32/L.9	Draft resolution submitted by 50 countries	<i>Ibid.</i>
A/32/L.9/Rev.1 and Add.1 and 2	Draft resolution submitted by 62 countries	<i>Ibid.</i>
A/32/L.10 and Add.1-3	Draft resolution submitted by 61 countries	<i>Ibid.</i>
A/32/L.11 and Add.1-3	Draft resolution submitted by 58 countries	<i>Ibid.</i>
A/32/L.20 and Add.1	Draft resolution submitted by 45 countries	<i>Ibid.</i> , agenda item 27
A/32/L.21/Rev.1 and Add.1	Draft resolution submitted by 68 countries	<i>Ibid.</i>
A/32/L.22/Rev.1	Draft resolution submitted by 59 countries	<i>Ibid.</i>
A/32/L.23 and Add.1	Draft resolution submitted by 52 countries	<i>Ibid.</i>
A/32/L.24 and Add.1	Draft resolution submitted by 79 countries	<i>Ibid.</i>
A/32/L.25 and Add.1	Draft resolution submitted by 53 countries	<i>Ibid.</i>
A/32/L.26 and Add.1	Draft resolution submitted by 63 countries	<i>Ibid.</i>
A/32/L.27 and Add.1	Draft resolution submitted by 61 countries	<i>Ibid.</i>
A/32/L.28 and Add.1	Draft resolution submitted by 58 countries	<i>Ibid.</i>
A/32/L.29 and Add.1	Draft resolution submitted by 65 countries	<i>Ibid.</i>
A/32/L.30 and Add.1	Draft resolution submitted by 61 countries	<i>Ibid.</i>
A/32/L.31 and Add.1	Draft resolution submitted by 74 countries	<i>Ibid.</i>
A/32/L.32 and Add.1	Draft resolution submitted by 56 countries	<i>Ibid.</i>
A/32/L.33 and Add.1	Draft resolution submitted by 63 countries	<i>Ibid.</i>
A/32/L.34/Rev.1	Draft resolution submitted by 26 countries	<i>Ibid.</i>
A/32/L.35 and Add.1	Draft resolution submitted by 103 countries	<i>Ibid.</i> , agenda item 24
A/32/L.36 and Add.1	Draft resolution submitted by 77 countries	<i>Ibid.</i>
A/32/L.37 and Add.1	Draft resolution submitted by 82 countries	<i>Ibid.</i>
A/32/L.39 and Add.1	Draft resolution submitted by 31 countries	<i>Ibid.</i> , agenda item 30
A/32/L.40 and Add.1	Draft resolution submitted by 25 countries	<i>Ibid.</i>
A/32/L.43	Austria: draft resolution	<i>Ibid.</i> , agenda item 73
A/32/L.44	Draft resolution submitted by 28 countries	<i>Ibid.</i>
A/32/L.45	Egypt and Nigeria: amendment to draft resolution A/32/L.44	<i>Ibid.</i>
A/32/L.48	Draft resolution submitted by 5 countries	<i>Ibid.</i> , agenda item 32
A/C.5/32/1 and Add.1	Revised estimates under expenditure sections 22L and 25 and income sections 1 and 2: Joint Inspection Unit—Report of the Secretary-General	
A/C.5/32/4 and Corr.1 and Add.1	Expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters: report of the Secretary-General	
A/C.5/32/5	Impact of inflation on the budgets of the organizations of the United Nations system: report of the Secretary-General	
A/C.5/32/7	Use of experts and consultants in the United Nations: report of the Secretary-General	
A/C.5/32/8	Revised estimates under section 22L: secretariat of the Consultative Committee on Administrative Questions—Report of the Secretary-General	
A/C.5/32/9	Arabic language services in the United Nations: progress report of the Secretary-General	
A/C.5/32/11	Revised estimates under section 23A: technological innovations in the production of the publications and documentation of the United Nations—Report of the Secretary-General	

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.5/32/12	Opening address by the Secretary-General at the 2nd meeting of the Fifth Committee on 23 September 1977	
A/C.5/32/13	Opening address by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 2nd meeting of the Fifth Committee on 23 September 1977	
A/C.5/32/14	Implications of extending to certain former staff members coverage by the United Nations Joint Staff Pension Fund for service with the United Nations Relief and Works Agency for Palestine Refugees in the Near East during the period from 1950 to 1960 inclusive: report of the Secretary-General	
A/C.5/32/15	Revised estimates under expenditure sections 1, 2, 22 and 25 and income section 1: restructuring of the Office of the Under-Secretaries-General for Special Political Affairs—Report of the Secretary-General	
A/C.5/32/16 and Corr.1 and 2	Revised estimates resulting from decisions of the Economic and Social Council at its sixty-second and sixty-third sessions: report of the Secretary-General	
A/C.5/32/17	Organizational nomenclature in the Secretariat: report of the Secretary-General	
A/C.5/32/18	Revised estimates, under section 11B: International Trade Centre—Report of the Secretary-General	
A/C.5/32/19 and Add.1	Revised estimates under expenditure sections 13, 25 and 26 and income section 1: United Nations accommodation at Nairobi—Report of the Secretary-General	
A/C.5/32/20	Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/32/265: note by the Secretary-General	
A/C.5/32/23	Statement made by the Chairman of the Committee for Programme and Co-ordination at the 18th meeting of the Fifth Committee on 17 October 1977	
A/C.5/32/24 and Corr.1	United Nations Environment Programme: administrative arrangements regarding the United Nations Habitat and Human Settlements Foundation—Note by the Secretary-General	
A/C.5/32/26 and Corr.1	Implications of the recommendations of the Committee for Programme and Co-ordination: report of the Secretary-General	
A/C.5/32/28	Revised estimates under expenditure section 22L and income section 2: International Civil Service Commission—Report of the Secretary-General	
A/C.5/32/29 and Corr.1	Services provided by the United Nations to activities funded from extrabudgetary resources: further report of the Secretary-General	
A/C.5/32/30 and Corr.1	Administrative and financial implications of the draft resolutions contained in documents A/32/L.4 to A/32/L.11: note by the Secretary-General	
A/C.5/32/30/Add.1	Administrative and financial implications of the draft resolution contained in document A/32/L.9/Rev.1: note by the Secretary-General	
A/C.5/32/32	Revised estimates under section 26B resulting from the decisions of the Trade and Development Board at the first part of its ninth special session: report of the Secretary-General	
A/C.5/32/34 and Corr.1	Revision of the Financial Regulations of the United Nations: report of the Secretary-General	
A/C.5/32/35	Revised estimates under section 22J: programme for training English and French translators at the Economic Commission for Africa—Report of the Secretary-General	
A/C.5/32/37	Revised estimates under expenditure sections 22F and 26B and income section 2: electronic data processing—Report of the Secretary-General	
A/C.5/32/38	Honoraria of members of the Human Rights Committee—Financial implications of article 35 of the International Covenant on Civil and Political Rights and the Optional Protocol: note by the Secretary-General	
A/C.5/32/39 and Corr.1	Revised estimates under expenditure sections 4 and 25 and income section 1: United Nations Conference on Science and Technology for Development—Report of the Secretary-General	
A/C.5/32/40	Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/366: note by the Secretary-General	
A/C.5/32/40/Rev.1 and Corr.1	Ditto	
A/C.5/32/41	Administrative and financial implications of the draft resolution contained in document A/C.5/32/L.12/Rev.1: note by the Secretary-General	

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.5/32/42	Administrative and financial implications of the draft resolution contained in document A/C.5/32/L.10/Rev.1: note by the Secretary-General	
A/C.5/32/42/Rev.1	Administrative and financial implications of the draft resolution contained in document A/C.5/32/L.10/Rev.2: note by the Secretary-General	
A/C.5/32/43	Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/338: note by the Secretary-General	
A/C.5/32/44	Revised estimates under income sections 1 and 3C: Visitors' Service, Geneva—Report of the Secretary-General	
A/C.5/32/45	Revised estimates under expenditure sections 8 and 25 and income section 1: incorporation into the regular budget of the infrastructure posts of the Latin American Demographic Centre—Report of the Secretary-General	
A/C.5/32/46	Administrative and financial implications of the draft resolution submitted by the Fourth Committee in document A/32/357: note by the Secretary-General	
A/C.5/32/47	Establishment of an information services unit in the Department of Economic and Social Affairs: note by the Secretary-General	
A/C.5/32/49 and Corr.1	Financing of emergency relief assistance and technical co-operation activities: Trust Fund for Strengthening the Office of the United Nations Disaster Relief Co-ordinator—Report of the Secretary-General	
A/C.5/32/52	Administrative and financial implications of draft resolution II submitted by the Third Committee in document A/32/359: note by the Secretary-General	
A/C.5/32/53	Revised estimates under expenditure sections 5A, 22B, 22C, 22D, 22H and 25 and income section 1: Archives and Records Service, New York; planning and co-ordination unit, Vienna; and General Services Division, Geneva—Report of the Secretary-General	
A/C.5/32/54 and Corr.1	Administrative and financial implications of the draft resolution submitted by the First Committee in document A/32/367: note by the Secretary-General	
A/C.5/32/55	Administrative and financial implications of the draft resolution submitted by the First Committee in document A/32/379: note by the Secretary-General	
A/C.5/32/56	Revised estimates under section 26B: alteration and improvement of premises, Headquarters—Report of the Secretary-General	
A/C.5/32/57	Status of classification projects: note by the Secretary-General	
A/C.5/32/58 and Corr.1	Administrative and financial implications of the draft resolution submitted by the First Committee in document A/32/369: note by the Secretary-General	
A/C.5/32/60	Revised estimates under income section 2: International Fund for Agricultural Development—Report of the Secretary-General	
A/C.5/32/61	Administrative and financial implications of the draft resolutions contained in documents A/32/L.35 to A/32/L.37: note by the Secretary-General	
A/C.5/32/63	Administrative and financial implications of draft resolution V submitted by the Second Committee in document A/32/265/Add.3: note by the Secretary-General	
A/C.5/32/64 and Corr.1	Administrative and financial implications of the draft resolution contained in document A/32/L.39: note by the Secretary-General	
A/C.5/32/65 and Corr.1	Administrative and financial implications of the draft resolution contained in document A/32/L.40: note by the Secretary-General	
A/C.5/32/66	Revised estimates under expenditure sections 22B and 25 and income section 1: Office of Financial Services—Report of the Secretary-General	
A/C.5/32/67	Revised estimates under expenditure sections 22G, 22J and 25 and income section 1: Administrative and Financial Services, Geneva—Report of the Secretary-General	
A/C.5/32/68	Administrative and financial implications of the draft resolution submitted by the First Committee in document A/32/382: note by the Secretary-General	
A/C.5/32/69	Administrative and financial implications of draft resolutions A and B submitted by the First Committee in document A/32/381: note by the Secretary-General	
A/C.5/32/70	Administrative and financial implications of draft resolution E submitted by the First Committee in document A/32/380: note by the Secretary-General	

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.5/32/71	Administrative and financial implications of draft resolution C submitted by the Special Political Committee in document A/32/407: note by the Secretary-General	
A/C.5/32/72	Administrative and financial implications of draft resolutions V, VIII, IX and X submitted by the Second Committee in document A/32/265/Add.1: note by the Secretary-General	
A/C.5/32/73	Revised estimates under expenditure sections 1, 22 and 25 and income section 1: United Nations international assistance programmes—Report of the Secretary-General	
A/C.5/32/74	Financial implications of the decision taken by the World Food Council at a special session held on 16 November 1977: note by the Secretary-General	
A/C.5/32/75 and Add.1	Administrative and financial implications of decision 5 (II) of the Preparatory Committee for the United Nations Conference on Technical Co-operation among Developing Countries and of draft resolution II submitted by the Second Committee in document A/32/457: note by the Secretary-General	
A/C.5/32/76	Administrative and financial implications of draft resolution D submitted by the Special Political Committee in document A/32/351: note by the Secretary-General	
A/C.5/32/77	Revised estimates under section 26C: major maintenance of premises, Geneva—Report of the Secretary-General	
A/C.5/32/78	Administrative and financial implications of the draft resolution contained in document A/C.5/32/L.26: note by the Secretary-General	
A/C.5/32/79 and Corr.1	Administrative and financial implications of the draft resolutions contained in documents A/32/L.20 to A/32/L.34: note by the Secretary-General	
A/C.5/32/81	Administrative and financial implications of draft resolution B submitted by the Special Political Committee in document A/32/407: note by the Secretary-General	
A/C.5/32/83	Implications of supplementary recommendations by the Advisory Committee on Administrative and Budgetary Questions concerning the reclassification of posts to levels P-5 and D-1: note by the Secretary-General	
A/C.5/32/84	Administrative and financial implications of draft resolution IV submitted by the Second Committee in document A/32/463: note by the Secretary-General	
A/C.5/32/85	International Computing Centre: budget estimates for 1978—Report of the Secretary-General	
A/C.5/32/86 and Corr.1 and Amend.1 and 2	Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/32/480/Add.1: note by the Secretary-General	
A/C.5/32/87	Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/467: note by the Secretary-General	
A/C.5/32/88	Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/453: note by the Secretary-General	
A/C.5/32/89	Administrative and financial implications of the draft resolution submitted by the Third Committee in document A/32/437: note by the Secretary-General	
A/C.5/32/90	Administrative and financial implications of draft resolution II submitted by the Second Committee in document A/32/462/Add.1: note by the Secretary-General	
A/C.5/32/91 and Corr.1	Administrative and financial implications of draft resolution VII submitted by the Second Committee in document A/32/265/Add.3: note by the Secretary-General	
A/C.5/32/92	Honorarium of the Chairman of the Advisory Committee for Administrative and Budgetary Questions: report of the Secretary-General	
A/C.5/32/93	Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/32/456: note by the Secretary-General	
A/C.5/32/94	Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/466: note by the Secretary-General	
A/C.5/32/95	Administrative and financial implications of the draft resolutions contained in documents A/32/L.43 and A/32/L.44 and of the amendment contained in document A/32/L.45: note by the Secretary-General	

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.5/32/96	Administrative and financial implications of draft resolution II A submitted by the First Committee in document A/32/418: note by the Secretary-General	
A/C.5/32/97	Administrative and financial implications of draft resolution V submitted by the Second Committee in document A/32/462/Add.1: note by the Secretary-General	
A/C.5/32/98	Administrative and financial implications of draft resolution V submitted by the Second Committee in document A/32/463: note by the Secretary-General	
A/C.5/32/99	Administrative and financial implications of draft resolution VII submitted by the Third Committee in document A/32/458: note by the Secretary-General	
A/C.5/32/101	Administrative and financial implications of draft resolution IV submitted by the Second Committee in document A/32/480: note by the Secretary-General	
A/C.5/32/102	Administrative and financial implications of draft resolution II submitted by the Second Committee in document A/32/480: note by the Secretary-General	
A/C.5/32/103	Administrative and financial implications of draft resolution V submitted by the Second Committee in document A/32/481: note by the Secretary-General	
A/C.5/32/104	Administrative and financial implications of draft resolution IV submitted by the Second Committee in document A/32/481: note by the Secretary-General	
A/C.5/32/105	Administrative and financial implications resulting from the decisions of the Trade and Development Board at its ninth special session and the first part of its seventeenth session: report of the Secretary-General	
A/C.5/32/106	Administrative and financial implications of draft resolution I submitted by the Second Committee in document A/32/480: note by the Secretary-General	
A/C.5/32/107	Administrative and financial implications of Economic and Social Council resolution 2130 (LXIII): note by the Secretary-General	
A/C.5/32/108	Administrative and financial implications of draft resolution III submitted by the Second Committee in document A/32/480: note by the Secretary-General	
A/C.5/32/109	Administrative and financial implications of the draft resolution contained in document A/32/L.48: note by the Secretary-General	
A/C.5/32/110	Consolidated statement of administrative and financial implications in respect of conference-servicing costs: note by the Secretary-General	
A/C.5/32/111	Administrative and financial implications of the decision to include Arabic as an official language of the Third General Conference of the United Nations Industrial Development Organization: note by the Secretary-General	
A/C.5/32/112	Administrative and financial implications of draft resolution IX submitted by the Second Committee in document A/32/481: note by the Secretary-General	
A/C.5/32/L.6	Draft resolution	For the sponsors and the text, see A/32/490, para. 15
A/C.5/32/L.10	Draft decision	<i>Idem.</i> , para. 61
A/C.5/32/L.10/Rev.1	Revised draft decision	<i>Idem.</i> , para. 63
A/C.5/32/L.10/Rev.2	Ditto	<i>Idem.</i> , paras. 65 and 69
A/C.5/32/L.15	Draft resolution	<i>Idem.</i> , para. 41
A/C.5/32/L.15/Rev.1	Revised draft resolution	<i>Idem.</i> , para. 43
A/C.5/32/L.17	Union of Soviet Socialist Republics: amendments to document A/C.5/32/L.15	See A/32/490, para. 42
A/C.5/32/L.18 and Corr.1	Draft decision	For the sponsors and the text, see A/32/490, para. 87
A/C.5/32/L.20	Draft resolution	<i>Idem.</i> , para. 161
A/C.5/32/L.22	United Kingdom of Great Britain and Northern Ireland: amendments to document A/C.5/32/L.20	See A/32/490, para. 162
A/C.5/32/L.24	Draft resolution	For the sponsors and the text, see A/32/490, para. 88
A/C.5/32/L.25	Ditto	<i>Idem.</i> , para. 182
A/C.5/32/L.26	Ditto	<i>Idem.</i> , A/32/454, paras. 2, 5 and 9
A/C.5/32/L.27	Cuba: draft resolution	See A/32/490, para. 221
A/C.5/32/L.28	United Kingdom of Great Britain and Northern Ireland: draft resolution	<i>Ibid.</i> , para. 212

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.5/32/L.29	Draft resolution	For the sponsors and the text, see A/32/490, para. 227
A/C.5/32/L.30	United States of America: draft decision	See A/32/490, para. 72
A/C.5/32/L.31	Belgium: draft resolution	<i>Ibid.</i> , para. 89
A/C.5/32/L.32	Australia: draft resolution	Replaced by A/C.5/32/L.32-Rev.1
A/C.5/32/L.32/Rev.1	Revised draft resolution	For the sponsors and the text, see A/32/490, para. 224
A/C.5/32/L.33	Cuba: draft resolution	See A/32/490, para. 231
A/C.5/32/L.34	Belgium: amendment to document A/C.5/32/L.24	<i>Ibid.</i> , para. 90
A/C.5/32/L.37	France: draft resolution	Replaced by A/C.5/32/L.37-Rev.1
A/C.5/32/L.37/Rev.1	Revised draft resolution	For the sponsors and the text see A/32/490, para. 236
A/C.5/32/L.39	India: draft decision	See A/32/490, para. 92
A/C.5/32/L.40	Draft resolution	For the sponsors and the text, see A/32/490, para. 93
A/C.5/32/L.42	Ditto	<i>Idem</i> , paras. 104 and 105
A/C.5/32/L.45	Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/32/480/Add.1: draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 71st meeting, see A/32/485/Add.1
A/C.5/32/L.46	United States of America: draft decision	See A/32/490, para. 207
A/C.5/32/L.49 and Corr.1, Add.1 and Corr.1, and Add.2	Draft report of the Fifth Committee	For the text of these documents as subsequently amended, see A/32/490
A/C.5/32/SR.1-72	Summary records of the meetings held by the Fifth Committee during the thirty-second session	<i>Official Records of the General Assembly, Thirty-second Session, Fifth Committee</i> , 1st to 72nd meetings and <i>ibid.</i> , <i>Fifth Committee, Sessional Fascicle</i> , corrigendum
A/C.6/32/5 and Add.1	Computerization of treaty information and registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations: report of the informal Working Group (parts I and II)	
A/C.6/32/WG.1/L.1	_____ : draft report (part II) of the informal Working Group	Same text as A/C.6/32/5/Add.1

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 101:* Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations**

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A/32/435	Report of the Fifth Committee	1
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* For the discussion of the item see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee, 32nd, 33rd, 35th, 37th, 39th and 60th meetings and ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 102nd meeting.*

** This question was previously discussed by the General Assembly at the thirty-first session (agenda item 94).

DOCUMENT A/32/435

Report of the Fifth Committee

[Original: English]
[12 December 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include this item in the agenda of its thirty-second session and to allocate it to the Fifth Committee.

2. The Committee considered this item at its 32nd, 33rd, 35th, 37th, 39th and 60th meetings, between 2 November to 9 December.

3. For its consideration of this item the Committee had before it the report of the Negotiating Committee on the Financial Emergency of the United Nations to the thirty-first session of the General Assembly (A/31/37).

4. The Chairman of the Negotiating Committee addressed the Fifth Committee at its 32nd meeting.

5. At the 60th meeting, the representative of Pakistan introduced a draft resolution (A/C.5/32/L.36) on behalf of Australia, Canada, Denmark, Indonesia, Ireland, Pakistan, the Philippines, Sierra Leone, Sweden, Trinidad and Tobago, Turkey and Uruguay, all of which, he announced, should be considered as original sponsors of the draft resolution (for the text, see para. 8 below).

6. Comments made and reservations expressed by some delegations are reflected in the summary records of the meetings (see (A/C.5/32/SR.32, 33, 35, 37, 39 and 60).

7. At its 60th meeting, the Fifth Committee adopted the draft resolution by consensus.

Recommendation of the Fifth Committee

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

FINANCIAL EMERGENCY OF THE UNITED NATIONS

The General Assembly,

Reaffirming the collective responsibility of Member States for the financial security of the United Nations,

Recalling the Secretary-General's statements of 25 September 1975¹ and 14 April 1976 (see A/31/37, paras. 9 and 10) in which he drew attention to the serious financial situation of the United Nations,

Noting with concern that the short-term deficit of the Organization has continued to grow,

Recalling its resolutions 3049 (XXVII) of 19 December 1972, 3538 (XXX) of 17 December 1975 and 31/191 of 22 December 1976,

Bearing in mind the need to implement without further delay the consensus of the Special Committee on Peace-keeping Operations² adopted by the General Assembly on 1 September 1965,³

Reaffirming the determination of Member States to arrive at a lasting solution of the financial problems of the Organization,

Mindful of the positions of principle of Member States,

1. *Takes note* of the report of the Negotiating Committee on the Financial Emergency of the United Nations (A/31/37), including the guidelines submitted by the Chairman of the Committee for discussion and negotiation, as contained in paragraph 18 of the report,

¹ A/C.5/1685.

² See *Official Records of the General Assembly, Nineteenth Session, Annexes*, annex No. 21, document A/5916, para. 2.

³ *Ibid.*, *Nineteenth Session, Plenary Meetings*, 1331st meeting, paras. 3 and 4. See also resolution 2053 (XX).

and of the views expressed by Member States in the Fifth Committee;

2. *Expresses concern* that the Committee was unable to reach a consensus on a solution to the financial problems of the Organization;

3. *Urges* all Member States, particularly those among them whose efforts can promote an accord, to negotiate with the aim of bringing about a lasting solution to the financial problems of the United Nations;

4. *Requests* the Committee to keep the financial situation of the United Nations under review and to continue its efforts to bring about a comprehensive settlement of the financial problems of the Organization;

5. *Further requests* the Committee to submit, if necessary, a supplementary report on further developments to be considered at the thirty-third session of the General Assembly;

6. *Requests* the Secretary-General to provide at its thirty-third session detailed information regarding the extent, rate of increase and composition of the deficit of the Organization, as well as voluntary contributions received from Member States and other sources;

7. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 14 December 1977, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/32/435, para. 8). For the final text, see resolution 32/104.⁴

⁴ *Ibid.*, *Thirty-second Session, Supplement No. 45.*

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 101 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/31/37	Report of the Negotiating Committee on the Financial Emergency of the United Nations	<i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 37</i>
A/C.5/32/L.36	Draft resolution	For the sponsors and the text, see A/32/435, paras. 5 and 8

**GENERAL
ASSEMBLY****ANNEXES****THIRTY-SECOND SESSION***Official Records*

NEW YORK, 1977

Agenda item 102:* Review of the government and expert machinery dealing with the formulation, review and approval of programmes and budgets**

DOCUMENT A/32/390**Report of the Fifth Committee**

[Original: English]
[30 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include this item in the agenda of its thirty-second session and to allocate it to the Fifth Committee.

2. At its 47th meeting, on 22 November, the Fifth Committee decided, without objection, to postpone its consideration of this item to the thirty-third session of the General Assembly.

Recommendation of the Fifth Committee

3. The Fifth Committee recommends to the General Assembly that it include in the provisional agenda of its thirty-third session the item entitled "Review of the government and expert machinery dealing with the formulation, review and approval of programmes and budgets".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 14 December 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 3 of its report (A/32/390) (see decision 32/426¹).

* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee, 47th meeting*, and *ibid.*, *Fifth Committee, Sessional Fascicle, corrigendum*; and *ibid.*, *Plenary Meetings, 102nd meeting*.

** This question was previously discussed by the General Assembly at its twenty-ninth session (agenda item 74) and thirtieth session (item 97).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 103:* Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions**

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 41st, 47th, 48th and 50th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 90th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 78), twenty-eighth (item 80), twenty-ninth (item 75), thirtieth (item 98) and thirty-first (item 96).

DOCUMENT A/32/391

Report of the Fifth Committee

[Original: English]
[30 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include this item in the agenda of its thirty-second session and to allocate it to the Fifth Committee.

2. When the Committee considered the item at its 41st, 47th, 48th and 50th meetings, on 14, 22 and 25 November, it had before it the report of the Advisory Committee on Administrative and Budgetary Questions on the subject (A/32/315) as well as the relevant part of the report of the Economic and Social Council (A/32/3, chap. VII, sect. A).

3. At the 41st meeting of the Fifth Committee, the Chairman of the Advisory Committee introduced that Committee's report in an oral statement.

4. The statements made and reservations expressed by delegations in the course of the discussion of the item are reflected in the summary records of the meetings (A/C.5/32/SR.41, 47, 48 and 50).

5. At its 50th meeting, the Committee adopted, by consensus, a decision proposed by the Chairman (see para. 6 below).

Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly that it:

(a) Take note with appreciation of the report of the Advisory Committee on Administrative and Budgetary Questions relating to administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency (A/32/315);

(b) Concur with the observations and comments of the Advisory Committee contained in its report;

(c) Request the Secretary-General to refer to the executive heads of the organizations of the United Nations system, through the Administrative Committee on Co-ordination, matters arising out of the report of the Advisory Committee and the related discussions in the Fifth Committee;

(d) Transmit the report of the Advisory Committee to the Committee on Programme and Co-ordination, the Board of Auditors, the members of the Panel of External Auditors and the Joint Inspection Unit for their information.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 90th plenary meeting, on 2 December 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 6 of its report (A/32/391) (see decision 32/415¹).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 103 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
A/32/315	Report of the Advisory Committee on Administrative and Budgetary Questions	Mimeographed

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 104:* Joint Inspection Unit:**

- (a) Reports of the Joint Inspection Unit;
(b) Appointment of the members of the Joint Inspection Unit

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 13th, 14th, 53rd, 58th, 61st, 66th, 69th and 70th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 102nd and 110th meetings.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 79), twenty-eighth (item 81), twenty-ninth (item 76), thirtieth (item 99) and thirty-first (item 97).

DOCUMENT A/32/489

Report of the Fifth Committee

[Original: English]
[19 December 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include in the agenda of its thirty-second session the item entitled "Joint Inspection Unit: (a) Reports of the Joint Inspection Unit; (b) Appointment of the members of the Joint Inspection Unit" and to allocate subitem (a) to the Fifth Committee.¹

2. For its consideration of the question at its 13th and 14th meetings, on 11 and 12 October, the Committee had before it the following documents:

(a) A note by the Secretary-General (A/C.5/32/6) containing the report of the Joint Inspection Unit on its activities for the period 1 July 1976-30 June 1977;

(b) The report of the Secretary-General (A/C.5/32/10) on the implementation of major recommendations of the Joint Inspection Unit,

(c) The report of the Advisory Committee on Administrative and Budgetary Questions (A/32/258) on the implementation of the major recommendations of the Inspection Unit;

3. At the 13th meeting of the Fifth Committee, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the report of the Advisory Committee (A/32/258). The Chairman of the Joint Inspection Unit addressed the Committee at the same meeting. At the 14th meeting, the Under-Secretary-General for Administration and Management replied to questions raised during the consideration of the reports mentioned in paragraph 2 above.

¹ The General Assembly decided to consider subitem (b) in plenary meeting.

4. Comments made by delegations in the course of the discussion of the question are reflected in the relevant summary records of the meetings (A/C.5/32/SR.13 and 14).

5. At its 14th meeting, the Committee decided, without objection, to recommend to the General Assembly that it take note of the above-mentioned reports (see para. 16 below).

* * *

6. When it resumed consideration of the question, at its 53rd, 58th, 61st, 66th, 69th and 70th meetings, on 30 November, 7, 12, 17 and 19 December, the Committee had before it the following documents:

(a) A note by the Secretary-General (A/32/272) transmitting, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, the report of the Joint Inspection Unit on first-class travel in the United Nations organizations;

(b) A note by the Secretary-General (A/32/272/Add.1 and Corr.1) transmitting the joint comments of the Administrative Committee on Co-ordination on the report of the Joint Inspection Unit;

(c) The related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/384) containing its comments on the above-mentioned documents.

The Committee also had before it, under this item, a note by the Secretary-General (A/32/327) transmitting the report of the Joint Inspection Unit on General Service Staff of the United Nations and Geneva-based specialized agencies.

7. At the 66th meeting, the representative of the United States of America introduced a revised draft

resolution (A/C.5/32/L.43/Rev.1) on behalf of Barbados, Canada, Nepal, Panama, Senegal and the United States of America, (for the text, see para. 15 below, draft resolution I).

8. At the same meeting, the representative of Togo introduced a draft resolution (A/C.5/32/L.44) on behalf of the Niger and Togo, joined by Egypt, Jordan and the Libyan Arab Jamahiriya and, subsequently, the Syrian Arab Republic. The draft resolution read as follows:

"The General Assembly,

"Recalling the provisions of resolution 1798 (XVII) of 11 December 1962, 2128 (XX) of 21 December 1965 and 2245 (XXI) of 20 December 1966, regarding the system of travel and subsistence allowances to members of organs and subsidiary organs of the United Nations,

"Recalling further resolution 3198 (XXVIII) of 18 December 1973 on the standards of accommodation for official travel of United Nations staff,

"Aware of the desirability for economy in the conduct of operations of the United Nations as far as possible,

"1. Notes the report on first-class travel in the United Nations organizations submitted by the Joint Inspection Unit (see A/32/272) and the note of the Secretary-General (A/32/272/Add.1 and Corr.1) as well as the report of the Advisory Committee (A/32/384);

"2. Requests the Secretary-General to study ways and means of implementing more economy in the appropriations expended on United Nations travel (i.e. authorization of strictly necessary travel, possibility of chartered flights, excursion tickets, etc.) and report to the thirty-third session of the General Assembly."

9. At the 69th meeting, after some discussion on draft resolutions (A/C.5/32/L.43/Rev.1 and A/C.5/32/L.44, a procedural debate followed as a result of which, *inter alia*, a motion proposed by the Niger to give priority in the vote to draft resolution A/C.5/32/L.44 was rejected by 47 votes to 36, with 18 abstentions.

10. At the same meeting, the Committee adopted draft resolution A/C.5/32/L.43/Rev.1 by a recorded vote of 64 to 12, with 26 abstentions (see para. 15 below, draft resolution I). The voting was as follows:

In favour: Afghanistan, Algeria, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bhutan, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Empire, Chad, China, Colombia, Costa Rica, Cuba, Denmark, El Salvador, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Guyana, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Luxembourg, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Romania, Senegal, Singapore, Sweden, Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, 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, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Argentina, Brazil, Chile, Ecuador, Iran,

Ivory Coast, Libyan Arab Jamahiriya, Niger, Nigeria, Peru, Syrian Arab Republic, Togo.

Abstaining: Australia, Bahrain, Congo, Democratic Yemen, Egypt, Ghana, Greece, Guatemala, Jamaica, Japan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Madagascar, Mauritania, Oman, Pakistan, Philippines, Qatar, Sierra Leone, Spain, Sri Lanka, Turkey, Uganda.

11. The sponsors of draft resolution A/C.5/32/L.44 announced that they had decided to withdraw it.

12. Comments made by delegations in the course of the discussion of this question, as well as the explanations of vote, are reflected in the relevant summary records of the meetings (A/C.5/32/SR.53, 58, 61, 66 and 69).

* * *

13. At its 70th meeting, the Committee considered a draft resolution (A/C.5/32/L.41), which was introduced by the representative of Belgium, regarding the content of the reports of the Secretary-General in implementation of the recommendations of the Joint Inspection Unit.

14. The Committee decided, without objection, to adopt draft resolution A/C.5/32/L.41 (see para. 15 below, draft resolution II).

Recommendations of the Fifth Committee

15. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

FIRST-CLASS TRAVEL IN THE UNITED NATIONS ORGANIZATIONS

The General Assembly,

Recalling the provisions of its resolutions 1798 (XVII) of 11 December 1962, 2128 (XX) of 21 December 1965 and 2245 (XXI) of 20 December 1966 regarding the system of travel and subsistence allowances to members of organs and subsidiary organs of the United Nations,

Recalling further its resolution 3198 (XXVIII) of 18 December 1973 on the standards of accommodation for official travel of United Nations staff,

Aware of the desirability for economy in the conduct of operations of the United Nations,

Conscious of the considerable cost differential between first class, economy class and other air fares,

Desiring to achieve substantial savings by reducing as far as possible the amount expended on travel by the United Nations,

1. Notes the report on first-class travel in the United Nations organizations submitted by the Joint Inspection Unit (see A/32/272) and the note by the Secretary-General (A/32/272/Add.1 and Corr.1) as well as the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/384);

2. Decides that the principle of seeking the most economical air-fare structures shall be implemented as follows:

(a) The Secretary-General and one representative of each Member State attending regular, special or emergency special sessions of the General Assembly shall be entitled to first-class travel;

(b) Other persons previously entitled to first-class travel under General Assembly resolutions 2245 (XXI) and 3198 (XXVIII) and those chairmen of intergovernmental committees at present entitled to travel paid by the United Nations shall be entitled to first-class travel only when the duration of a particular flight exceeds nine hours (by the most direct and economical route), including scheduled stops for such purposes as change of planes or refuelling, but excluding travel time to and from airports;

(c) Payment by the United Nations for travel expenses in all other cases shall be limited to the least costly air-fare structure regularly available, or its equivalent, by recognized public carrier via the shortest and most direct route;

3. *Authorizes* the Secretary-General to exercise his discretion in making exceptions in the most exigent circumstances to allow first-class travel on a case-by-case basis;

4. *Requests* the Secretary-General to report annually to the General Assembly on the implementation of the present resolution, noting all exceptions made under paragraph 3 above, the reasons therefor and the savings achieved through utilization of economy and other air fares.

Draft resolution II

REPORT OF THE JOINT INSPECTION UNIT

The General Assembly,

Recalling paragraph 7 of its resolution 2924 B (XXVII) of 24 November 1972, in which it requested the Secretary-General to submit annually to the General Assembly a succinct report on those major recommendations of the Joint Inspection Unit affecting

the United Nations which have not been implemented, together with the reasons therefor,

Recalling the decision of 20 November 1975,² in which it, *inter alia*, requested the Secretary-General to give priority to the implementation of the recommendations of the Joint Inspection Unit approved by the legislative bodies and to provide adequate information thereon in his annual reports,

Having considered the ninth annual report of the Joint Inspection Unit (see A/C.5/32/6) the report of the Secretary-General on the implementation of major recommendations of the Unit (A/C.5/32/10) and the report of the Advisory Committee on Administrative and Budgetary Questions (A/32/258),

Decides that the future reports of the Secretary-General in implementation of the recommendations of the Joint Inspection Unit should provide concise information only with regard to those reports that have been indicated by the Unit to be of interest to the General Assembly, one of its Main Committees or its other subsidiary organs.

16. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decision:

The General Assembly takes note of the following documents:

(a) Report of the Joint Inspection Unit on its activities for the period 1 July 1976-30 June 1977 (see A/C.5/32/6);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions on the implementation of the major recommendations of the Joint Inspection Unit (A/32/258);

(c) Report of the Secretary-General on the implementation of the major recommendations of the Joint Inspection Unit (A/C.5/32/10).

² See *Official Records of the General Assembly, Thirtieth Session, Supplement No. 34*, p. 147, item 99, para. (d).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 14 December 1977, the General Assembly, in accordance with articles 2 to 4 of the statute of the Joint Inspection Unit,³ appointed six persons as members of the Unit for a five-year term and five persons as members of the Unit for a three-year term beginning on 1 January 1978 (see decision 32/317⁴).

At its 110th plenary meeting, on 21 December 1977, the General Assembly voted on draft resolutions I and II submitted by the Fifth Committee in its report (A/32/489, para. 15). An oral amendment proposed by Uruguay to add the words "the Director-General for Development and International Economic Co-operation, Under-Secretaries-General and Assistant Secretaries-General" in operative paragraph 2 (a) of draft resolution I was rejected by a recorded vote of 57 to 56, with 21 abstentions; the draft resolution was adopted by a recorded vote of 98 to 7, with 30 abstentions. Draft resolution II was adopted without objection. For the final texts, see resolutions 32/198 and 32/199.⁴

At the same meeting, the Assembly adopted the recommendation made by the Fifth Committee in paragraph 16 of the same report (see decision 32/448⁴).

³ General Assembly resolution 31/192, annex.

⁴ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 104 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/237	Report of the Joint Inspection Unit on the implications of additional languages in the United Nations system: note by the Secretary-General transmitting the report	Mimeographed
A/32/258	Implementation of major recommendations of the Joint Inspection Unit: report of the Advisory Committee on Administrative and Budgetary Questions	Ditto
A/32/272	Report of the Joint Inspection Unit on first-class travel in the United Nations organizations: note by the Secretary-General transmitting the report	Ditto
A/32/272/Add.1 and Corr.1	_____ : note by the Secretary-General transmitting the comments of the Administrative Committee on Co-ordination	Ditto
A/32/327	Report of the Joint Inspection Unit on General Service staff of the United Nations and Geneva-based specialized agencies: note by the Secretary-General transmitting the report	Ditto
A/32/345 and Add.1	Appointment of the members of the Joint Inspection Unit: note by the President of the General Assembly	Ditto
A/32/384	Report of the Joint Inspection Unit on first-class travel in the United Nations organizations: report of the Advisory Committee on Administrative and Budgetary Questions	Ditto
A/C.5/32/6	Report of the Joint Inspection Unit on its activities during the period 1 July 1976-30 June 1977: note by the Secretary-General transmitting the report	Ditto
A/C.5/32/10	Implementation of major recommendations of the Joint Inspection Unit: report of the Secretary-General	Ditto
A/C.5/32/L.1	Work programme of the Joint Inspection Unit for 1977	Ditto
A/C.5/32/L.41	Belgium: draft resolution	See A/32/489, para. 15, draft resolution II
A/C.5/32/L.43	Barbados, Canada, Nepal, United States of America: draft resolution	Replaced by A/C.5/32/L.43. Rev.1
A/C.5/32/L.43/Rev.1	Revised draft resolution	For the sponsors and the text, see A/32/489, paras 7 and 15, draft resolution
A/C.5/32/L.44	Draft resolution	<i>Idem</i> , para. 8

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 105:* Pattern of conferences: report of the Committee on Conferences**

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee, 25th, 30th, 32nd, 33rd and 49th meetings, and ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 99th meeting.*

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 75), twenty-eighth (item 82), twenty-ninth (item 77), thirtieth (item 100) and thirty-first (item 98).

DOCUMENT A/32/410

Report of the Fifth Committee

[Original: English]
[7 December 1977]

INTRODUCTION

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include this item in the agenda of its thirty-second session and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 25th, 30th, 32nd, 33rd and 49th meetings, between 25 October and 23 November. Comments made by delegations in the course of the discussion on this item are reflected in the relevant summary records of meetings (A/C.5/32/SR.25, 30, 32, 33 and 49).

3. The Committee had before it for its consideration the report of the Committee on Conferences (A/32/32) and the relevant parts of the report of the Economic and Social Council (A/32/3, chap. VII, sect. I and chap. VIII, sect. E).

PROPOSALS

A. *Draft resolution and recommendations submitted by the Committee on Conferences*

4. At the 25th meeting, the Chairman of the Committee on Conferences introduced the Committee's report and called attention to the recommendations including a draft resolution (A/32/32, para. 168, recommendation 7).

5. At the 30th meeting, the representative of New Zealand suggested that, in the operative paragraph of section IV of the draft resolution, the phrase "reducing the cancellation of scheduled meetings" should be amended to read "reducing the wastage resulting from the cancellation of scheduled meetings", in conformity with the wording appearing in paragraph 103 of the Committee's report.

6. At the 32nd meeting, the representative of the Union of Soviet Socialist Republics submitted amendments (A/C.5/32/L.13) to the draft resolution whereby:

(a) The following new operative paragraph 2 would be added:

"2. *Decides* that, beginning in 1978, sessions of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space will be held alternately in New York and Geneva;"

and the following paragraphs would be renumbered;

(b) In the new operative paragraph 3, the phrase "bearing in mind paragraph 2 above" would be added after the word "*Approves*".

7. The representative of the Union of Soviet Socialist Republics then orally revised his amendment to read as follows:

[*Same text as operative paragraph 2 in section I of draft resolution I contained in paragraph 20 below.*]

8. The representative of Canada made an oral proposal that the new operative paragraph 2 proposed by the USSR be amended to read as follows:

"2. *Decides* to refer questions concerning the venue of sessions of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space back to the Committee on Conferences for its consideration;"

9. After a procedural debate concerning the order of voting on the subamendment and the amendment, the Committee decided, at its 33rd meeting, to vote first on the USSR amendments. It then adopted the amendments (A/C.5/32/L.13), as orally revised, by

51 votes to 7, with 18 abstentions. It was accordingly decided that the 1978 session (13 March-7 April) of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space should be held at Geneva.

10. The Committee did not, therefore, vote on the Canadian amendment.

11. The Committee agreed, without a vote, to the oral amendment proposed by the representative of New Zealand (see para. 5 above).

12. The Committee adopted, by consensus, the draft resolution submitted by the Committee on Conferences, as amended (see para. 20 below, draft resolution I).

13. The Committee also decided, without a vote, to recommend to the General Assembly that it approve recommendations 2, 4 and 5 of the Committee on Conferences (see A/32/32, para. 168), which had not been incorporated in the draft resolution submitted by that Committee (see para. 21 below).

Decisions of the Committee

14. At its 33rd meeting, the Fifth Committee took the following decisions, by consensus, with regard to the draft calendar of conferences contained in the report of the Committee on Conferences (A/32/32, annex I A):

(a) It decided, on a proposal by Argentina, that the dates of the 1978 United Nations Conference on Technical Co-operation among Developing Countries, to be held at Buenos Aires, should be amended to read "30 August-12 September", instead of "August/September";

(b) It decided, on a proposal by Italy supported by other delegations, that the proposed dates of 16 October to 10 November 1978 for the United Nations Conference on an International Code of Conduct on the Transfer of Technology should be amended to read "To be determined", it being understood that the Conference would, in fact, take place in 1978. It was pointed out that arrangements for the Conference were being discussed at Geneva by a preparatory group of experts;

(c) It decided, on a further suggestion by Italy, that the dates of the 1978 session of the Committee on the Peaceful Uses of Outer Space, originally proposed as 19 to 30 June, should read "to be determined".

It was pointed out that the session referred to in subparagraph (c) would overlap with the special session of the General Assembly devoted to disarmament.

15. The Chairman stated that the calendar of conferences would be adjusted to take account of any changes and additions approved by the General Assembly at its thirty-second session and of any other changes that did not have financial implications. The calendar would be issued in its final version in January 1978.

B. Draft resolutions A/C.5/32/L.12 and A/C.5/32/L.12/Rev.1

16. At its 30th meeting, the Committee had before it a draft resolution (A/C.5/32/L.12) sponsored by Bangladesh, Canada, Costa Rica, Egypt, Ghana, India, Japan, Nigeria, the Philippines, Peru and the United States of America. The draft resolution read as follows:

"The General Assembly

"1. *Decides* to establish, on a continuing basis, a Committee on Conferences composed of twenty-two Member States;

"... [text of operative paragraphs 2-4 same as that of draft resolution II contained in paragraph 20 below, with the exception of the first word of paragraph 4, which read 'Invites']."

At the same meeting, the representative of New Zealand proposed that the word "Invites" should be replaced by "Requests" in operative paragraph 4.

At the 32nd meeting, the representative of Bangladesh introduced, on behalf of the sponsors of the initial text, and of Barbados, Kenya and New Zealand, a revised draft resolution (A/C.5/32/L.12/Rev.1) (for the text, see para. 20 below, draft resolution II).

17. At its 49th meeting, the Committee considered the revised draft resolution and the note by the Secretary-General (A/C.5/32/41) on the administrative and financial implications of the draft resolution. The Chairman of the Advisory Committee on Administrative and Budgetary Questions informed the Fifth Committee that the Advisory Committee had recommended approval of an appropriation for two new posts requested for the Interpretation and Meetings Division of the Department of Conference Services. It had assumed that the cost of servicing the meetings of the Committee on Conferences shown in the Secretary-General's statement of financial implications would be absorbed.

18. The Committee approved, without a vote, an appropriation of \$54,100 under section 23A for the 2 new posts (1 P-3 and 1 G-4/1) in the Interpretation and Meetings Division, and an additional \$12,200 under section 25 to cover the related staff assessment, which would be offset by a corresponding increase of \$12,200 in the estimates of income under income section 1. It expected that the cost of servicing the meetings of the Committee on Conferences would be absorbed.

19. The Committee then adopted by consensus draft resolution A/C.5/32/L.12/Rev.1.

Recommendations of the Fifth Committee

20. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

PATTERN OF CONFERENCES

The General Assembly,

Recalling its resolutions 1202 (XII) of 13 December 1957, 1851 (XVII) of 19 December 1962, 1987 (XVIII) of 17 December 1963, 2116 (XX) of 21 December 1965, 2239 (XXI) of 20 December 1966, 2361 (XXII) of 19 December 1967, 2478 (XXIII) of 21 December 1968, 2609 (XXIV) of 16 December 1969, 2693 (XXV) of 11 December 1970, 2834 (XXVI) of 17 December 1971, 2960 (XXVII) of 13 December 1972, 3351 (XXIX) of 18 December 1974, 3491 (XXX) of 15 December 1975 and 31/140 of 17 December 1976,

Concerned at the magnitude of the additional costs incurred as a result of intersessional departures from

the approved calendar of conferences and at the continued waste of resources through the cancellation of meetings,

I

1. *Takes note with appreciation* of the report of the Committee on Conferences (A/32/32) established by its resolution 3351 (XXIX);

2. *Decides* that sessions of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space will be held alternately at Geneva and New York;

3. *Approves*, bearing in mind paragraph 2 above, the draft calendar of conferences and meetings for 1978-1979 set forth in annex I A to the report of the Committee on Conferences;

II

1. *Takes note* of the successful application of the one-stage system of meeting records with corrigenda, which made savings possible (*ibid.*, chap. IV);

2. *Expresses the hope* that this system will be administered so as to provide continued substantial savings to the Organization;

3. *Urges* bodies entitled to meeting records to dispense with them for particular discussions, whether of an informal nature or otherwise, when they are not absolutely necessary;

4. *Decides* that the criteria, which were adopted on an experimental basis for the current biennium, should be continued and used more widely;

III

1. *Calls upon* all bodies to keep to a minimum the intersessional departures from the approved calendar of conferences;

2. *Affirms* that, if and when intersessional departures are granted, the servicing should be financed from the approved appropriations for conference services;

3. *Urges* all bodies to conclude their work within the time allotted to them;

IV

Sets forth the following guidelines for reducing the wastage resulting from cancellation of scheduled meetings:

1. The substantive secretariat of each body should circulate to the members before the first meeting of each session a draft agenda and time-table for the completion of consideration of items, taking into account the availability of documentation.

2. The programme for each meeting should include more than one agenda item so that, if consideration of an item is interrupted or completed, the members may pass on to another item.

3. In order that delegations may initiate substantive discussion at the first meeting, after the organization of work, committee secretaries should consult with delegations before the opening of the session to ascertain whether some representatives would be prepared to speak on the first substantive item at the opening meeting. As is the practice of the General Assembly, a list of speakers should be compiled several days in advance of the debate on each item. It would in general be advisable to convene meetings only when there are

a sufficient number of speakers to ensure adequate utilization of available resources.

4. The secretariat of each body should make sure that documentation is made available to all members sufficiently in advance of the session to permit proper study of it and, in consultation with the chairman, should schedule meetings only when the documentation has been available for an adequate period.

5. In planning the requirements for a given session, allowance should be made for at least one day towards the end of the session without meetings so that draft reports, resolutions and decisions can be prepared without interfering with the committee's business.

6. Committee secretaries should identify any possible overlapping in the membership of their committee with that of certain others, particularly those in the same field of activity, with a view to reducing the likelihood of conflicting meeting schedules; the Committee on Conferences, in its own examination of the proposed calendars, should also pay particular attention to this point.

7. The secretary of each body should bring to the attention of members, as appropriate, any resolutions and decisions on the regulation of meetings and conferences, including directives on the allocation and utilization of conference resources.

8. The secretary of each body should inform the members, at the beginning of each session, of the conference resources, including the number of meetings and the extent of interpretation services, made available to the body and should give them a brief account, at appropriate intervals during the session, of the use they have been making of those resources.

Draft resolution II

COMMITTEE ON CONFERENCES

The General Assembly,

Recalling its resolution 3351 (XXIX) of 18 December 1974,

Having noted the report of the Committee on Conferences (A/32/32),

1. *Decides* to retain the Committee on Conferences, composed of twenty-two Member States, subject to review of its terms of reference as required;

2. *Requests* the President of the General Assembly, after consultations with the chairmen of the regional groups, to appoint Member States, on the basis of an equitable geographical balance, to serve on the Committee for a three-year term;

3. *Decides* that the Committee on Conferences shall have the terms of reference set forth below:

(a) To advise the General Assembly on the calendar of conferences;

(b) To act on behalf of the General Assembly in dealing with departures from the approved calendar of conferences that have administrative and financial implications;

(c) To recommend to the General Assembly means to provide the optimum apportionment of conference resources, facilities and services, including documentation, in order to ensure their most efficient and effective use;

(d) To advise the General Assembly on the current and future requirements of the Organization for conference services, facilities and documentation;

(e) To advise the General Assembly on means to ensure improved co-ordination of conferences within the United Nations system, including conference services and facilities, and to conduct the appropriate consultations in that regard;

4. *Requests* its subsidiary bodies to seek the advice of the Committee on Conferences with regard to the

scheduling of their regular meetings and with regard to any proposed changes in their established pattern of sessions.

* * *

21. The Fifth Committee also recommends to the General Assembly that it approve recommendations 2, 4 and 5 as set forth in paragraph 168 of the report of the Committee on Conferences (A/32/32).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 9 December 1977, the General Assembly took note of the decisions taken by the Fifth Committee as set forth in paragraph 14 of its report (A/32/410).

At the same meeting, the Assembly adopted draft resolutions I and II submitted by the Fifth Committee in its report (*ibid.*, para. 20). For the final texts, see resolutions 32/71 and 32/72.¹

Also at the same meeting, the Assembly adopted the recommendation made by the Fifth Committee in paragraph 21 of the same report (see decision 32/420¹).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 105 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/3	Report of the Economic and Social Council on the work of its organizational session for 1977, of its third special session and of its sixty-second and sixty-third sessions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 3</i>
A/32/32	Report of the Committee on Conferences	<i>Ibid.</i> , Supplement No. 32
A/32/497 and Add.1	Appointment of the members of the Committee on Conferences: note by the Secretary-General	Mimeographed. For the members appointed see <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 45</i> , resolution 32/72, note
A/C.5/32/41	Administrative and financial implications of the draft resolution contained in document A/C.5/32/L.12/Rev.1: note by the Secretary-General	Mimeographed
A/C.5/32/L.12	Draft resolution	For the sponsors and the text, see A/32/410, para. 16
A/C.5/32/L.12/Rev.1	Revised draft resolution	<i>Idem</i> , paras. 16 and 20, draft resolution II
A/C.5/32/L.13	Amendments to the draft resolution contained in paragraph 168 of document A/32/32	<i>Idem</i> , para. 6

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 106:* Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions**

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 16th, 18th, 22nd to 24th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 1st, 16th and 90th meetings.

** Since 1972 this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 77), twenty-eighth (item 84), twenty-ninth (item 79), thirtieth (item 102), thirty-first (item 100).

DOCUMENT A/32/332

Report of the Fifth Committee

[Original: English]
[23 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to allocate to the Fifth Committee agenda item 106, entitled "Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions".

2. The Fifth Committee considered that item at its 16th, 18th and 22nd to 24th meetings, between 13 and 24 October.

3. It had before it the report of the Committee on Contributions containing the draft resolution recommended by that Committee (A/32/11, sect. IX) which read as follows:

"The General Assembly

"Resolves that:

"... [text of subparagraphs (a) to (b) and (j) same as subparagraphs (a) to (i) of the draft resolution contained in paragraph 11 below, with the exception of subparagraphs (g), (g) (ii), (g) (iii), (g) (v) and (g) (vi) which included the Socialist Republic of Viet Nam; subparagraph (i) read as follows:

"(i) Notwithstanding the provisions of subparagraph (f) of General Assembly resolution 3062 (XXVIII) of 9 November 1973, the Republic of South Viet Nam¹ shall be called upon to contribute towards the 1976 expenses of those United Nations activities in which it participated at the rate of one half of 0.06 per cent, and the Socialist Republic of Viet Nam shall contribute towards the 1976 and 1977 expenses of the activities in which it par-

ticipated at the rate of one half of 0.02 per cent and at 0.03 per cent, respectively;]".

4. At the 16th meeting, the Chairman of the Committee on Contributions orally introduced that Committee's report (A/32/11 and Add.1, Add.1/Corr.1 and Add.2) at which time he drew attention to the fact that the draft resolution contained recommendations for rates of assessment for 1977, 1978 and 1979 for the Socialist Republic of Viet Nam as a non-member State. In view of that State's admission to membership in the United Nations on 20 September 1977, the recommendations for those years were no longer valid and should be deleted from the draft resolution pending reconsideration of the matter by the Committee on Contributions. Specifically, all reference to the Socialist Republic of Viet Nam should be deleted from subparagraph (g) of the draft resolution. Also, subparagraph (i) should be amended to read as follows:

"(i) Notwithstanding the provisions of subparagraph (f) of General Assembly resolution 3062 (XXVIII) of 9 November 1973, the Republic of South Viet-Nam¹ and the Socialist Republic of Viet Nam shall contribute towards the 1976 expenses of the activities in which they participated at the rate of one half of 0.06 per cent and at one half of 0.02 per cent, respectively".

5. At the 24th meeting, the Chairman of the Committee on Contributions responded to a number of questions which had been addressed to him.

6. The comments and observations of delegations during the discussion of this item, the reservations expressed and the explanations of vote, as well as the

¹ Formerly the Republic of Viet-Nam.

desire expressed by some delegations which would have wished their views to be set out in full in the report of the Fifth Committee, are reflected in the summary records of the meetings (A/C.5/32/SR.16, 18 and 22-24).

7. At the 24th meeting, the representative of Viet Nam, referring to subparagraph (i) of the draft resolution proposed that the rate of assessment for 1976 of one half of 0.06 per cent for the Republic of South Viet Nam be reduced to one half of 0.02 per cent owing to the fact that his country had just come out of a disastrous war and his belief that the rate of assessment of 0.06 per cent was based on figures which did not reflect the real national income of South Viet Nam. Alternatively, he proposed that subparagraph (i) be deleted and the Committee postpone a decision on the matter pending agreement between his Government and the financial organs of the United Nations.

8. In response to an inquiry, the Chairman of the Committee on Contributions explained that subparagraph (i) related to the contributions of non-member States. As such, its deletion would not affect the scale of assessments.

Decision of the Committee

9. At the suggestion of some delegations, the Fifth Committee decided that, notwithstanding subparagraph (f) of General Assembly resolution 3062 (XXVIII) of 9 November 1973, subparagraph (i) of the draft resolution be deleted and the matter referred to the Committee on Contributions for further consideration at its following session.

10. At the same meeting, the draft resolution, as amended, was adopted by a roll-call vote of 90 to 2, with 12 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Benin, Bhutan, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Central African Empire, Chad, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Madagascar, Malawi, Malaysia, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Libyan Arab Jamahiriya, Singapore.

Abstaining: Angola, Bangladesh, Belgium, Italy, Luxembourg, Netherlands, Poland, Portugal, Spain, Syrian Arab Republic, Togo, United States of America. The representatives of Thailand and the United Republic of Tanzania later informed the Secretariat that, had they been present during the voting, they would have voted in favour of the draft resolution.

Recommendation of the Fifth Committee

11. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS

The General Assembly

Resolves that:

(a) The scale of assessments for the contributions of Member States to the United Nations budget for the financial years 1978 and 1979 shall be as follows:

<i>Member State</i>	<i>Per cent</i>
Afghanistan	0.01
Albania	0.01
Algeria	0.10
Angola	0.02
Argentina	0.84
Australia	1.54
Austria	0.64
Bahamas	0.01
Bahrain	0.01
Bangladesh	0.04
Barbados	0.01
Belgium	1.08
Benin	0.01
Bhutan	0.01
Bolivia	0.01
Botswana	0.01
Brazil	1.04
Bulgaria	0.14
Burma	0.01
Burundi	0.01
Byelorussian Soviet Socialist Republic	0.41
Canada	3.04
Cape Verde	0.01
Central African Empire	0.01
Chad	0.01
Chile	0.09
China	5.50
Colombia	0.11
Comoros	0.01
Congo	0.01
Costa Rica	0.02
Cuba	0.11
Cyprus	0.01
Czechoslovakia	0.84
Democratic Kampuchea	0.01
Democratic Yemen	0.01
Denmark	0.64
Dominican Republic	0.02
Ecuador	0.02
Egypt	0.08
El Salvador	0.01
Equatorial Guinea	0.01
Ethiopia	0.01
Fiji	0.01
Finland	0.44
France	5.82
Gabon	0.01
Gambia	0.01
German Democratic Republic	1.33
Germany, Federal Republic of	7.70
Ghana	0.02
Greece	0.35
Grenada	0.01
Guatemala	0.02
Guinea	0.01
Guinea-Bissau	0.01
Guyana	0.01
Haiti	0.01
Honduras	0.01
Hungary	0.33

<i>Member State</i>	<i>Per cent</i>	<i>Member State</i>	<i>Per cent</i>
Iceland	0.02	United Kingdom of Great Britain and Northern Ireland	4.52
India	0.68	Ireland	0.01
Indonesia	0.14	United Republic of Cameroon	0.01
Iran	0.40	United Republic of Tanzania	0.01
Iraq	0.08	United States of America	25.00
Ireland	0.15	Upper Volta	0.01
Israel	0.23	Uruguay	0.04
Italy	3.38	Venezuela	0.39
Ivory Coast	0.02	Yemen	0.01
Jamaica	0.02	Yugoslavia	0.39
Japan	8.64	Zaire	0.02
Jordan	0.01	Zambia	0.02
Kenya	0.01		
Kuwait	0.15		100.00
Lao People's Democratic Republic	0.01		
Lebanon	0.03		
Lesotho	0.01		
Liberia	0.01		
Libyan Arab Jamahiriya	0.16		
Luxembourg	0.04		
Madagascar	0.01		
Malawi	0.01		
Malaysia	0.09		
Maldives	0.01		
Mali	0.01		
Malta	0.01		
Mauritania	0.01		
Mauritius	0.01		
Mexico	0.79		
Mongolia	0.01		
Morocco	0.05		
Mozambique	0.02		
Nepal	0.01		
Netherlands	1.42		
New Zealand	0.26		
Nicaragua	0.01		
Niger	0.01		
Nigeria	0.13		
Norway	0.45		
Oman	0.01		
Pakistan	0.07		
Panama	0.02		
Papua New Guinea	0.01		
Paraguay	0.01		
Peru	0.06		
Philippines	0.10		
Poland	1.39		
Portugal	0.19		
Qatar	0.02		
Romania	0.24		
Rwanda	0.01		
Samoa	0.01		
Sao Tome and Principe	0.01		
Saudi Arabia	0.23		
Senegal	0.01		
Seychelles	0.01		
Sierra Leone	0.01		
Singapore	0.08		
Somalia	0.01		
South Africa	0.42		
Spain	1.53		
Sri Lanka	0.02		
Sudan	0.01		
Surinam	0.01		
Swaziland	0.01		
Sweden	1.24		
Syrian Arab Republic	0.02		
Thailand	0.10		
Togo	0.01		
Trinidad and Tobago	0.03		
Tunisia	0.02		
Turkey	0.30		
Uganda	0.01		
Ukrainian Soviet Socialist Republic	1.53		
Union of Soviet Socialist Republics	11.60		
United Arab Emirates	0.07		

(b) Subject to rule 160 of the rules of procedure of the General Assembly, the scale of assessments given in subparagraph (a) above shall be reviewed by the Committee on Contributions in 1979 when a report shall be submitted to the Assembly for consideration at its thirty-fourth session;

(c) Notwithstanding the terms of regulation 5.5 of the Financial Regulations of the United Nations, the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the calendar years 1978 and 1979 in currencies other than United States dollars;

(d) For the year 1976, Seychelles, Angola and Samoa, which became Members of the United Nations on 21 September, 1 December and 15 December 1976, respectively, shall contribute amounts equal to one ninth of 0.02 per cent;

(e) For the year 1977, Seychelles, Angola and Samoa shall contribute amounts equal to 0.02 per cent;

(f) The contributions of the three new Member States for 1976 and 1977 shall be applied to the same basis of assessment as for other Member States, except that in the case of appropriations approved under General Assembly resolution 3374 B (XXX) of 28 November 1975, under section II of Assembly resolution 3374 C (XXX) of 2 December 1975 and under Assembly resolutions 31/5 C and 31/5 D of 22 December 1976 for the financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force, the contributions of those States, in accordance with the group of contributors to which they may be assigned by the Assembly, shall be calculated in proportion to the calendar year;

(g) Subject to rule 160 of the rules of procedure of the General Assembly, States which are not Members of the United Nations but which participate in certain of its activities shall be called upon to contribute towards the 1978 and 1979 expenses of such activities on the basis of the following rates:

<i>Non-member State</i>	<i>Per cent</i>
Democratic People's Republic of Korea	0.05
Holy See	0.01
Liechtenstein	0.01
Monaco	0.01
Nauru	0.01
Republic of Korea	0.13
San Marino	0.01
Switzerland	0.96
Tonga	0.01

the following countries being called upon to contribute:

- (i) *To the International Court of Justice:*
Liechtenstein,
San Marino,
Switzerland;
- (ii) *To the international control of narcotic drugs:*
Holy See,
Liechtenstein,
Monaco,
Republic of Korea,
Switzerland,
Tonga;
- (iii) *To the Economic and Social Commission for Asia and the Pacific:*
Republic of Korea;
- (iv) *To the Economic Commission for Europe:*
Switzerland;
- (v) *To the United Nations Conference on Trade and Development:*
Democratic People's Republic of Korea,
Holy See,
Liechtenstein,
Monaco,

- Republic of Korea,
San Marino,
Switzerland;
- (vi) *To the United Nations Industrial Development Organization:*
Liechtenstein,
Monaco,
Republic of Korea,
Switzerland;
- (h) Angola, which became a Member of the United Nations on 1 December 1976 but which participated in the United Nations Conference on Trade and Development with effect from 19 May 1976, shall be called upon to contribute towards the 1976 expenses of the Conference at the rate of one half of 0.02 per cent;
- (i) Notwithstanding the provisions of subparagraph (f) of General Assembly resolution 3062 (XXVIII) of 9 November 1973 and subparagraph (h) of Assembly resolution 31/95 B of 14 December 1976, the Holy See, by virtue of its change in status from representative to observer to the United Nations Industrial Development Organization with effect from December 1975, shall not be called upon to contribute towards the expenses of that organization for the calendar years 1976 and 1977.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 90th plenary meeting, on 2 December 1977, the General Assembly, by a recorded vote of 101 to 1, with 12 abstentions, adopted the draft resolution submitted by the Fifth Committee in its report (A/32/332, para. 11). For the final text, see resolution 32/39.²

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 106 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/11 and Add.1 and Add.1/Corr.1 and Add.2	Report of the Committee on Contributions	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 11</i> and addenda
A/32/224 and Add.1	Letters dated 20 September and 3 October 1977 from the Secretary-General to the President of the General Assembly concerning the States in arrears in the payment of their contributions	Mimeographed
A/INF/32/3	Collection of contributions during the period 1 January to 19 September 1977: report of the Secretary-General	Ditto

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 107:* Appointments to fill vacancies in the membership of subsidiary organs of the General Assembly:**

- (a) Advisory Committee on Administrative and Budgetary Questions;
- (b) Committee on Contributions;
- (c) Board of Auditors;
- (d) Investments Committee: confirmation of the appointments made by the Secretary-General;
- (e) United Nations Administrative Tribunal;
- (f) International Civil Service Commission

CONTENTS

Document No.	Title	Page
(a) Advisory Committee on Administrative and Budgetary Questions		
A/32/291 and Add.1 and 2	Report of the Fifth Committee	1
(b) Committee on Contributions		
A/32/292	Report of the Fifth Committee	3
(c) Board of Auditors		
A/32/293	Report of the Fifth Committee	4
(d) Investments Committee: confirmation of the appointments made by the Secretary-General		
A/32/294	Report of the Fifth Committee	4
(e) United Nations Administrative Tribunal		
A/32/295	Report of the Fifth Committee	5
(f) International Civil Service Commission		
A/32/296	Report of the Fifth Committee	5
Action taken by the General Assembly		6
Check list of documents		6

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee, 17th, 35th, 40th, 51st, 55th and 64th meetings, and ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 66th, 102nd and 110th meetings.*

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 76), twenty-eighth (item 85), twenty-ninth (item 80), thirtieth (item 103) and thirty-first (item 101).

(a) Advisory Committee on Administrative and Budgetary Questions

DOCUMENTS A/32/291 AND ADD.1 AND 2

Report of the Fifth Committee

DOCUMENT A/32/291

[Original: English]
[8 November 1977]

1. At its 35th meeting, on 4 November 1977, the Fifth Committee considered a note by the Secretary-General (A/32/101) concerning the vacancies which would occur in the membership of the Advisory Committee on Administrative and Budgetary Questions as a result of the expiration on 31 December 1977 of the

terms of office of five of its members. In addition, a sixth vacancy arose from the resignation of Mr. David L. Stottlemeyer, effective 15 November 1977 (see (A/32/101/Add.1), and it was necessary for the Fifth Committee to recommend to the General Assembly a replacement to fill the vacancy for the unexpired portion of Mr. Stottlemeyer's term.

2. The members of the Fifth Committee had been invited to submit the names of persons who might be recommended to the General Assembly for appointment to the Advisory Committee in accordance with

rules 155 and 156 of the rules of procedure of the Assembly. Six names were submitted for the consideration of the Committee (see A/C.5/32/31), including a nomination by the Government of the United States of America to fill the unexpired term of Mr. Stottlemeyer.

3. On the proposal of the Chairman, the Fifth Committee decided, without objection, to dispense with the secret ballot in view of the fact that there was no contest since there were six candidates for the six vacancies.

4. The Fifth Committee then decided, by acclamation, to recommend Mr. Yasushi Akashi (Japan), Mr. Hou Tung (China), Mr. Guy Scalabre (France), Mr. Michael F. H. Stuart (United Kingdom of Great Britain and Northern Ireland) and Mr. Morteza Talieh (Iran) to the General Assembly for appointment as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term beginning on 1 January 1978. The Committee also recommended Mrs. Virginia C. Housholder (United States of America) for appointment to the Advisory Committee, with effect from 15 November 1977, to fill the unexpired portion of Mr. Stottlemeyer's appointment.

Recommendations of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly that it:

(a) Appoint the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term beginning on 1 January 1978:

Mr. Yasushi Akashi,
Mr. Hou Tung,
Mr. Guy Scalabre,
Mr. Michael F. H. Stuart,
Mr. Morteza Talieh;

(b) Appoint the following person as a member of the Advisory Committee on Administrative and Budgetary Questions for a term beginning on 15 November 1977 and ending on 31 December 1978:

Mrs. Virginia C. Housholder.

DOCUMENT A/32/291/ADD.1

[Original: English]
[8 December 1977]

1. At its 55th meeting, on 2 December 1977, the Fifth Committee considered a note by the Secretary-General (A/32/101/Add.2) concerning the vacancy arising in the Advisory Committee on Administrative and Budgetary Questions as a result of the resignation, with effect from 1 January 1978, of Mr. A. V. Grodsky from the membership of that Committee.

2. Mr. V. K. Palamarchuk (Union of Soviet Socialist Republics) was nominated by his Government (see A/C.5/32/31/Add.1) to fill the vacancy in the membership of the Advisory Committee for the unexpired portion of Mr. Grodsky's appointment, until 31 December 1978.

3. On the proposal of the Chairman, the Fifth Committee decided, without objection, to dispense with

the secret ballot in view of the fact that there was no contest.

4. The Fifth Committee then decided, by acclamation, to recommend Mr. V. K. Palamarchuk to the General Assembly for appointment as a member of the Advisory Committee for a term effective 1 January 1978 and expiring 31 December 1978.

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the appointment of the following person as a member of the Advisory Committee on Administrative and Budgetary Questions for a term beginning on 1 January 1978 and ending on 31 December 1978:

Mr. V. K. Palamarchuk.

DOCUMENT A/32/291/ADD.2

[Original: English]
[19 December 1977]

1. At its 64th meeting, on 15 December 1977, the Fifth Committee considered a note by the Secretary-General (A/C.5/32/100) concerning three new vacancies arising in the Advisory Committee on Administrative and Budgetary Questions as a result of the adoption of General Assembly resolution 32/103 of 14 December 1977 to expand the membership of that Committee from 13 to 16 members.

2. The members of the Fifth Committee had been invited to submit the names of persons who might be recommended to the General Assembly for appointment to the Advisory Committee, in accordance with the revised provisions of rules 155, 156 and 157 of the rules of procedure of the Assembly. Six names were submitted for the consideration of the Committee (see A/C.5/32/100).

3. The Fifth Committee voted by secret ballot. The result of the voting was as follows:

<i>Number of ballot papers:</i>	138
<i>Number of invalid ballots:</i>	0
<i>Number of valid ballots:</i>	138
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	138
<i>Required majority:</i>	70
<i>Number of votes obtained:</i>	
Mr. Norman Williams	106
Mr. Anwar Kemal	76
Mr. Hamed Arabi El-Houderi	68
Mr. G. S. Iyer	65
Mr. C. K. Sekyi	49
Mr. Michael Okeyo	35

4. The Fifth Committee decided to recommend that Mr. Norman Williams (Panama) and Mr. Anwar Kemal (Pakistan), having received the required majority, be appointed as members of the Advisory Committee for a term of office commencing on 1 January 1978.

5. Since none of the remaining candidates had obtained the required majority, it was necessary to hold a second election between the two candidates having received the next highest number of votes in order to determine the third candidate to be recommended for appointment.

6. After the process of voting had begun, the candidature of Mr. Lyer was withdrawn in favour of the recommendation for appointment of Mr. El-Houderi. The Committee then decided, by acclamation, to recommend Mr. Hamed Arabi El-Houderi (Libyan Arab Jamahiriya) for appointment as a member of the Advisory Committee for a term of office commencing on 1 January 1978.

7. The Committee had previously agreed to the proposal of the Chairman to draw lots to decide the duration of the terms of office of the three successful candidates.

8. The Committee, accordingly, proceeded to draw lots to determine the duration of membership of each of the three candidates recommended for appointment. As a result, it was established that Mr. Williams would serve for a three-year term, Mr. Kemal for a two-year term and Mr. El-Houderi for a one-year term, commencing on 1 January 1978.

Recommendation of the Fifth Committee

9. The Fifth Committee recommends to the General Assembly the appointment of the following persons as members of the Advisory Committee on Administrative and Budgetary Questions beginning on 1 January 1978:

- (a) For a one-year term: Mr. Hamed Arabi El-Houderi;
- (b) For a two-year term: Mr. Anwar Kemal;
- (c) For a three-year term: Mr. Norman Williams.

(b) Committee on Contributions

DOCUMENT A/32/292

Report of the Fifth Committee

[Original: English]
[25 November 1977]

1. At its 40th meeting, on 11 November 1977, the Fifth Committee considered a note by the Secretary-General (A/32/102) concerning the vacancies which would occur in the Committee on Contributions as a result of the expiration on 31 December 1977 of the terms of office of six of its members.

2. The members of the Fifth Committee had been invited to submit the names of persons who might be recommended to the General Assembly for appointment to the Committee on Contributions in accordance with the provisions of rules 158 and 159 of the rules of procedure of the General Assembly. Nine names were submitted for the consideration of the Committee (see A/C.5/32/36). Subsequently, the nomination of one of the candidates was withdrawn.

3. The Fifth Committee voted by secret ballot. The result of the voting was as follows:

<i>Number of ballot papers:</i>	139
<i>Invalid ballots:</i>	2
<i>Number of valid ballots:</i>	137
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	137
<i>Required majority:</i>	69
 <i>Number of votes obtained:</i>	
Mr. Abdel Hamid Abdel-Ghani	127
Mr. Japhet G. Kiti	127
Mr. Atilio Norberto Molteni	110

Mr. Carlos Moreira García	100
Mr. Angus J. Matheson	81
Mr. Leoncio Fernández Maroto . . .	79
Mr. John I. M. Rhodes	74
Miss Fernanda Forcignano	73

Two other persons received a total of 19 votes.

4. The Fifth Committee decided to recommend that Mr. Abdel-Ghani (Egypt), Mr. Fernández Maroto (Spain), Mr. García (Brazil), Mr. Kiti (Kenya), Mr. Matheson (Canada) and Mr. Molteni (Argentina), having received the required majority, be appointed as members of the Committee on Contributions for a three-year term beginning on 1 January 1978.

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the appointment of the following persons as members of the Committee on Contributions for a three-year term beginning on 1 January 1978:

- Mr. Abdel Hamid Abdel-Ghani,
- Mr. Leoncio Fernández Maroto,
- Mr. Carlos Moreira García,
- Mr. Japhet G. Kiti,
- Mr. Angus J. Matheson,
- Mr. Atilio Norberto Molteni.

(c) Board of Auditors**DOCUMENT A/32/293****Report of the Fifth Committee**

[Original: English]
[8 November 1977]

1. At its 35th meeting, on 4 November 1977, the Fifth Committee considered a note by the Secretary-General (A/32/103) concerning the vacancy in the membership of the Board of Auditors which would occur as a result of the expiration of the term of office of one of its members on 30 June 1978.

2. The members of the Fifth Committee had been invited to make suggestions in regard to the country whose Auditor-General (or officer holding the equivalent title) might be recommended to the General Assembly for appointment as a member of the Board of Auditors. The Governments of Bangladesh and Colombia proposed, respectively, the Auditor-General of Bangladesh and Controller-General of Colombia to fill the vacancy (see A/C.5/32/33).

3. The Committee voted by secret ballot. The result of the voting was as follows:

<i>Number of ballot papers:</i>	121
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	121

<i>Abstentions:</i>	0
<i>Number of members voting:</i>	121
<i>Required majority:</i>	62

Number of votes obtained:

The Auditor-General of Bangladesh . .	104
The Controller-General of Colombia	17

4. The Fifth Committee decided that the Auditor-General of Bangladesh, having received the required majority, be recommended for appointment as a member of the Board of Auditors for a three-year term beginning on 1 July 1978.

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the appointment of the Auditor-General of Bangladesh as a member of the Board of Auditors for a three-year term beginning on 1 July 1978.

(d) Investments Committee: confirmation of the appointments made by the Secretary-General**DOCUMENT A/32/294****Report of the Fifth Committee**

[Original: English]
[8 December 1977]

1. At its 51st meeting, on 29 November 1977, the Fifth Committee considered a note by the Secretary-General (A/32/104) concerning vacancies in the Investments Committee. The Committee also had before it a note by the Secretary-General (A/C.5/32/27) in which he submitted for confirmation by the General Assembly the appointments as members of the United Nations Investments Committee, in accordance with the provisions of article 20 of the Regulations of the United Nations Joint Staff Pension Fund, for three-year terms beginning on 1 January 1978, of Mr. Hamza Mirghani (appointment), Mr. David Montagu (reappointment) and Mr. Yves Oltramare (reappointment).

2. The Fifth Committee decided, without objection, to recommend to the General Assembly that it confirm the appointments of Mr. Hamza Mirghani, Mr. David

Montagu and Mr. Yves Oltramare for three-year terms beginning on 1 January 1978.

Recommendation of the Fifth Committee

3. The Fifth Committee recommends to the General Assembly the confirmation of the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term beginning on 1 January 1978:

Mr. Hamza Mirghani;
Mr. David Montagu;
Mr. Yves Oltramare.

(e) United Nations Administrative Tribunal**DOCUMENT A/32/295****Report of the Fifth Committee**

[Original: English]
[26 October 1977]

1. At its 17th meeting, on 14 October 1977, the Fifth Committee considered a note by the Secretary-General (A/32/105) concerning the vacancies which would occur in the membership of the United Nations Administrative Tribunal as a result of the expiration on 31 December 1977 of the terms of office of two of its members.

2. The members of the Fifth Committee had been invited to submit the names of persons who might be recommended to the General Assembly for appointment to the Administrative Tribunal, in accordance with the provisions of article 3, paragraphs 1 and 2, of the statute of the Tribunal (General Assembly resolution 351 A (IV)). Two names were submitted to the Committee (see A/C.5/32/21).

3. On the proposal of the Chairman, the Fifth Committee decided without objection to dispense with the secret ballot in view of the fact that there was no contest since there were two candidates for the two vacancies.

4. The Fifth Committee then decided, by acclamation, to recommend Mr. Francis T. P. Plimpton (United States of America) and Sir Roger Bentham Stevens (United Kingdom of Great Britain and Northern Ireland) to the General Assembly for appointment as members of the United Nations Administrative Tribunal for a three-year term beginning on 1 January 1978.

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the appointment of the following persons as members of the United Nations Administrative Tribunal for a three-year term beginning on 1 January 1978:

Mr. Francis T. P. Plimpton,
Sir Roger Bentham Stevens.

(f) International Civil Service Commission**DOCUMENT A/32/296****Report of the Fifth Committee**

[Original: English]
[19 December 1977]

1. At its 64th meeting, on 15 December 1977, the Fifth Committee considered a note by the Secretary-General (A/C.5/32/59) in which he submitted for confirmation by the General Assembly the appointments as members of the International Civil Service Commission for four-year terms of Mr. Antonio Fonseca Pimentel, Mr. A. H. M. Hillis, Mr. Akira Matsui, Mr. Jean-Louis Plihon and Mrs. Ersä H. Poston to fill the vacancies which would occur in the Commission as a result of the expiration on 31 December 1977 of the terms of office of five of its members. The Committee also had before it a note by the Secretary-General (A/32/106 and Corr.1) concerning the vacancies. The Committee considered also (*ibid.*) the confirmation of appointment of Mr. R. M. Akwei for a one-year term to fill the unexpired portion of the term of office of the late Mr. Adu, and also considered confirmation of the designation of Mr. Akwei to serve as Vice-Chairman of the Commission from 1 January 1978 to 31 December 1978. In that connexion, the Committee had before it a note by the Secretary-General (A/32/106/Add.1).

2. The Committee decided, without objection, to recommend that the General Assembly should confirm the appointments of Mr. A. H. M. Hillis (United Kingdom of Great Britain and Northern Ireland), Mr. Akira Matsui (Japan), Mr. Antonio Fonseca Pimentel (Brazil), Mr. Jean-Louis Plihon (France) and Mrs. Ersä

H. Poston (United States of America) for four-year terms commencing on 1 January 1978. The Committee also decided to recommend that the General Assembly should confirm the appointment of Mr. R. M. Akwei (Ghana) for a one-year term of office commencing on 1 January 1978 and further decided to recommend that Mr. Akwei should be designated to serve as Vice-Chairman of the International Civil Service Commission until 31 December 1978.

Recommendation of the Fifth Committee

3. The Fifth Committee recommends to the General Assembly that it:

(a) Appoint the following persons as members of the International Civil Service Commission for a four-year term beginning on 1 January 1978:

Mr. A. H. M. Hillis,
Mr. Akira Matsui,
Mr. Antonio Fonseca Pimentel,
Mr. Jean-Louis Plihon,
Mrs. Ersä H. Poston;

(b) Appoint the following person as a member of the International Civil Service Commission and as Vice-Chairman of the Commission for a one-year term beginning on 1 January 1978:

Mr. R. M. Akwei.

ACTION TAKEN BY THE GENERAL ASSEMBLY

(a) *Advisory Committee on Administrative and Budgetary Questions*

At its 66th plenary meeting, on 11 November 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 5 of its report (A/32/291) (see decision 32/308 A¹).

At its 110th plenary meeting, on 21 December 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 5 of its report (A/32/291/Add.1) (see decision 32/308 B¹).

At the same meeting, the Assembly adopted the recommendation made by the Fifth Committee in paragraph 9 of its report (A/32/291/Add.2) (see decision 32/308 C¹).

(b) *Committee on Contributions*

At its 102nd plenary meeting, on 14 December 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 5 of its report (A/32/292) (see decision 32/315¹).

(c) *Board of Auditors*

At its 66th plenary meeting, on 11 November 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 5 of its report (A/32/293) (see decision 32/309¹).

(d) *Investments Committee: confirmation of the appointments made by the Secretary-General*

At its 102nd plenary meeting, on 14 December 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 3 of its report (A/32/294) (see decision 32/316¹).

(e) *United Nations Administrative Tribunal*

At its 66th plenary meeting, on 11 November 1977, the General Assembly adopted the recommendation of the Fifth Committee made in paragraph 5 of its report (A/32/295) (see decision 32/310¹).

(f) *International Civil Service Commission*

At its 110th plenary meeting, on 21 December 1977, the General Assembly adopted the recommendation made by the Fifth Committee in paragraph 3 of its report (A/32/296) (see decision 32/325¹).

¹See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents relating to agenda item 107 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
(a) <i>Advisory Committee on Administrative and Budgetary Questions</i>		
A/32/101	Note by the Secretary-General, dated 27 May 1977	See A/32/291, para. 1
A/32/101/Add.1	Note by the Secretary-General, dated 1 November 1977	<i>Ibid.</i>
A/32/101/Add.2	Note by the Secretary-General, dated 1 December 1977	See A/32/291/Add.1, para. 1
A/C.5/32/31	Note by the Secretary-General, dated 1 November 1977	See A/32/291, para. 2
A/C.5/32/31/Add.1	Note by the Secretary-General, dated 1 December 1977	See A/32/291/Add.1, para. 2
A/C.5/32/100	Note by the Secretary-General, dated 14 December 1977	See A/32/291/Add.2, para. 1
(b) <i>Committee on Contributions</i>		
A/32/102	Note by the Secretary-General, dated 27 May 1977	See A/32/292, para. 1
A/C.5/32/36	Note by the Secretary-General, dated 8 November 1977	<i>Ibid.</i> , para. 2
(c) <i>Board of Auditors</i>		
A/32/103	Note by the Secretary-General, dated 27 May 1977	See A/32/293, para. 1
A/C.5/32/33	Note by the Secretary-General, dated 1 November 1977	<i>Ibid.</i> , para. 2

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
	(d) <i>Investments Committee: confirmation of the appointments made by the Secretary-General</i>	
A/32/104	Note by the Secretary-General, dated 27 May 1977	See A/32/294, para. 1
A/C.5/32/27	Note by the Secretary-General, dated 18 November 1977	<i>Ibid.</i>
	(e) <i>United Nations Administrative Tribunal</i>	
A/32/105	Note by the Secretary-General, dated 27 May 1977	See A/32/295, para. 1
A/C.5/32/21	Note by the Secretary-General, dated 12 October 1977	<i>Ibid.</i> , para. 2
	(f) <i>International Civil Service Commission</i>	
A/32/106 and Corr.1	Note by the Secretary-General, dated 27 May 1977	See A/32/296, para. 1
A/32/106/Add.1	Note by the Secretary-General, dated 18 November 1977	<i>Ibid.</i>
A/C.5/32/59	Note by the Secretary-General, dated 14 December 1977	<i>Ibid.</i>

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 108:* Personnel questions:**

- (a) **Composition of the Secretariat: report of the Secretary-General;**
 - (b) **Other personnel questions: report of the Secretary-General**
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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee, 4th, 6th, 9th to 11th, 14th, 15th, 17th and 20th meetings, and ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 66th meeting.*

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 81), twenty-eighth (item 86), twenty-ninth (item 81), thirtieth (item 104) and thirty-first (item 102).

DOCUMENT A/32/314

Report of the Fifth Committee

[Original: English]
[9 November 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include in the agenda of its thirty-second session the item entitled "Personnel questions: (a) Composition of the Secretariat: report of the Secretary-General; (b) Other personnel questions: report of the Secretary-General", and to allocate it to the Fifth Committee.

2. The Committee considered the item at its 4th, 6th, 9th, 10th, 11th, 14th, 15th, 17th and 20th meetings, from 28 September to 19 October 1977. For its consideration of item 108 (a), the Committee had before it the report of the Secretary-General on the composition of the Secretariat (A/32/146) and a list of the staff of the Secretariat showing, by office, department and organizational unit, the names, functional titles, nationality and salary level of all staff members employed as at 30 June 1977 (A/C.5/32/L.2). The Committee considered under item 108 (b) a report of the Secretary-General on the amendments made to the Staff Rules during the period from 1 July 1976 to 30 June 1977 (A/C.5/32/3).

3. At the request of some delegations, during its consideration of the item the Committee was provided by the Secretariat with information on the characteristics of staff appointed and promoted between 1 July 1976 and 30 June 1977, issued in a conference room paper. Data on the distribution of the staff of the Secretariat by region and nationality were also provided in a conference room paper, following a request by the delegation of Poland.

I. COMPOSITION OF THE SECRETARIAT

4. At the 14th meeting, the representative of India introduced a revised draft resolution (A/C.5/32/L.7/Rev.1) sponsored by Ghana, India, Japan, Kenya and Trinidad and Tobago, which read as follows:

"The General Assembly,

"... [text of the preamble and operative paragraphs 1, 4 and 5 same as that of the preamble and operative paragraphs 1, 2 and 5 of draft resolution A contained in paragraph 16 below];

"2. Expresses the view that the report of the Secretary-General does not sufficiently fulfil the requirements of resolution 31/26 and those of other relevant resolutions;

"3. Urges the Secretary-General to redouble his efforts for the effective implementation of General Assembly resolutions 31/26, 31/27 and other relevant resolutions, within the framework of Article 101, paragraph 3, of the Charter of the United Nations;"

5. At the 15th meeting, the representative of Japan, on behalf of the sponsors, taking into account the views expressed and the amendments proposed by a number of delegations during the discussion on the draft resolution, orally revised it as follows:

(a) In operative paragraph 2, the words "sufficiently fulfil" were replaced by the words "entirely meet";

(b) Operative paragraph 3 was replaced by the following:

[Same text as operative paragraph 3 of draft resolution A contained in paragraph 16 below];

(c) Operative paragraph 4 was renumbered operative paragraph 2 and paragraphs 2 and 3 were renumbered accordingly.

6. At the same meeting, the Committee adopted by consensus draft resolution A/C.5/32/L.7/Rev.1, as orally revised (see para. 16 below, draft resolution A).

7. At the same meeting, the representative of the United States of America said that he did not join in the consensus. The representative of the United Kingdom declared that, had there been a vote on the draft resolution, his delegation would have abstained.

8. Also at the same meeting, the representative of Nepal introduced a draft decision on the composition of the Secretariat (A/C.5/32/L.8/Rev.1), which read as follows:

“The General Assembly

“1. Decides to request the Secretary-General to include in his forthcoming report on personnel questions to be submitted to the General Assembly at its thirty-third session a special section reflecting the views of the United Nations personnel on:

“(a) How to intensify their efforts to contribute in an impartial manner to the attainment of the aims and objectives of the Charter of the United Nations, particularly the maintenance of international peace and security and the promotion of social and economic development of the developing countries;

“(b) How the morale of the United Nations personnel can be improved to this end;

“2. Requests the Secretary-General to employ suitable techniques to ascertain the views of the United Nations personnel with the object of achieving the goals set forth in paragraph 1 above.”

9. At the 17th meeting, the representative of Nepal, following a suggestion by Pakistan, announced that he would not press the draft decision to a vote provided that its text would be included in the present report.

10. At the 20th meeting, the representative of Barbados introduced, and orally revised, a second version (A/C.5/32/L.9/Rev.2) of a revised draft resolution which he had introduced earlier to the Committee (A/C.5/32/L.9/Rev.1). The new text, which was sponsored by the Bahamas, Barbados and Nigeria, was identical with that of draft resolution B in paragraph 16 below, except that operative paragraph 2 read as follows:

“2. Urges the Secretary-General to make greater efforts to appoint to senior posts both through recruitment and promotion younger people of outstanding ability and demonstrable potential;”

11. At the same meeting, the representative of Ghana proposed that the words “in the context of General Assembly resolution 31/26” be added after the words “greater efforts” in operative paragraph 2 of the draft resolution. The amendment was accepted by the sponsors.

12. At the same meeting, the Committee adopted by consensus draft resolution A/C.5/32/L.9/Rev.2,

as orally revised (see para. 16 below, draft resolution B).

13. After the Chairman had announced a consensus, the representatives of the United States and of the United Kingdom said that their delegations could not participate in the consensus.

14. The comments and observations made in the course of the discussion of this item, as well as the replies to queries raised, are reflected in the summary records of the meetings (A/C.5/32/SR.4, 6, 9-11, 14, 15, 17 and 20).

II. OTHER PERSONNEL QUESTIONS

Decision of the Committee

15. At the 4th meeting, the Chairman proposed that the Committee should recommend to the General Assembly that it take note of the amendments made by the Secretary-General to the Staff Rules. The Committee decided, without objection, to adopt the Chairman's proposal (see para. 17 below).

Recommendations of the Fifth Committee

16. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

COMPOSITION OF THE SECRETARIAT

A

The General Assembly,

Recalling its earlier resolutions on the composition of the Secretariat, in particular resolution 31/26 of 29 November 1976,

Having considered the report of the Secretary-General on the composition of the Secretariat (A/32/146),

1. *Takes note* of the report of the Secretary-General;

2. *Further takes note* of the assurances of the Secretary-General to provide to the General Assembly at its thirty-third session a full report on the implementation of the directives and provisions contained in resolutions 31/26 and 31/27 of 29 November 1976;

3. *Expresses the view* that the report of the Secretary-General does not entirely meet the requirements of resolution 31/26 and those of other relevant resolutions;

4. *Urges* the Secretary-General to intensify his efforts for the effective implementation of General Assembly resolutions 3416 (XXX) and 3417 A and B (XXX) of 8 December 1975, 31/26 and 31/27, in all their parts, and other relevant resolutions, within the framework of Article 101, paragraph 3 of the Charter of the United Nations;

5. *Requests* the Secretary-General, in the submission of his report to the General Assembly at its thirty-third session, to provide full data, including comparative numerical data, on the implementation of the relevant resolutions, particularly resolution 31/26, taking fully into account the views and suggestions expressed during the discussion on this item at the thirty-second session.

B

The General Assembly,

Recalling its earlier resolutions on the composition of the Secretariat, in particular resolution 31/26 of 29 November 1976,

Having considered the report of the Secretary-General on the composition of the Secretariat (A/32/146),

Noting that little progress has so far been achieved in respect of the implementation of resolution 31/26,

Reaffirming that the paramount consideration in the employment of staff at every level is the necessity for the highest standards of efficiency, competence and integrity, and convinced that this is compatible with the principles of equitable geographical distribution,

Noting with satisfaction the indication in the Secretary-General's bulletin of 8 March 1977 that particular attention will be paid in the annual review of promotion to the selection of female staff members who are qualified for promotion or for assignment to positions of greater responsibility (ST/SGB/154, para. 8 (c)),

Believing that greater efforts can be made to recruit younger persons to the Secretariat in order to reduce the average age of appointment at the base Professional grade, compatibly with the requirements of geographical distribution,

Welcoming the establishment of the panel to investigate allegations of discriminatory treatment and to recommend appropriate action in accordance with paragraph 7 of General Assembly resolution 31/26,¹

1. *Requests* the Secretary-General to report separately on the recruitment of young people below twenty-seven years of age in future reports on the composition of the Secretariat;

2. *Urges* the Secretary-General to make greater efforts, in the context of General Assembly resolution 31/26, to appoint to senior posts, both through recruitment and promotion, younger people of outstanding ability and demonstrable potential;

3. *Requests* the Secretary-General to report on all recruiting missions undertaken from now until the thirty-third session of the General Assembly, giving details of each mission, including publicity, groups contacted, meetings held, the number interviewed by age and sex, the number of candidates added to the roster

¹ See ST/AI/246.

and the number of candidates appointed, and thereafter report on this matter annually;

4. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session an analysis of the ages of staff, on appointment and on promotion, in each of the Professional grades and above over the past twenty years separately for the ten-year periods 1959-1968 and 1969-1978, in order to evaluate and to formulate such policy guidelines as may be necessary in this area;

5. *Requests* the Secretary-General to submit a breakdown of staff composition by grade and sex at the divisional level within departments and to include information on efforts made within each department to establish conditions of equality and an equitable balance between men and women staff members;

6. *Recommends* that the Secretary-General should draw the attention of the appointment and promotion bodies to the special need to appoint, in the context of equitable geographical distribution, and promote qualified women, particularly at the more senior levels;

7. *Urges* the Secretary-General, in order to enable the members of the panel established to investigate allegations of discriminatory treatment to discharge their duties with the utmost confidentiality and expedition, to make the maximum time necessary available to them without prejudice to their other functions and to make the necessary facilities available, including direct access to files necessary to the execution of their task, with the proper safeguards;

8. *Requests* the Secretary-General, in his annual report on personnel questions, to include an account of the work of the panel, including the number and categories of cases dealt with, whether they were satisfactorily resolved and the main problems encountered.

* * *

17. The Fifth Committee also recommends to the General Assembly that it take note of the amendments made by the Secretary-General to the Staff Rules of the United Nations during the period from 1 July 1976 to 30 June 1977 (see A/C.5/32/3).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 66th plenary meeting, on 11 November 1977, the General Assembly adopted draft resolutions A and B submitted by the Fifth Committee in its report (A/32/314, para. 16). For the final texts, see resolutions 32/17 A and B.²

At the same meeting, the Assembly adopted the recommendation made by the Fifth Committee in paragraph 17 of the same report (see decision 32/405²).

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 108 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/146	Composition of the Secretariat: report of the Secretary-General	Mimeographed
A/C.5/32/3	Amendments to the Staff Rules: report of the Secretary-General	Ditto
A/C.5/32/L.2	List of staff of the United Nations Secretariat as of 30 June 1977: report of the Secretary-General	Ditto
A/C.5/32/L.7	India and Trinidad and Tobago: draft resolution	Replaced by A/C.5/32/L.7/Rev.1
A/C.5/32/L.7/Rev.1	Revised draft resolution	For the sponsors and the text, see A/32/314, para. 4
A/C.5/32/L.8	Nepal: draft decision	Replaced by A/C.5/32/L.8/Rev.1
A/C.5/32/L.8/Rev.1	Nepal: revised draft decision	See A/32/314, para. 8
A/C.5/32/L.9	Barbados: draft resolution	Replaced by A/C.5/32/L.9/Rev.1
A/C.5/32/L.9/Rev.1	Barbados: revised draft resolution	Replaced by A/C.5/32/L.9/Rev.2
A/C.5/32/L.9/Rev.2	Revised draft resolution	For the sponsors and the text, see A/32/314, paras. 10 and 11
ST/SGB/154	Secretary-General's Bulletin, dated 8 March 1977, on equality between men and women in the Secretariat	Mimeographed

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 109:* Report of the International Civil Service Commission**

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 23rd, 47th, 48th, 56th, 59th and 60th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 110th meeting.

** This question was previously discussed by the General Assembly at the thirtieth session (agenda item 105) and at thirty-first session (item 103).

DOCUMENT A/32/447

Report of the Fifth Committee

[Original: English]
[17 December 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include in the agenda of its thirty-second session the item entitled "Report of the International Civil Service Commission" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 23rd, 47th, 48th, 56th, 59th and 60th meetings, on 24 October, 22 November and 5, 8 and 9 December. Comments made by delegations in the course of the discussion on this item are reflected in the relevant summary records of the meetings (A/C.5/32/SR.23, 47, 48, 56, 59 and 60).

3. For its consideration of the item, the Committee had before it the following documents:

(a) The third annual report of the International Civil Service Commission (A/32/30);

(b) The report of the Advisory Committee on Administrative and Budgetary Questions on the report of the Commission (A/32/8/Add.16);

(c) A note by the Secretary-General transmitting the comments of the Administrative Committee on Coordination on the report of the Commission (A/32/362);

(d) A note by the Secretary-General transmitting a statement by the United Nations Staff Council at Geneva on the report of the Commission (A/C.5/32/48).

4. In accordance with article 17 of its statute, contained in the annex to General Assembly resolution 3357 (XXIX), the International Civil Service Commission submitted its third annual report, covering its work in 1977, to the Assembly and to be transmitted to the governing organs of the other organizations in the United Nations system participating in its work, through their executive heads, and to staff representatives.

5. In its report (A/32/30), the Commission summarized the action taken by it in 1977, generally in the progressive assumption of the full range of functions assigned to it under its statute and, in particular, in response to requests addressed to it by the General Assembly at its thirty-first session in resolutions 31/141 and 31/193 B. With regard to the remuneration of the staff in Professional and higher categories, the Commission submitted one recommendation, set out in paragraph 57 of its report, calling for action by the Assembly concerning a change in the method of operation of the post adjustment system. The main part of its report (*ibid.*, chap. IV) described, firstly, its preliminary consideration, in implementation of articles 10 and 11 of its statute, of the broad principle for determining the conditions of service of the staff in the General Service category and the methodology for the application of that principle; and, secondly, the action it had taken, under article 12, paragraph 1, of its statute and in response to the request addressed to it by the Assembly in resolution 31/193 B, to establish the relevant facts for, and make recommendations as to, the salary scales of staff in the General Service and other locally recruited categories at Geneva. As a result of the survey, the Commission recommended a new salary scale for the General Service category at Geneva as at 1 January 1978 (*ibid.*, annex III, sect. L). Its report and recommendation on this subject had been presented on 20 September 1977 to the Secretary-General and to the executive heads of the other Geneva-based organizations, who, under the staff regulations and rules of their respective organizations, are responsible for fixing salaries of the General Service category.

6. The Chairman of the International Civil Service Commission introduced the report of the Commission in an oral statement before the Fifth Committee at its 47th meeting. The text of the statement

(A/C.5/32/50) was reproduced as a document by decision of the Committee.

7. At the 48th meeting, the Secretary-General made a statement on the question of General Service salaries at Geneva and announced the basic agreement which he had reached with the other executive heads concerned regarding the modalities of implementation of the salary scale recommended by the Commission. The text of the statement (A/C.5/32/51) was reproduced as a document by decision of the Committee.

8. At its 23rd meeting, the Committee had decided, on the proposal of its Chairman, to establish an *ad hoc* working group, open to all interested delegations, to give preliminary consideration to the report of the Commission. The working group held eight meetings, under the chairmanship of the representative of Ghana.

9. The working group could not reach a consensus on a draft resolution because, while the majority was of the view that the question of the establishment of a transitional allowance fell squarely within the jurisdiction of the Secretary-General and therefore the General Assembly should not interfere, some members of the Working Group expressed the opinion that this question was to be decided by the General Assembly.

10. At the 59th meeting, the representative of Ghana introduced a draft resolution (A/C.5/32/L.35) on behalf of Bangladesh, Colombia, Denmark, Egypt, France, Federal Republic of Germany, Ghana, India, Italy, Japan, Jordan, Kenya, the Netherlands, New Zealand, Pakistan, Panama, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Cameroon, the United States of America, Venezuela and Zaire. Indonesia, Nigeria, the Philippines, Portugal, Sierra Leone, Singapore, Sri Lanka and Togo subsequently joined as sponsors of the draft resolution.

11. The representative of the Philippines proposed the following amendments to the draft resolution:

(a) In section I, operative paragraph 2, the words "include a review in particular of" should be replaced by "in particular";

(b) In section III, operative paragraph 6 before the words "the savings" the words "at least 20 per cent from" should be added and the final phrase after the words "budget for 1978-1979" should be deleted.

The change in subparagraph (a) above was accepted by the sponsors. The change in subparagraph (b) above, however, was withdrawn by the representative of the Philippines, as it was not accepted by the sponsors.

12. At the 60th meeting, the representative of the Ukrainian Soviet Socialist Republic introduced an amendment (A/C.5/32/L.38), which would add to section III, operative paragraph 3, of the draft resolution the words "but decides that the additional payments resulting from the step increments and promotions should be deducted from the personal transitional allowances proposed by the Secretary-General as a provisional measure". As that amendment was not accepted by the sponsors, the representative of the Ukrainian Soviet Socialist Republic withdrew it, but announced that he would consequently be obliged to vote against the draft resolution.

13. At the same meeting, the Committee adopted draft resolution A/C.5/32/L.35, as revised, by 81 votes to 8 (see para. 14 below).

Recommendation of the Fifth Committee

14. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION

The General Assembly,

Having considered the third annual report of the International Civil Service Commission (A/32/30), the notes by the Secretary-General thereon (A/32/362 and A/C.5/32/48) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/8/Add.16),

I

1. *Notes* the assurance given by the International Civil Service Commission that, in compliance with the request made in section I, paragraph 1, of General Assembly resolution 31/141 B of 17 December 1976, it will continue to keep under continual review the relationship between the levels of remuneration of the comparator national civil service and of the United Nations common system, in particular with respect to any divergencies which might result from the operation of the post adjustment system;

2. *Requests* the Commission to inform the General Assembly at its thirty-third session of the results of the review, which should include in particular the feasibility of establishing a modified system of post adjustments, taking into account the views expressed in paragraph 229 of its second annual report,¹ and to report on such steps as it may have taken to bring about appropriate corrective action either under the authority and with the means already at its disposal or by submitting a recommendation to the Assembly;

II

1. *Decides* that, with effect from 1 July 1978, the system of post adjustments shall be revised to provide that changes in class of post adjustment are based on index movements of 5 per cent rather than of five points;

2. *Amends* the Staff Regulations of the United Nations, with effect from 1 July 1978, by replacing the schedule of post adjustments provided for in paragraph 9 of annex I to the Regulations by the schedule reproduced in the annex to the present resolution;

3. *Authorizes* the International Civil Service Commission, acting under article 11 of its statute, to take all measures necessary for the implementation of this change;

III

1. *Notes with appreciation* the report on the action taken by the International Civil Service Commission (see A/32/30, chap. IV), under article 12, paragraph 1, of its statute and in compliance with General Assembly resolution 31/193 B of 22 December 1976, with respect to the salaries of the staff in the General Service category at Geneva;

2. *Notes with appreciation* the statement by the Secretary-General (A/C.5/32/51) on the basic agreement reached by him and the executive heads of the Geneva-based agencies on accepting the report of the

¹ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 30 (A/31/30), part two, and A/31/30/Add.1.*

Commission, its findings and recommendations, as well as the basic agreement reached by them on the transitional arrangements required;

3. *Also notes with appreciation* the Secretary-General's intention to implement the decision reached under the authority vested in him by paragraph 7 of annex I to the Staff Regulations of the United Nations;

4. *Invites* the executive heads of all the other Geneva-based organizations to follow the same implementation procedure, subject to their respective constitutional requirements;

5. *Notes* the intention of the Commission to advance the date of its next survey and to report on General Service salaries at Geneva so as to make its results available to the executive heads during the

year 1980, and to inform the General Assembly at its thirty-fifth session of the action taken in this regard;

6. *Requests* the Secretary-General to make maximum efforts to cover the cost of the transitional payments by savings in the implementation of the United Nations budget for 1978-1979, to confine, to this end, the recruitment of staff in the General Service category at Geneva to the areas of priority importance and to keep the Advisory Committee on Administrative and Budgetary Questions currently informed of the situation there so as to enable the latter to monitor and comment on it, as required, in the context of the performance reports on the budget for 1978-1979, on the understanding that at least 20 per cent of the transitional payments shall be financed by such savings.

(Annexes follow overleaf)

ANNEX

Schedules of post adjustments (amount per index point in United States dollars)

(Effective 1 July 1978)

A. Additions (where cost of living is higher than at the base)

Level	Steps													
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	
USG D	362.0													
S	328.4													
ASG D	332.2													
S	302.4													
D-2 D	276.8	282.8	288.8	294.8										
S	253.8	259.0	264.4	269.6										
D-1 D	249.8	254.4	258.8	263.4	267.8	272.4	276.8							
S	230.0	234.2	238.0	242.0	245.8	249.8	253.8							
P-5 D	228.8	232.6	236.2	239.8	243.8	247.2	251.2	255.0	258.8	262.4				
S	211.4	214.8	218.0	221.2	224.8	227.6	231.2	234.6	237.8	241.2				
P-4 D	191.4	195.8	200.2	204.4	209.2	213.0	216.8	220.6	224.6	229.4	234.0	238.4		
S	177.8	181.8	185.8	189.6	193.8	197.2	200.6	204.0	207.6	211.8	216.0	220.0		
P-3 D	160.6	165.2	169.4	173.4	177.8	182.2	186.8	191.2	195.0	198.6	202.4	206.0	210.0	
S	149.8	154.0	157.8	161.4	165.4	169.4	173.6	177.6	181.0	184.2	187.8	191.0	194.6	
P-2 D	133.4	137.4	141.0	144.8	148.6	152.4	156.2	159.8	163.6	167.4	171.0			
S	125.2	128.6	132.0	135.4	139.0	142.4	145.8	149.2	152.6	156.0	159.4			
P-1 D	106.2	109.8	113.4	117.0	120.6	124.2	128.0	131.2	134.6	138.0				
S	99.8	103.2	106.6	110.0	113.4	116.6	120.0	123.0	126.2	129.2				

D = Rate of post adjustment applicable to staff members with a dependent spouse or child.

S = Rate of post adjustment applicable to staff members with no dependent spouse or child.

B. Deductions (where cost of living is lower than at the base)

Level	Steps												
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII
USG D	351.0												
S	318.4												
ASG D	322.2												
S	293.2												
D-2 D	268.4	274.2	280.0	286.0									
S	246.0	251.2	256.4	261.4									
D-1 D	234.0	239.6	245.4	251.2	256.8	262.4	267.6						
S	215.4	220.6	225.6	230.8	235.8	240.6	245.4						
P-5 D	210.4	215.2	219.8	224.2	228.8	233.2	237.6	242.0	246.4	250.8			
S	194.4	198.6	202.8	206.8	210.8	214.8	218.6	222.6	226.6	230.4			
P-4 D	174.0	178.4	182.8	187.4	191.8	196.0	200.4	204.6	209.0	213.4	217.8	222.0	
S	161.6	165.6	169.6	173.8	177.6	181.4	185.4	189.2	193.2	197.2	201.0	204.8	
P-3 D	145.6	149.6	153.8	157.8	161.8	166.0	170.0	174.0	177.8	181.6	185.2	189.0	192.6
S	135.8	139.6	143.4	147.0	150.6	154.4	158.0	161.6	165.0	168.4	171.8	175.2	178.4
P-2 D	120.8	124.4	127.8	131.2	134.8	138.2	141.6	145.0	148.6	152.0	155.4		
S	113.2	116.4	119.6	122.8	126.0	129.0	132.2	135.4	138.6	141.6	144.8		
P-1 D	95.4	98.6	102.0	105.4	108.6	112.0	115.4	118.6	122.0	125.2			
S	89.8	92.8	96.0	99.0	102.2	105.2	108.2	111.2	114.2	117.2			

D = Rate of post adjustment applicable to staff members with a dependent spouse or child.
 S = Rate of post adjustment applicable to staff members with no dependent spouse or child.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 110th plenary meeting, on 21 December 1977, the General Assembly adopted by a vote of 125 to 9, the draft resolution submitted by the Fifth Committee in its report (A/32/447, para. 14). For the final text, see resolution 32/200.²

²See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 109 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/8/Add.16	Report of the Advisory Committee on Administrative and Budgetary Questions	See <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 8A</i>
A/32/30	Report of the International Civil Service Commission	<i>Ibid.</i> , Supplement No. 30
A/32/362	Report of the International Civil Service Commission: note by the Secretary-General transmitting the comments of the Administrative Committee on Co-ordination	Mimeographed
A/C.5/32/48	Report of the International Civil Service Commission: note by the Secretary-General transmitting a statement by the United Nations Staff Council at Geneva on General Service salaries at Geneva	Ditto
A/C.5/32/50	Statement by the Chairman of the International Civil Service Commission at the 47th meeting of the Fifth Committee, on 22 November 1977	Ditto
A/C.5/32/51	Statement by the Secretary-General at the 48th meeting of the Fifth Committee, on 22 November 1977	Ditto
A/C.5/32/L.35	Draft resolution	For the sponsors and the text, see A/32/447, paras. 10, 11 and 14
A/C.5/32/L.38	Ukrainian Soviet Socialist Republic: amendment to draft resolution A/C.5/32/L.35	See A/32/447, para. 12

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 110:* United Nations pension system:

- (a) Report of the United Nations Joint Staff Pension Board;**
 - (b) Report of the Secretary-General
-

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee*, 34th, 36th, 38th, 39th, 42nd, 45th, 50th, 55th and 56th meetings and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 99th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 82), twenty-eighth (item 88), twenty-ninth (item 83), thirtieth (item 106) and thirty-first (item 104).

DOCUMENT A/32/421

Report of the Fifth Committee

[Original: English]
[8 December 1977]

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include this item in the agenda of its thirty-second session and to allocate it to the Fifth Committee.

2. The Committee considered the item at its 34th, 36th, 38th, 39th, 42nd, 45th, 50th, 55th and 56th meetings, from 3 November to 5 December 1977. Comments made by delegations in the course of the discussion on this item are reflected in the relevant summary records of the meetings (A/C.5/32/SR.34, 36, 38, 39, 42, 45, 50, 55 and 56).

3. For its consideration of item 110, the Committee had before it the following documents:

(a) The report of the United Nations Joint Staff Pension Board for 1977 (A/32/9 and Add.1) including the report of the Board of Auditors on the accounts of the United Nations Joint Staff Pension Fund for the year ended 31 December 1976;

(b) The report of the Secretary-General on United Nations Joint Staff Pension Fund investments in transnational corporations and in developing countries (A/C.5/32/25);

(c) The report of the Advisory Committee on Administrative and Budgetary Questions (A/32/319).

4. The reports of the Board and of the Advisory Committee were introduced by the Chairmen of those bodies at the 34th meeting. At the request of one delegation, during the consideration of the item, information was also provided by the Chairman of the Board on pension contributions refunded to member organizations during 1976 and 1977 under article 26

of the Fund's Regulations, and on the amounts that would be payable by the Fund in cases of transfer of pension entitlements should an agreement entered into by the Board with the Commission of the European Communities be approved by the General Assembly.

5. At the 36th meeting, the representative of Cuba introduced a draft resolution (A/C.5/32/L.14) which read as follows:

"The General Assembly,

"... [text of first, second, fifth and sixth preambular paragraphs and operative paragraph 3 same as first, second, fourth and fifth preambular paragraphs and operative paragraph 2 of draft resolution I contained in paragraph 23 below],

"Deeply deploring the fact that since the adoption of that resolution United Nations Joint Staff Pension Fund investments in transnational corporations have risen from approximately \$600 million to \$772 million in bonds and equities as at 31 March 1977, while direct bond investments in the developing countries have only increased from under \$5 million to \$22 million,

"Noting with regret that the foregoing facts indicate a failure to implement the above-mentioned resolution, since investments in the transnational corporations have increased instead of being reduced by being transferred to developing countries, inasmuch as the few direct investments made in the developing countries have been effected from new resources of the Fund and not from previous investments in the transnational corporations,

“... ”

“1. *Requests* the Secretary-General not to make further investments in transnational corporations and to comply with the provisions of General Assembly resolution 31/197 of 22 December 1976;

“2. *Also requests* the Secretary-General to transmit the present resolution to the Commission on Transnational Corporations, together with his report on the subject contained in document (A/C.5/32/25);”

6. At the 38th meeting, the representative of France proposed that section III of the draft resolution proposed by the United Nations Joint Staff Pension Board (A/32/9, annex V) be amended by adding thereto a clause reading “and decides to participate in the common system of the international civil service”.

7. At the same meeting, the representative of Nigeria introduced a draft resolution (A/C.5/32/L.16) sponsored by Ghana, Nigeria and Zambia, subsequently joined by Algeria, Burundi, Chad, Egypt, Ethiopia, Kenya, Malawi, Togo, the United Republic of Cameroon and the United Republic of Tanzania, which read as follows:

“The General Assembly,

“... [text of preamble same as that of draft resolution I B contained in paragraph 23 below],

“Requests the Secretary-General to initiate negotiations with financial institutions in Africa, especially the Africa Development Bank, with a view to investing some of the portfolio of the United Nations Joint Staff Pension Fund directly in Africa and to report on the matter to the General Assembly at its thirty-third session.”

8. At the 39th meeting, the representative of Cuba introduced a revised version (A/C.5/32/L.14/Rev.1) of a draft resolution which he had introduced earlier to the Committee (see para. 5 above). In the new text, which was sponsored by Cuba and Mexico, the third and fourth preambular paragraphs of the initial text were replaced by the following preambular paragraph:

“Noting that since the adoption of resolution 31/197 United Nations Joint Staff Pension Fund investments in transnational corporations have risen from approximately \$600 million to \$772 million in bonds and equities as at 31 March 1977, while direct bond investments in the developing countries have only increased from under \$5 million to \$22 million,”

and operative paragraph 1 was replaced by the following text:

“1. Requests the Secretary-General to redouble his efforts, in pursuance of General Assembly resolution 31/197 of 22 December 1976, to ensure that, subject to careful observance of the requirements of safety, profitability, liquidity and convertibility, and in strict conformity with the Regulations of the United Nations Joint Staff Pension Fund, the resources of the Pension Fund are invested in developing countries;”

9. At the same meeting, the representative of Madagascar proposed that operative paragraph 1 of the revised text be amended by the addition of the words “a larger proportion of” before the words “the resources of the Pension Fund”.

10. At the same meeting, the representative of New Zealand proposed that operative paragraph 1 of

the revised draft resolution be further amended by the addition of the words “in consultation with the Investments Committee” after the words “redouble his efforts”.

11. At the same meeting, the representative of the Philippines proposed that operative paragraph 2 of the revised draft resolution be amended to read:

“2. Also requests the Commission on Transnational Corporations to submit to the Secretary-General all the information on the subject contained in document A/C.5/32/25”.

12. At the same meeting, the representative of Tunisia proposed the insertion in the revised text of an additional preambular paragraph reading:

[Same text as last preambular paragraph of draft resolution I A contained in paragraph 23 below.]

13. At the 42nd meeting, the sponsors of the revised draft resolution with the agreement of the Philippines, deleted operative paragraph 2.

14. At the same meeting, the representative of France withdrew his amendment (see para. 6 above) to section III of the draft resolution recommended by the Joint Staff Pension Board (A/32/9, annex V).

15. At the same meeting, the representative of Mexico introduced a further revised version of the draft resolution (A/C.5/32/L.14/Rev.3), sponsored by Cuba, Madagascar and Mexico (for the text, see para. 23 below, draft resolution I A).

16. At the same meeting, the Committee adopted draft resolution A/C.5/32/L.14/Rev.3 by 92 votes to none, with 22 abstentions.

17. At the same meeting, the representative of the Federal Republic of Germany proposed that draft resolution A/C.5/32/L.16 be amended by the deletion from the operative paragraph of the words “especially the Africa Development Bank”, and the representative of Japan proposed that the words “on safe and profitable terms” be added to the operative paragraph after the words “directly in Africa”. The amendments were accepted by the sponsors.

18. At the same meeting, the Committee adopted by consensus draft resolution A/C.5/32/L.16, as orally revised (see para. 23 below, draft resolution I B).

19. At the 50th meeting, the representative of Madagascar proposed that section III of the draft resolution recommended by the Joint Staff Pension Board (A/32/9, annex V) should be amended by replacing the words “*Decides* to admit the International Fund for Agricultural Development to membership in the United Nations Joint Staff Pension Fund” by the words “*Invites* the International Fund for Agricultural Development, once constituted, to join the United Nations Joint Staff Pension Fund”.

20. At the same meeting, the representative of the Union of Soviet Socialist Republics stated that if the Committee wished to adopt the draft resolution recommended by the Pension Board by consensus, his delegation would not object, provided that its comments were taken into account and provided that the possible negative effects of the agreement between the Board and the Commission of the European Communities would not lead to an increase in the contributions of Member States.

21. At the same meeting, on the proposal of some delegations, the Committee adopted by consensus the

draft resolution recommended by the United Nations Joint Staff Pension Board (for the final text, incorporating subsequent amendments thereto, see para. 23 below, draft resolution II).

22. At the 56th meeting, the Committee decided, without objection, to amend section I of the draft resolution recommended by the Pension Board as follows:

(a) By replacing "\$3,373,200" by "\$3,363,400";

(b) By adding an operative paragraph 2 reading as follows:

[Same text as operative paragraph 2 of draft resolution II, section I, contained in paragraph 23 below.]

Recommendations of the Fifth Committee

23. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

INVESTMENTS OF THE UNITED NATIONS JOINT STAFF PENSION FUND IN TRANSNATIONAL CORPORATIONS AND IN DEVELOPING COUNTRIES

A

The General Assembly,

Recalling that in its resolution 31/197 of 22 December 1976 it requested the Secretary-General to ensure that the resources which the United Nations Joint Staff Pension Fund holds invested in shares of transnational corporations are invested on safe and profitable terms and, to the greatest extent practicable, in sound investments in developing countries,

Having considered the report of the Secretary-General on United Nations Joint Staff Pension Fund investments in transnational corporations and in developing countries (A/C.5/32/25),

Noting that since the adoption of resolution 31/197 United Nations Joint Staff Pension Fund investments in transnational corporations have risen to \$772 million in bonds and equities as at 31 March 1977, while direct bond investments in the developing countries have only increased to \$22 million,

Recalling that the third preambular paragraph of resolution 31/197 took into account that investments by the United Nations Joint Staff Pension Fund in shares of transnational corporations might contradict the objectives and purposes of the organizations of the United Nations system,

Recalling also the resolutions adopted by the United Nations and other international organizations concerning the new international economic order and the transnational corporations,

Noting with satisfaction the decision of the United Nations Joint Staff Pension Board that, where investments in the developed and the developing world equally satisfy the criteria of safety, profitability, liquidity and convertibility, priority should be given to the investment in developing countries,

1. *Requests* the Secretary-General to redouble his efforts in consultation with the Investments Committee, in pursuance of General Assembly resolution 31/197,

to ensure that, subject to careful observance of the requirements of safety, profitability, liquidity and convertibility, and in strict conformity with the Regulations of the United Nations Joint Staff Pension Fund, a larger proportion of the investment of the resources of the Fund is made in developing countries;

2. *Further requests* the Secretary-General to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

B

The General Assembly,

Having considered the reports of the United Nations Joint Staff Pension Board (A/32/9 and Add.1) and of the Secretary-General (A/C.5/32/25) with regard to the investments of the United Nations Joint Staff Pension Fund in transnational corporations and in developing countries,

Recalling that in its resolution 3527 (XXX) of 16 December 1975 it requested the Secretary-General to intensify his efforts to increase the investments of the United Nations Joint Staff Pension Fund directly in developing countries on safe and profitable terms,

Noting that the efforts of the Secretary-General to increase the investments of the United Nations Joint Staff Pension Fund in developing countries as indicated in his report (*ibid.*, annex II) do not cover the continent of Africa,

Requests the Secretary-General to initiate negotiations with financial institutions in Africa with a view to investing some of the portfolio of the United Nations Joint Staff Pension Fund directly in Africa on safe and profitable terms and to report on the matter to the General Assembly at its thirty-third session.

Draft resolution II

REPORT OF THE UNITED NATIONS JOINT STAFF PENSION BOARD

The General Assembly,

Having considered the report of the United Nations Joint Staff Pension Board to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund for 1977 (A/32/9 and Add.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/319),

I

ADMINISTRATIVE EXPENSES

1. *Approves* expenses, chargeable directly to the United Nations Joint Staff Pension Fund, totalling \$3,363,400 (net) for 1978 and supplementary expenses totalling \$49,800 (net) for 1977 for the administration of the Fund, as estimated in annex III to the report of the United Nations Joint Staff Pension Board (A/32/9 and Add.1);

2. *Concurs* with the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraphs 2 to 9 of its report (A/32/319);

II

EMERGENCY FUND

Authorizes the United Nations Joint Staff Pension Board to supplement the voluntary contributions to the Emergency Fund, for a further period of one year, by an amount not exceeding \$100,000;

III

ADMISSION TO MEMBERSHIP OF THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

Decides to admit the International Fund for Agricultural Development to membership in the United Nations Joint Staff Pension Fund, in accordance with article 3 of the Regulations of the Fund, with effect from the date on which it becomes a specialized agency;

IV

TRANSFER OF PENSION RIGHTS

Concurs in the agreement approved by the United Nations Joint Staff Pension Board with the Commission

of the European Communities under article 13 of the Regulations of the United Nations Joint Staff Pension Fund with respect to continuity of pension rights between the Commission and the Fund;

V

TEMPORARY MEASURES APPLICABLE TO EXISTING PENSIONERS

Authorizes the United Nations Joint Staff Pension Board to continue to implement in 1978 the payments to existing pensioners authorized in section VII of General Assembly resolution 31/196 of 22 December 1976, in accordance with paragraph 68 of the report of the Board (A/32/9 and Add.1).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 9 December 1977, the General Assembly voted on draft resolutions I A and B and draft resolution II submitted by the Fifth Committee in its report (A/32/421, para. 23). Draft resolution I A was adopted by a vote of 94 to none, with 15 abstentions; draft resolution I B and draft resolution II were adopted by consensus. For the final texts, see resolutions 32/73 A and B and 32/74.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 110 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/9 and Add.1	Report of the United Nations Joint Staff Pension Board	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 9</i> and addendum
A/32/319	Report of the Advisory Committee on Administrative and Budgetary Questions	Mimeographed
A/C.5/32/25	United Nations Joint Staff Pension Fund investments in transnational corporations and in developing countries: report of the Secretary-General	Ditto
A/C.5/32/L.14	Cuba: draft resolution	See A/32/421, para. 5
A/C.5/32/L.14/Rev.1	Cuba and Mexico: revised draft resolution	<i>Ibid.</i> , para. 8
A/C.5/32/L.14/Rev.2	<i>Idem</i>	Replaced by A/C.5/32/L.14/Rev.3
A/C.5/32/L.14/Rev.3	Revised draft resolution	For the sponsors and the text, see A/32/421, paras. 15 and 23, draft resolution I A
A/C.5/32/L.16	Draft resolution	<i>Idem</i> , para. 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 111:* Financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force: report of the Secretary-General**

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Fifth Committee* 23rd and 52nd meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 45th and 90th meetings.

** This question was previously discussed by the General Assembly at its twenty-ninth session (agenda item 84), thirtieth session (item 107) and thirty-first session (item 105).

DOCUMENTS A/32/299 AND ADD.1

Report of the Fifth Committee

DOCUMENT A/32/299

[Original: English]
[24 October 1977]

PART I

1. At its 23rd meeting, on 24 October 1977, the Fifth Committee considered agenda item 111.

2. The Security Council, in its resolution 416 (1977) of 21 October 1977, decided to renew the mandate of the United Nations Emergency Force (UNEF) for the period from 25 October 1977 to 24 October 1978 inclusive. The present mandate of the United Nations Disengagement Observer Force (UNDOF), which was renewed by the Security Council in resolution 408 (1977) of 26 May 1977, continues until 30 November 1977 inclusive.

3. In view of the fact that the present appropriation for UNEF, as provided in section I, paragraph 1, of General Assembly resolution 31/5 C of 22 December 1976, does not extend beyond 24 October 1977 and that the present authorization of the Secretary-General to enter into commitments for UNDOF, as provided in section III of Assembly resolution 31/5 D of 22 December 1976, expires on 24 October 1977, the Fifth Committee, at its 23rd meeting adopted by 66 votes to 2, with 18 abstentions, a draft resolution (see A/C.5/32/L.11) which would authorize the Secretary-General to enter into commitments for UNEF for the period from 25 October to 30 November 1977 inclusive and for UNDOF for the period from 25 October to 30 November 1977 inclusive, in order to allow adequate time for consideration by the General Assembly of the report of the Secretary-General on the financing of the Forces (see para. 5 below).

4. Reservations and explanations of vote expressed by delegations in the course of the discussion of this item are reflected in the summary record of the meeting (A/C.5/32/SR.23).

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

FINANCING OF THE UNITED NATIONS EMERGENCY FORCE AND OF THE UNITED NATIONS DISENGAGEMENT OBSERVER FORCE

The General Assembly,

Recalling that the present appropriation for the United Nations Emergency Force, as provided by section 1, paragraph 1, of General Assembly resolution 31/5 C of 22 December 1976, does not extend to periods beyond 24 October 1977,

Recalling further that the present authority of the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force, as provided by section III of General Assembly resolution 31/5 D of 22 December 1976, expires on 24 October 1977,

Taking note of Security Council resolution 416 (1977) of 21 October 1977, by which the Council renewed the mandate of the United Nations Emergency Force for the period from 25 October 1977 to 24 October 1978 inclusive,

Noting further that the present mandate of the United Nations Disengagement Observer Force, which was renewed by the Security Council in resolution 408

(1977) of 26 May 1977, continues until 30 November 1977 inclusive,

1. *Decides* to authorize the Secretary-General to enter into commitments for the United Nations Emergency Force at a rate not to exceed \$6,083,333 per month for the period from 25 October to 30 November 1977 inclusive, and for the United Nations Disengagement Observer Force at a rate not to exceed \$1,359,583 per month for the period from 25 October to 30 November 1977 inclusive, in order to allow adequate time for consideration by the General Assembly of the report of the Secretary-General on the financing of the Forces;

2. *Also decides* to apportion the above-mentioned expenses among Member States in accordance with the scheme set forth in General Assembly resolutions 31/5 C and D.

DOCUMENT A/32/299/ADD.1

[Original: English]
[1 December 1977]

PART II

1. The recommendation of the Fifth Committee to the General Assembly heretofore made under this agenda item during the current session is reflected in part I of the present report (A/32/299). Pursuant to that recommendation, the General Assembly, at its 45th plenary meeting, on 25 October 1977, adopted resolution 32/4 A.

2. At its 52nd meeting, on 30 November 1977, the Committee considered the report of the Secretary-General on the financing of UNEF and UNDOF (A/32/339 and Corr.1 and 2); it also had before it the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/386).

3. In his report the Secretary-General estimated that, on the basis of the new rates of reimbursement for pay and allowance for troops, proposed in paragraph 21 of his report, the total cost for UNEF and UNDOF for the fifth year of UNEF, as summarized in annex II of his report, was some \$98.6 million.

4. The Advisory Committee, in paragraphs 19 and 23 to 28 of its report, indicated that savings totalling \$2,858,000 could be achieved with respect to the estimates of the Secretary-General and, as set out in paragraphs 29 to 31 of its report, was of the opinion that the cost of the Forces in 1977-1978 should not exceed \$95.6 million, provided the proposed new rates of reimbursement were approved.

5. The Chairman of the Advisory Committee introduced that Committee's report in an oral statement before the Fifth Committee.

6. The Committee approved, by 82 votes to 1, with 12 abstentions, the recommendation contained in paragraph 21 of the report of the Secretary-General (A/32/339 and Corr.1 and 2) with regard to the new rates of reimbursement to troop-contributing countries (see para. 10 below).

7. The representative of Argentina introduced two draft resolutions (A/C.5/32/L.23, draft resolutions A and B) sponsored by Argentina and Canada, subsequently joined by Australia, Austria, Colombia, Denmark, Finland, Germany, Federal Republic of, Ghana,

India, Indonesia, Iran, Ireland, Kenya, Nepal, New Zealand, Norway, Panama, Sweden and Venezuela (for the text, see para. 11 below).

8. The Committee voted on draft resolutions A and B as follows:

(a) Section I, paragraph 1, of draft resolution A, on which a separate vote had been requested, was adopted by 82 votes to 9, with 6 abstentions;

(b) Draft resolution A as a whole and draft resolution B were adopted by 81 votes to 2, with 14 abstentions.

9. A full account of the Fifth Committee's consideration, including reservations expressed by some delegations as well as explanations of vote, is reflected in the summary record of the meeting (A/C.5/32/SR.52).

Recommendations of the Fifth Committee

10. The Fifth Committee recommends to the General Assembly that it approve the new rates of reimbursement to troop-contributing countries of \$680 per man-month for all ranks plus \$200 per man-month for a limited number of specialists, commencing on 25 October 1977, as proposed in paragraph 21 of the report of the Secretary-General (A/32/339 and Corr.1 and 2).

11. The Fifth Committee also recommends to the General Assembly the adoption of the following draft resolutions:

FINANCING OF THE UNITED NATIONS EMERGENCY FORCE AND OF THE UNITED NATIONS DISENGAGEMENT OBSERVER FORCE

A

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force (A/32/339 and Corr.1 and 2) as well as the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/386),

Bearing in mind Security Council resolutions 340 (1973) of 25 October 1973, 346 (1974) of 8 April 1974, 362 (1974) of 23 October 1974, 368 (1975) of 17 April 1975, 371 (1975) of 24 July 1975, 378 (1975) of 23 October 1975, 396 (1976) of 22 October 1976 and 416 (1977) of 21 October 1977,

Recalling its resolutions 3101 (XXVIII) of 11 December 1973, 3211 B (XXIX) of 29 November 1974, 3374 B (XXX) of 28 November 1975, 31/5 C of 22 December 1976 and 32/4 A of 25 October 1977,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by such operations, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council in

the financing of such operations, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963 and other resolutions of the Assembly,

I

1. *Decides* to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of \$76,321,000 for the operation of the United Nations Emergency Force for the period from 25 October 1977 to 24 October 1978 inclusive;

2. *Decides further*, as an *ad hoc* arrangement, without prejudice to the positions of principle that may be taken by Member States in any consideration by the General Assembly of arrangements for the financing of peace-keeping operations, to apportion the amount of \$14,156,315, pertaining on a *pro rata* basis to the period from 25 October to 31 December 1977 inclusive, among Member States in the proportions determined by the scale of assessments for 1977 and the amount of \$62,164,685, pertaining on a *pro rata* basis to the period from 1 January to 24 October 1978 inclusive, among Member States in the proportions determined by the scale of assessments for 1978 and, notwithstanding the provisions of paragraph 2 of Assembly resolution 32/4 A of 25 October 1977:

(a) To apportion an amount of \$46,763,599 for the above-mentioned twelve-month period among the Member States referred to in paragraph 2 (a) of General Assembly resolution 3101 (XXVIII), of which \$8,687,730 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$38,075,869 in the proportions determined by the scale of assessments for 1978;

(b) To apportion an amount of \$27,896,680 for the above-mentioned twelve-month period among the Member States referred to in paragraph 2 (b) of resolution 3101 (XXVIII) and section II, paragraph 2 (b), of resolution 3374 B (XXX), of which \$5,144,405 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$22,752,275 in the proportions determined by the scale of assessments for 1978;

(c) To apportion an amount of \$1,624,530 for the above-mentioned twelve-month period among the Member States referred to in paragraph 2 (c) of resolution 3101 (XXVIII) and section II, paragraph 2 (c), of resolution 3374 B (XXX), of which \$312,855 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$1,311,675 in the proportions determined by the scale of assessments for 1978;

(d) To apportion an amount of \$36,191 for the above-mentioned twelve-month period among the Member States referred to in paragraph 2 (d) of resolution 3101 (XXVIII), section IV, paragraph 1, of resolution 3374 B (XXX) and section III, paragraph 1, of resolution 31/5 C, of which \$11,325 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$24,866 in the proportions determined by the scale of assessments for 1978;

II

1. *Stresses* the need for voluntary contributions to the United Nations Emergency Force both in cash and in the form of services and supplies acceptable to the Secretary-General;

2. *Requests* the Secretary-General to take all necessary action to ensure that the United Nations Emergency Force is conducted with a maximum of efficiency and economy;

III

1. *Decides* that Angola, Samoa and Seychelles shall be included in the group of Member States mentioned in paragraph 2 (d) of General Assembly resolution 3101 (XXVIII) and that their contributions for the United Nations Emergency Force shall be calculated in accordance with the provisions of paragraph (f) of Assembly resolution 32/... of ... December 1977;¹

2. *Decides further* that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the United Nations Emergency Force until 24 October 1977 of the Member States listed in paragraph 1 of the present section shall be treated as miscellaneous income to be set off against the appropriations apportioned in section I above.

B

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force (A/32/339 and Corr.1 and 2) as well as the related report of the Advisory Committee on Administrative and Budgetary Questions (A/32/386),

Bearing in mind Security Council resolutions 350 (1974) of 31 May 1974, 363 (1974) of 29 November 1974, 369 (1975) of 28 May 1975, 381 (1975) of 30 November 1975, 390 (1976) of 28 May 1976, 398 (1976) of 30 November 1976, 408 (1977) of 26 May 1977 and 420 (1977) of 30 November 1977,

Recalling its resolutions 3101 (XXVIII) of 11 December 1973, 3211 B (XXIX) of 29 November 1974, 3374 C (XXX) of 2 December 1975, 31/5 D of 22 December 1976 and 32/4 A of 25 October 1977,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by such operations, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council in the financing of such operations, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963 and other resolutions of the Assembly,

I

Decides to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of \$6,490,912 authorized and apportioned by section III of General Assembly resolution 31/5 D for the operation of the United Nations Disengagement Observer

¹ Resolution 32/39, adopted by the General Assembly on 2 December 1977.

Force for the period from 1 June to 24 October 1977 inclusive;

II

1. *Decides* to appropriate to the Special Account an amount of \$11,611,871 for the operation of the United Nations Disengagement Observer Force for the period from 25 October 1977 to 31 May 1978 inclusive;

2. *Decides further*, as an *ad hoc* arrangement, without prejudice to the positions of principle that may be taken by Member States in any consideration by the General Assembly of arrangements for the financing of peace-keeping operations, to apportion the amount of \$3,576,871 pertaining on a *pro rata* basis to the period from 25 October to 31 December 1977 inclusive, among Member States in the proportions determined by the scale of assessments for 1977 and the amount of \$8,035,000, pertaining on a *pro rata* basis to the period from 1 January to 31 May 1978 inclusive, among Member States in the proportions determined by the scale of assessments for 1978 and, notwithstanding the provisions of paragraph 2 of Assembly resolution 32/4 A of 25 October 1977:

(a) To apportion an amount of \$7,116,563 for the period from 25 October 1977 to 31 May 1978 inclusive among the Member States referred to in paragraph 2 (a) of General Assembly resolution 3101 (XXVIII), of which \$2,195,126 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$4,921,437 in the proportions determined by the scale of assessments for 1978;

(b) To apportion an amount of \$4,240,645 for the period from 25 October 1977 to 31 May 1978 inclusive among the Member States referred to in paragraph 2 (b) of resolution 3101 (XXVIII) and section II, paragraph 2 (b), of resolution 3374 C (XXX), of which \$1,299,835 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$2,940,810 in the proportions determined by the scale of assessments for 1978;

(c) To apportion an amount of \$248,588 for the period from 25 October 1977 to 31 May 1978 inclusive among the Member States referred to in paragraph 2 (c) of resolution 3101 (XXVIII) and section II, paragraph 2 (c), of resolution 3374 C (XXX), of which \$79,049 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$169,539 in the proportions determined by the scale of assessments for 1978;

(d) To apportion an amount of \$6,075 for the period from 25 October 1977 to 31 May 1978 inclusive among the Member States referred to in paragraph 2 (d) of resolution 3101 (XXVIII), section V, paragraph 1, of resolution 3374 C (XXX) and section V, paragraph 1, of resolution 31/5 D, of which \$2,861 shall be apportioned in the proportions determined by the scale of assessments for 1977 and \$3,214 in the proportions determined by the scale of assessments for 1978;

III

Authorizes the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed \$1,607,000 per month for the period from 1 June to 24 October 1978 inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 420 (1977) of 30 November 1977, the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

IV

1. *Stresses* the need for voluntary contributions to the United Nations Disengagement Observer Force both in cash and in the form of services and supplies acceptable to the Secretary-General;

2. *Requests* the Secretary-General to take all necessary action to ensure that the United Nations Disengagement Observer Force is conducted with a maximum of efficiency and economy;

V

1. *Decides* that Angola, Samoa and Seychelles shall be included in the group of Member States mentioned in paragraph 2 (d) of General Assembly resolution 3101 (XXVIII) and that their contributions for the United Nations Disengagement Observer Force shall be calculated in accordance with the provisions of paragraph (f) of Assembly resolution 32/... of ... December 1977;¹

2. *Decides further* that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the United Nations Disengagement Observer Force until 24 October 1977 of the Member States listed in paragraph 1 of the present section shall be treated as miscellaneous income to be set off against the appropriations apportioned in section II above.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 45th plenary meeting, on 25 October 1977, the General Assembly, by a vote of 77 to 4, with 24 abstentions, adopted the draft resolution submitted by the Fifth Committee in part I of its report (A/32/299, para. 5). For the final text, see resolution 32/4 A.²

At its 90th plenary meeting, on 2 December 1977, the General Assembly, by a vote of 112 to 3, with 10 abstentions, adopted the recommendation made by the Fifth Committee in paragraph 10 of part II of its report (A/32/299/Add.1) (see decision 32/416²).

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

At the same meeting, the Assembly voted on draft resolutions A and B submitted by the Fifth Committee in part II of its report (A/32/299/Add.1, para. 11). Operative paragraph 1 of section I of draft resolution A, on which a separate vote had been requested, was adopted by a vote of 115 to 9, with 2 abstentions. Draft resolution A as a whole and draft resolution B were adopted by a recorded vote of 115 to 2, with 10 abstentions. For the final texts, see resolutions 32/4 B and C.²

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 111 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/339 and Corr.1 and 2	Report of the Secretary-General	Mimeographed
A/32/386	Report of the Advisory Committee on Administrative and Budgetary Questions	Ditto
A/C.5/32/L.11	Note by the Chairman of the Fifth Committee containing the text of a draft resolution	See A/32/299, para. 5
A/C.5/32/L.23	Draft resolutions	For the sponsors and the text, see A/32/299/Add.1, paras. 7 and 11

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 112:* Report of the International Law Commission** on the work of its twenty-ninth session

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee, 25th, 30th to 32nd, 35th to 46th and 68th meetings; ibid., Sixth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 106th meeting.*

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 85), twenty-eighth (item 89), twenty-ninth (item 87), thirtieth (item 108) and thirty-first (item 106).

DOCUMENT A/32/433

Report of the Sixth Committee

[Original: English]
[15 December 1977]

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Introduction

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include in the agenda of its thirty-second session the item entitled "Report of the International Law Commission on the work of its twenty-ninth session" and to allocate it to the Sixth Committee.

2. The Sixth Committee considered the item at its 25th, 30th to 32nd, 35th to 46th and 68th meetings, held on 21 October and from 26 to 28 October, from 1 to 15 November and on 9 December 1977.

3. At the 25th meeting, Sir Francis Vallat, Chairman of the International Law Commission at its twenty-ninth session, introduced the Commission's report on the work of that session (A/32/10). The Committee also had before it a note by the Secretary-General (A/32/183), prepared pursuant to a decision of the Commission (A/32/10, para. 130), containing the text of the draft articles provisionally adopted by the Commission on topics considered at its twenty-ninth session. At the 31st meeting, the Chairman of the Commission commented on observations which had been made at the beginning of the debate on the report. The members of the Sixth Committee expressed their appreciation to the Chairman of the Commission for his statements.

4. The report was divided into five chapters entitled: I. Organization of the session; II. State responsibility; III. Succession of States in respect of matters other than treaties; IV. Question of treaties concluded between States and international organizations or between two or more international organizations; and V. Other decisions and conclusions of the Commission. Chapters II, III and IV contained draft articles provisionally adopted by the Commission on State respon-

sibility, succession of States in respect of matters other than treaties and treaties concluded between States and international organizations or between international organizations, respectively. Chapter V concerned the topics "The most-favoured-nation clause", "the law of the non-navigational uses of international watercourses" and "the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier", the second part of the topic "relations between States and international organizations", the conclusions of the Commission on its programme and methods of work on the basis of recommendations made by a planning group of the Enlarged Bureau established by the Commission and a number of administrative and other matters.

5. At the 68th meeting, the Rapporteur of the Sixth Committee raised the question whether the Committee, in accordance with established practice, wished to include in its report to the General Assembly a summary of the main trends which emerged in the course of the debate on the item. After referring to General Assembly resolution 2292 (XXII) of 8 December 1967, the Rapporteur informed the Committee of the financial implications of the question. At the same meeting the Sixth Committee decided that, in view of the subject-matter, the report should include an analytical summary of the Committee's debate on the item.

Proposal

6. At the same meeting, the representative of Lesotho introduced a draft resolution (A/C.6/32/L.19) sponsored by Algeria, Austria, Bolivia, Brazil, Bulgaria, Colombia, Finland, India, Jamaica, Jordan, Kenya, Lesotho, Liberia, Mali, Mexico, Morocco, the Netherlands, New Zealand, the Niger, Singapore, Spain, the Sudan, Thailand, Turkey and Yugoslavia (for the text, see para. 251 below).

Debate

A. GENERAL COMMENTS ON THE WORK OF THE INTERNATIONAL LAW COMMISSION AND THE CODIFICATION PROCESS

7. Representatives generally acknowledged that, at its twenty-ninth session, the International Law Commission had accomplished a substantial and impressive amount of work, as could be seen from its report. Satisfaction was expressed with the important results achieved at that session. The Commission had not submitted any complete set of draft articles to the Sixth Committee for consideration, although it had elaborated a total of 31 draft articles, some of which were extremely complex, on subjects which the Commission had not finished considering—State responsibility, succession of States in respect of matters other than treaties, and the question of treaties concluded between States and international organizations or between two or more international organizations. The report was in fact an interim report. Nevertheless the topics which the Commission had considered followed closely the recommendations made by the General Assembly in resolution 31/97 of 15 December 1976 and were of the utmost importance for the practical conduct of international relations; Governments could not approach or consider them from a purely academic point of view. The Commission's achievements at the twenty-

ninth session were especially laudable since in its first year following the change in its composition, the Commission had maintained the level of scientific quality and political realism which had traditionally characterized its work, its new nine members having apparently adapted quickly to their work.

8. The International Law Commission was said to be a focus of the aspirations of all peoples for peace, security, prosperity, justice and equity. No effort should be spared in the elaboration of rules of international law which could respond to the aspirations and concerns of the peoples represented in the United Nations and of all the world's peoples. As a result of the changes that had taken place in the international community after the Second World War, all countries, developed and developing alike, must now join in a co-operative effort to replace the outmoded concept of legislating that confirms the partition of the world by a more humane concept of working together to enhance life in a shared world. Only equitable rules in all areas of international law could bring about the realization of the hopes of mankind in the present confused and turbulent times. It was stressed that all the draft articles prepared by the Commission should ultimately be based on principles of justice and equity and not merely on practice and precedent, since there was no permanent point of reference for developing international law other than justice and equity. It was also said that, taking as its starting-point the present state of international positive law, the Commission should respect the interests of the entire international community, paying special attention to the decisions and recommendations of the General Assembly and the other organs of the United Nations. The elaboration of viable and equitable texts of international law would strengthen the world Organization and give substance to the idea of world peace.

9. On the whole, the Commission was praised for the way in which it performed its functions. It was thanks to the studies made by the Commission that the principal sectors of contemporary international law had been codified and that codification was based on the principles contained in the United Nations Charter. It was emphasized that the Commission had become the central organ for the progressive development of international law and its annual reports were essential for the subject. The Commission was making a genuine contribution to the codification and progressive development of contemporary international law, as well as to the establishment of lasting peace and fruitful co-operation between nations through respect for law and order. It was also said that by the quantity and quality of its work, the Commission contributed to the establishment of a legal structure which would provide the basis for peaceful coexistence and for the achievement of the purposes of the United Nations Charter in the definite interest of all States. The opinion was further expressed that in its task of establishing a juridical basis for international relations, the Commission should establish a legal framework for all areas of activity, which should be strengthened by sanctions against States that breached international law. On the other hand, the view was held that the Commission tended to concern itself with the codification rather than the progressive development of international law, and it was influenced primarily by the philosophies and doctrines of classical international law.

10. It was stressed that the progressive development and codification of international law had become

one of the major tasks of the United Nations, since the international community now comprised more than 150 independent States all seeking to play an active role in it and relations among States were much more extensive than they had been in the past. It was said that the harmonious and progressive development of international law was more important to the development of peaceful and constructive international relations than some of the more publicized items dealt with by the General Assembly.

11. The view was also expressed that the inclusion in legal instruments of mandatory norms for the conduct of States exercised a direct and positive influence on world peace and security. Such norms promoted the elimination of force and the threat of force from international life, and consolidated the practice of the settlement of disputes among States by peaceful means, in harmony with the current requirements of international law and the demands of the new world order. The process of codification was a means of adapting the law to the major changes which had taken place in inter-State relations, thus fulfilling the ever-increasing need for co-operation at many levels among States, and promoting the general acceptance of legal norms.

12. It was stated that the role of international law in creating peace and co-operation among States was increasing. Its main task was to regulate international relations among sovereign States with different social systems. The many changes in the world in recent decades had helped to transform international law into a real instrument for achieving peace and developing friendly relations among States. In conditions of peaceful coexistence, the main characteristics of international legal rules were their broad scope and duration.

13. The view was expressed that the codification work carried out by the United Nations under Article 13 of the Charter might be becoming alienated from the principal concerns of the international community. It was no accident that the international community, which only 20 years previously had hailed the achievements of the first codification conference convened to complete the work undertaken by the Commission, should currently make use of other techniques to bring that work up to date. In considering the recent reports of the Commission on the one hand, and the needs of the international community in the field of law on the other, the question must arise whether the codification and progressive development of international law were not suffering the same fate as that being experienced, at least temporarily, by the legal settlement of disputes in a great institution established for that purpose.

14. It was further stated that certain suggestions made in the past few years during the general debate on the report of the Commission revealed a disturbing tendency to underplay the significance of the progressive development and codification of international law as undertaken thus far, i.e. in accordance with the third paragraph of the Preamble and Article 1 of the Charter, and to divert the attention of the Commission from that priority task by urging it to dissipate its efforts on questions of less importance. The principles of international law, elaborated in an earlier time in vastly different circumstances, no longer corresponded to current needs. International political, social and economic patterns had been radically changed by the break-up of colonial empires, the emergence on the international scene of many small newly independent States, and breakthroughs in science and technology.

The relationships based on power and domination which had existed in the past had been replaced by interdependence among nations, which must co-operate in solving the major problems facing mankind within the framework of an international legal order which guaranteed genuine peace and security. The Commission must make an effective contribution in that regard, and these was an urgent need for the General Assembly, through the Sixth Committee, to guide its work so as to satisfy the demands of a constantly evolving world. But care should be taken, at any rate, not to jeopardize the proved effectiveness of a mechanism for the sake of narrow political expediency.

15. With reference to the work undertaken by the Commission, some representatives made general observations on the relationship between the Commission and the Sixth Committee. It was stated that the Commission had the daunting task of promoting the progressive development and codification of international law. To that end, it had to survey the whole field of international law with a view to selecting topics for codification, having in mind the existing drafts. It had developed its own methods of work and enjoyed a considerable degree of autonomy in carrying out its task. The Sixth Committee had its own responsibilities, which were complementary to those of the Commission. It could exercise a degree of supervision over the current work programme of the Commission and propose new topics to it. It was also for the Sixth Committee to determine, on the basis of draft articles prepared by the Commission, the final form to be given to the codification of certain questions of international law, and the forums in which the corresponding instruments should be elaborated. The Sixth Committee should not interfere too much with the work of the Commission, but the latter should also take account of comments made in the Sixth Committee which signalled difficulties ahead. The common goal of both organs was the progressive development and codification of international law. The preparatory work of the Commission was an essential first step, but the active co-operation of Governments was required in order to convene conferences of plenipotentiaries, to adopt codification conventions and to sign and ratify them. A constructive dialogue between the Commission and Governments was therefore necessary at all stages of the consideration of a particular topic, whether that dialogue took the form of written comments by Governments or statements by their representatives in the Sixth Committee. It was further stated that whereas the Commission was composed of a small number of eminent experts on international law, the Sixth Committee included representatives of all Member States, a fact which enabled experts from nearly every country in the world to comment on texts which might become rules of positive law for all countries. In that regard the respective roles of the Commission and the Sixth Committee were therefore complementary.

16. With reference in particular to the annual consideration in the Sixth Committee of the report of the Commission, the view was expressed that discussion in the Committee would be more meaningful if a general debate on the work of the Commission was followed by detailed discussions on the individual topics. That arrangement would lead to a more lively debate and a more substantial exchange of views. It was further said that the members of the Sixth Committee should not limit themselves to expressing general approval or disapproval of the work of the Commission, but should

also express views that would indicate the position which their respective Governments would take when the final draft articles were before them. In order that their remarks should serve as a guideline for the Commission, it was also necessary that they dealt more with the future work of the Commission than with its past achievements.

17. The view was also expressed that every statement on the report of the Commission was necessarily a compromise between a mere statement of approval or disapproval of the work of the Commission and a detailed consideration of the substantive matters which the Commission had itself already debated. If the views expressed in the Committee were too summary, the danger was that the Commission might receive an impression of the approval or disapproval of the Governments represented in the Committee which might not be entirely in accord with their intentions. If the examination of the report of the Commission was too detailed, the Committee would be straying across the boundary between two important sets of divisions, namely the division between the Sixth Committee and the Commission itself and the division between what was appropriate for oral comment and what was appropriate for written comment. There was need for caution in seeking to extract from the summary record of the debate a more exact reflection of the Committee's approval or disapproval of the Commission's approaches or plans than the debate could properly furnish.

18. In that connexion the opinion was expressed that, at a time of great financial stringency, the question of the necessity of an analytical report by the Sixth Committee at a high cost should be given further consideration during the year ahead, taking into account the views of the Commission on the matter. The opinion was also expressed that the Committee should dispense with the analytical presentation of the observations made in the debate which was customarily included in the Rapporteur's report on the item concerning the report of the Commission itself. It was suggested that instead of such an analysis, the Sixth Committee should agree to have verbatim rather than summary records of the statements made on the report of the Commission.

19. Certain representatives addressed themselves to certain aspects of the implementation of Article 13, paragraph 1 (a), of the Charter. In that respect, the opinion was expressed that the General Assembly should once again consider the most appropriate way of using to the best advantage the wealth of talent and experience represented by the Commission and its members. Although in the case of strictly legal questions the entire task of preparing draft texts in all their detail could quite appropriately be left to the Commission, it was said that other methods might be advisable in the case of areas where the preparation of international texts was likewise required but where the political implications of the underlying problems were much greater. With reference especially to the successful co-operation, between the Commission and the Sixth Committee in the preparation of international instruments, it was stated that a closer collaboration, indeed, a sharing of responsibilities between the two bodies, could only be beneficial to the progressive development of international law and would help to elevate the tone of debate in the Sixth Committee.

20. It was also said that in the elaboration of rules of positive law, in addition to the Commission, the

Sixth Committee was also involved, and other bodies, such as conferences of plenipotentiaries, played a part when binding legal instruments were adopted. The view was further expressed that it would be advisable to take up certain suggestions which had been advanced both in the Sixth Committee and in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. The report of the latter Committee contained specific proposals for a general reassessment of the theory of sources of international law and for the establishment of working groups or *ad hoc* committees responsible to the Sixth Committee to codify international law in such specific areas as economic development or the environment, in collaboration with the International Law Commission. Those committees would discuss urgent codification problems which the Commission, owing to its heavy programme of work, would not be in a position to address in the near future and would meet only during sessions of the General Assembly so as to avoid the proliferation of new organs and the costs and overlapping which that involved. It was stated that *ad hoc* groups of experts might be used for the work preparatory to the final consideration of the topic by a diplomatic conference. The opinion was also expressed that after entrusting the study of specific questions to expert groups, as was done in the International Labour Organisation, the conclusions of those groups would then be submitted to the Sixth Committee as a whole.

21. It was also stated that thought should be given to strengthening the role of the Sixth Committee by making it a kind of plenipotentiary conference which would be entrusted with codifying certain international rules concerning the law of economic development, taking into account new facts of current international relations. The Committee should contribute to the establishment of a new world order in both the economic and legal spheres. It was also said that greater use of the Sixth Committee as a conference of plenipotentiaries was justified for the following important reasons: (a) the resources of both rich and poor countries were limited; (b) 149 States were represented in the Committee, on an equal footing, and their representatives were in principle experts on international law; (c) the general desire not to entrust one task to various bodies, which could lead to duplication; (d) the fact that Article 13 of the Charter provided the political and legal basis for the progressive development and codification of international law; (e) the fact that considerably fewer States than were represented in the Sixth Committee took part in plenipotentiary conferences; (f) the fact that the States which generally did not participate in conferences were those which had the most limited resources and which did not have representatives in the specialized legal codification organs; and (g) the shared concern to spend only what was strictly necessary for the realization of the ideals which would lead to a better world.

22. Some representatives touched upon certain aspects of the final stage of the codification process. It was said that there was ample opportunity for States to influence the process of the codification of international law at various stages of the Commission's work. One such opportunity was that afforded to plenipotentiary conferences. At that stage, however, it was usually too late to try to introduce substantial changes in the basic texts proposed by the Commission, owing to limitations of time. Experience had shown that texts adopted at codification conferences followed almost

word for word those proposed by the Commission. At such conferences, participating members of the Commission were in the best position to suggest what was the proper course to follow, because of their greater familiarity with the subject-matter. However, there should be no feeling of rivalry between the members of the Commission and other participants. Any contribution the members of the Commission might wish to make at any stage in the codification and progressive development of international law was certainly welcome.

23. The opinion was also expressed that it would be timely for the Commission to discuss how the results of its work could best be translated into such rules regulating the conduct of States as States would abide by. When they had been submitted to plenipotentiary conferences, some of the Commission's drafts had been subjected to considerable changes, and one might wonder whether such modifications were a continuation of the codification process or were an infringement upon it. Inasmuch as the Commission was trying to codify existing law, it did not seem that a majority decision of a plenipotentiary conference could alter existing norms; that was, moreover, the reason why each State considered itself free to ratify or accede to the resulting conventions. Since the topics currently being studied by the Commission were particularly delicate, the Commission should certainly consider whether to continue applying the same methods or whether to endeavour to devise new formulae which would strengthen the rule of law. Multilateral conventions on those topics, particularly on State responsibility, did not seem the only possible solution. It was also said that what was essential, in the final analysis, was that the products of the Commission's work should not remain a dead letter, as was true of so many resolutions adopted by the United Nations.

24. Several representatives expressed their condolences on the death of Mr. Edvard Hambro, a distinguished lawyer and a member of the International Law Commission, and associated themselves with the tribute paid to his memory by the Commission.

25. Some representatives indicated that in commenting on the report, they had to adopt a selective approach because of the wealth of material discussed at the twenty-ninth session of the Commission, the organic link between the topics dealt with at that session and those considered at the preceding sessions, and the need for detailed study of all the draft articles currently in preparation.

B. STATE RESPONSIBILITY

26. Several representatives emphasized the importance and the urgency of the codification and progressive development of the rules of international law governing State responsibility, a key topic of international law, of undeniable contemporary significance. The rules applicable in that field had an effect on international relations as a whole; they were instrumental in the implementation and observance of rules on a wide range of other fields of international law. State responsibility was closely linked with the maintenance of peace, and because of the crucial role of international law in that area, work on codification should be speeded up (see also, below, section E, paragraph (a) of the present chapter). State responsibility arose from a failure to discharge legal obligations and it was evident that, by failing to discharge their international obligations, States undermined the foundations

of international order. In that connexion it was recalled that the arbitrator in the Spanish Zone of Morocco claims had ruled that responsibility was the necessary corollary of a legal right, that all rights of an international character involved international responsibility, and that, if the obligations were not met, responsibility entailed the duty to make reparation.¹ Similarly, the Permanent Court of International Justice had ruled in the Chorzow Factory (Jurisdiction) case that the breach of an engagement involved an obligation to make adequate reparation.² Nevertheless, the legal basis of State responsibility in international law had always remained incomplete and hence inconclusive. It was also said that, as the Commission had rightly emphasized, State responsibility was one of the topics in which the progressive development of law could play a particularly important role. The Commission had also shown prudence in stating that the roles to be assigned to progressive development and to codification of already accepted principles could not be planned in advance, but would depend on the specific solutions adopted for the various problems.

27. Some representatives stressed that State responsibility, as viewed by the Commission, was no longer limited to the classical concept which had related only to the treatment of aliens or to international demands for compensation following the nationalization of property belonging to aliens but included all spheres of State responsibility. The Commission had not underestimated the difficulties of the topic but had avoided the trap of out-moded controversies by concentrating rightly on the rules relating to State responsibility for internationally wrongful acts, namely, rules governing the whole range of new legal relationships which might arise from an internationally wrongful act committed by a State, leaving for later consideration the question of State responsibility arising from the performance of certain acts not forbidden by international law. As the Commission had said, it was one thing to state a rule and the content of the obligations it imposed and another to determine whether there had been a breach of an obligation and what the consequences of that breach should be. Only that second aspect came within the sphere of responsibility proper and to encourage any confusion on that point might once again frustrate the hope of successful codification.

28. The opinion was expressed that the codification of "secondary" rules, in which the Commission was currently engaged, would contribute to the effectiveness of international law and also, it was to be hoped, to an increase in morality in international life. It was noted that after having made the distinction between "primary" and "secondary" rules, the Commission had gone on to observe, quite rightly, that the content, nature and scope of the obligations imposed on the State by the "primary" rules of international law were not without significance in determining the rules governing responsibility. It had thus established an essentially ethical hierarchy between the various categories of international obligations and in so doing had established a classification of internationally wrongful acts into crimes and delicts, depending on the seriousness of their consequences for the international community as a whole. On the other hand, the view was expressed that the distinction between primary and secondary sources of

obligations could not be maintained if progressive development and codification of international law were to go hand in hand.

29. Some representatives emphasized the great care needed in dealing with the topic. The rules governing State responsibility, as secondary rules of international law, had an impact that was felt on all the primary rules which defined the rights and obligations of States in the most diverse areas. They, it was added, needed to be codified in the clearest terms so as to remove all ambiguity about the circumstances which rendered States responsible for the violation of an international obligation. That was deemed to be of special importance for developing countries because of the absence of efficient administrative infrastructure. The imputability of State responsibility should be precisely defined and illustrated, with objective formulae being found to safeguard the interest of the State which suffered the injury and the interest of the State against which a claim was pressed.

1. *Comments on the draft articles as a whole*

30. Several representatives referred to the structuring of the draft proposed by the Commission (see A/32/10, chap. II, sect. B), which was generally supported. It was pointed out that in order to study the topic of State responsibility, the Commission had envisaged in 1975 that it would divide its draft articles into three parts, devoted respectively to the origin of international responsibility, to its content, forms and degrees, and to the implementation of international responsibility and settlement of disputes.

31. In that regard, some representatives noted with approval that the Commission had indicated that, after completing work on parts I and II of the draft articles, it might decide to add to the draft a part III concerning the implementation or "*mise en œuvre*" of international responsibility and settlement of disputes. In their view, that was the key element of any regulation of the régime of international responsibility. The rules relating to the origin, content, forms and degrees of responsibility, however clear they might be, would be of little use unless they were coupled with sufficiently effective provisions for their implementation or *mise en œuvre*. By "effective provisions" it was meant the establishment of compulsory arrangements for the settlement of disputes arising from the interpretation and application of the draft articles. Such a mechanism should be flexible and should include a wide choice of methods of settlement, in accordance with Article 33 of the United Nations Charter. If the parties did not agree on a particular method of settlement, each party would be entitled to refer the dispute to compulsory settlement. Provision should therefore be made in the text of the draft itself for procedures and machinery which, when set in motion at the request of a party to a dispute, would result in a decision based on law that was binding on all parties. On a topic as important as State responsibility, a State should not be the sole interpreter of the rules codifying international law. Failure to apply and interpret the rules uniformly might lead to the disintegration of delicate compromises which provided balanced protection of competing rights and interests. In that way alone could the evisceration of the draft articles be prevented and their full effectiveness be ensured.

32. Also with regard to the future work on the topic, the opinion was expressed that one of the most important tasks of the Commission would be the con-

¹ United Nations, *Reports of International Arbitral Awards*, vol. II, p. 641.

² *Publications of the Permanent Court of International Justice*, Series A, No. 9, *Collection of Judgements*, p. 21.

solidation and development of the most positive result it had achieved thus far, namely the division of breaches of international obligations into international crimes and international delicts in draft article 19, which was one of the leading provisions of the draft articles on State responsibility. Attention should first be given to regulations aiming at preventing and, above all, at repressing international crimes, which were the most dangerous acts gravely endangering international peace and security. International delicts could be dealt with in the second place. In that regard the Commission should proceed bearing in mind the formulation of draft article 19.

33. One representative, referring in general to part I, considered that, subject to his delegation's previous remarks on the question, chapter I, on general principles, and chapter II, on the act of the State under international law, were generally acceptable and the 15 articles they contained were properly included in an intergovernmental codification project. He felt somewhat uneasy, however, about chapter III, on the breach of an international obligation, which was not yet completed.

2. Comments on the various draft articles

34. Referring to the work done on State responsibility at the twenty-ninth session, representatives noted that at that session the Commission had discussed the sixth report of the Special Rapporteur for the topic, Professor Roberto Ago, whose invaluable contribution was generally recognized. On that basis it had prepared articles 20, 21 and 22, included in chapter III of part I of the draft. Article 20 dealt with the breach of an international obligation requiring the adoption of a particular course of conduct and article 21 dealt with the breach of an international obligation requiring the achievement of a specified result. Those articles took into account the nature (obligations of conduct; obligations of result). The international obligation for determining the conditions of its breach, conditions which varied with that nature. Article 22, on the exhaustion of local remedies, was based on the distinction between obligations of conduct and obligations of result, since it applied only to obligations of result concerning the treatment to be accorded to aliens.

35. Some representatives stressed that the three articles were closely interconnected and, in their opinion, they constituted a logical and harmonious whole. It was also stated that, article 20 affirmed the primacy of international legal obligations, while articles 21 and 22 recognized the right of States to safeguard their legitimate interests. That balance illustrated the growing interdependence between the domestic law of States and international law.

36. Several representatives expressed general agreement with the texts of articles 20, 21 and 22 prepared by the Commission as to the content as well as to their wording. Those three articles were particularly significant from both a theoretical and a practical point of view. The Commission had achieved commendable results in their adoption, which constituted an important step forward in the codification of one of the most complex fields in international law, one in which the practice of States was widely divergent. Their elaboration represented a considerable amount of work and was supported by a mass of precedent drawn from State practice and court decisions. They were also consistent with the principles of sovereign equality of

States and of non-interference in the internal affairs of other States.

37. On the other hand, the opinion was expressed that with regard to articles 20, 21 and 22, the question which had to be asked first was not whether they correctly stated the *lex lata* or the *lex ferenda*, but whether such provisions were really necessary or viable in an international convention. There were, it was said, important reservations in that regard. Articles 16 and 17 seemed to include virtually all that was needed in a draft which was not supposed to deal with the so-called "primary" rules of international law, but only with what the Commission had termed the "secondary" rules. Those rules alone, as the Commission had stated, fell within the sphere of responsibility proper, and a strict distinction in that sphere was essential if the topic of international responsibility was to be placed in its proper perspective and viewed as a whole. It was further stated that during the codification of the law of treaties, the Commission had at one time found itself facing the danger of becoming too closely involved in matters of contractual jurisprudence. If it had not changed direction, it would have taken a doctrinal instead of a conduct-regulating approach, and would never have arrived at a generally acceptable formulation of Part V of the Vienna Convention of 1969. The effort to codify rules concerning State responsibility, as formulated in draft articles 18 to 22, seemed to be facing a similar danger, through its concentration on jurisprudential details.

38. Some representatives stressed that in dealing with the topic, continuity with the work thus far done was essential in order to avoid taking premature stands on so delicate and complex a question. Consequently, it was felt that the three articles should be studied in the light of other articles already adopted and with due regard for those which would follow so that the draft would form a coherent whole. In that connexion, certain representatives considered that it would be premature to make a final assessment of articles 20, 21 and 22, because the Commission had yet to consider such important problems as the breach of an international obligation made under the impact of an external event, the time and duration of the breach of an international obligation (*tempus commissi delicti*), questions relating to participation by other States in the internationally wrongful act of a State and matters relating to attenuating or aggravating circumstances, including *force majeure* and fortuitous event. For those representatives, in the absence of such provisions, which the Commission had the intention to study, it was difficult to express a view on the three articles before the Sixth Committee, it was said.

39. Several representatives, referring with approval to the relevant resolutions of the General Assembly and in particular resolution 31/97, stressed that the Commission should continue on a high priority basis its work on State responsibility with a view to completing the preparation of at least the first set of draft articles on responsibility of States for internationally wrongful acts within the present term of office of its members. The Commission should adhere to the recommendations contained in resolution 31/97 in order to complete the study of the matters covered in part I, chapter III, of the draft articles, namely the objective element of the internationally wrongful act, and especially the delicate question of the *tempus commissi delicti*, which was closely linked to the rule regarding the exhaustion of local remedies. It should also com-

plete the study of the questions covered in chapters IV and V, namely participation by other States in the internationally wrongful act and circumstances precluding wrongfulness and attenuating or aggravating circumstances. To that effect, the Commission should give particular attention to State responsibility at its next sessions (see also, below, sect. E, paragraph 5 (a) of the present chapter).

40. With respect to terminology, one representative was of the view that the wording of the articles at least in the Spanish version was in need of improvement for purposes of greater clarity and precision. The opinion was also expressed that the term "non-performance" was more appropriate than the term "breach" since the question was one of civil liability. It was also said that the Commission should use the words "the conduct of the State" to express two different concepts, as it had done in articles 20 and 21, as well as in other provisions. In article 20 those words meant a particular course of conduct which the State was required to adopt by virtue of an international obligation. In article 21, they signified only the means by which the State achieved a specified result which was the only requirement of the international obligation. On the other hand, a number of representatives expressed support for the actual wording of articles 20 to 22.

41. A number of representatives made specific comments on the three articles adopted at the twenty-ninth session, as well as on some of the articles adopted at previous sessions.

Article 18

42. One representative considered that the requirement that the international obligation should be in force for the State was of course an essential element of any obligation, the breach of which would give rise to an instance of responsibility for the State involved. Consequently, that aspect of the question could be dealt with in article 16, article 18 being complicated and redundant. The Commission could consider such a change when returning to the delicate problem of the *tempus commissi delicti*.

Article 19

43. One representative was of the view that article 19, dealing with international crimes and international delicts, gave an incomplete answer to the very hypothesis with which it purported to deal. If the examples mentioned in paragraph 3 (c) of that significant and controversial article were to be retained, they must be completed by the addition of an appropriate reference to the perpetrators and aiders and abettors of acts of indiscriminate terror, the seizing of hostages, and the like, that is to say, to the States in which such people trained and which gave them asylum. Furthermore, it seemed that in a legal text, an expression such as "essential importance" must be clarified and given a more objective turn, since those two words could easily become overcharged with subjective emotions. Another representative noted the distinction between responsibility for international crime and international delict—not in the sense of their private law analogies but in the sense of a grave violation of international law. In his view, breaches of the peace, war crimes and crimes against humanity would be international crimes, while a refusal to grant independence to a colony, or racial discrimination, would be considered cases of international delict. Some representatives, on the other hand, reiterated the support they had ex-

pressed the previous year for the distinction embodied in article 19 between international crimes and international delicts.

Articles 20 and 21

44. Several representatives commented on the distinction embodied in articles 20 and 21 between obligations "of conduct" or "of means" and obligations "of result". It was noted that, as the Commission had explained, obligations of the first kind, to which article 20 referred were those which required the State to perform or to refrain from a specifically determined action. Obligations of the second kind, which were envisaged in article 21, were those which only required the State to bring about a certain situation or result, leaving it free to do so by whatever means it chose. Different views were expressed on the matter.

45. Some representatives agreed with the distinction, which they characterized, in general, as being necessary, useful, justified, relevant, appropriate, reasonable or sound, etc. The distinction was fundamental for determining whether a breach of an international obligation had taken place, as well as the time and duration of such a breach. It was essential for distinguishing two situations which were different in practice and which could have qualitatively different effects. It was well founded in the practice of States and facilitated the understanding of the draft articles. The distinction was one which was traditionally known in private law. Further, it should be seen in the light of the distinction between international crime and international delict embodied in article 19. It was the logical corollary of the preceding articles and clarified article 22 which, in dealing with the exhaustion of local remedies, could not but refer to obligations of result. Although the distinction might sometimes give rise to difficulties, especially in classifying an obligation into one category rather than the other, they could be overcome through effective procedures for the settlement of disputes. In that connexion, the view was expressed that the distinction should not be deemed to be so subtle as necessarily to require the matter to be referred, in the event of difficulties of interpretation, to international tribunals.

46. It was stressed that international obligations were not all identical but differed in some substantive points, which had varying consequences as to the determination of what constituted breach and the legal definition of the actions of a State committed in breach of those obligations. International obligations not only expressed duties pertaining to different sectors of inter-State relations and to matters of varying importance for the international community; they were also differently structured with regard to the determination of the ways and means by which the State was supposed to discharge them. Thus, there were international obligations of means or of conduct whose performance required the use of particular means and there were obligations of result which left the State free to choose among various means. It was therefore essential to establish at the outset the nature of an international obligation in order to determine whether a course of conduct adopted by a State would constitute non-performance of that obligation. It was further stated that although there was a permanent causal interaction between conduct and its effects, the distinction was aimed at determining whether there was a breach at the time a course of conduct was adopted or when its effects occurred.

47. It was also said that the distinction was not merely academic, since cases increasingly arose in contemporary international practice where a State could be held internationally responsible solely by reason of its conduct, even where no results contrary to international law had yet emerged. That situation was the consequence of the increasing development of rules contained primarily in treaties which, in the interests of closer co-operation among States, required them to conduct themselves at the legislative level according to the detailed model provided in the international rule. For example, some international institutions exercised considerable control over the national legislative process: article 93 of the Treaty of Rome,³ for instance, empowered the Commission of the European Economic Community to intervene in the phase preceding the issue of any national or regional law or ordinance relating to the grant of financial aids to economic sectors or regions of member States of the Community, and to refer the matter to the Court of Justice of the Community if it did not approve them. There were also many international rules of universal scope, for example those requiring States to adopt preventive measures through legislative means, as in the case of air transport. To ensure effective prevention, as required by the international rule, it was often necessary for legislative measures to be promulgated before the occasion to apply the international rule arose. If such measures were not promulgated in time and in accordance with the model provided in the international rule, the resulting uncertainty itself gave rise to the risk of non-implementation which the international rule sought to prevent. Such obligations were therefore obligations "of conduct". In addition, although the obligation "of result" was the classic model of an international obligation, based on the idea of complete separation between the international legal order and the internal legal order, as that separation diminished and international law advanced in areas previously within the exclusive competence of States the number and scope of international rules establishing obligations "of conduct" tended to increase. That tendency was further intensified by the need for clarity in legal rules. Moreover, to an increasing extent, action to ensure that the conduct of a State conformed to an international rule was being taken before rule was applied in a specified case, by means of the establishment by each State of a system of national rules and procedures that would inspire confidence in other States that the State concerned would apply strictly the international rule in question.

48. The opinion was further expressed that the distinction became clear with respect to the treatment of aliens and their property. For example, in treaties where an alien was given the right to practice or engage in a certain profession, refusal to register him did not in itself amount to a breach by the State of its obligation until the alien had availed himself of the appeal mechanism without success. Similarly, the fact that the State had nationalized the property of an alien did not by itself constitute a breach of its international obligation to respect foreigners' property. The State would not be in breach so long as it agreed to compensate the alien for his property.

49. One representative considered that the usefulness of the distinction was demonstrated, besides the examples given in the report, by certain arbitral awards concerning State responsibility towards foreign companies whose sometimes reprehensible conduct had led

a State to break its agreements with them. In one such award, the arbitrator had considered whether the State, before resorting to unilateral breach, had nevertheless used the specific means required of it, such as the granting of administrative authorizations, tax exemptions and parliamentary ratification of an established agreement, while its foreign partner had failed to provide the *quid pro quo* required of it, since the objective of certain neocolonialist companies was to set up as many obstacles as possible in order to exploit an advantageous, not to say monopolistic, position for as long as possible without providing anything in return. The provisions of article 20, as they had been drafted, could apply to such cases, since the State had adopted the conduct specifically required by an international obligation.

50. Other representatives expressed doubts regarding the distinction reflected in articles 20 and 21 even though they acknowledged that that distinction, said to be based on terminology used in countries with a traditionally Roman system of law, was not only attractive but was also possible and often made, as the Commission had indicated with numerous examples given in the commentaries. Some representatives, while admitting that in many instances an obligation could be characterized as being of one kind or the other, nevertheless considered that the distinction incurred the risk of creating uncertainty or confusion in international practice since there were many examples of obligations which might be regarded as falling in one or other of the two categories established, and this either simultaneously or subsequently. It was doubtful whether a distinction based on rather artificial criteria could really be used as a guide by States in the conduct of their international relations. In that connexion, it was said that the problems which would certainly arise from the practical application of the distinction between international obligations must be taken into account when devising machinery for the settlement of disputes in the context of part III of the draft, concerning the "implementation" ("*mise en œuvre*") of international responsibility. It was also considered that efforts to codify and progressively develop international law should at the same time endeavour to simplify it, even by using categories from private law whenever possible. However, to attempt to squeeze international law into private law categories required great caution. The distinction between the obligations in question might have been useful for crystallizing the doctrine of State responsibility, but whether it should have been retained beyond that point was doubtful.

51. Certain representatives wondered whether such a fine distinction was really one which could and ought to be formulated in terms of draft articles intended for inclusion in a possible international convention on State responsibility. Was it not really a theoretical and recondite or a jurisprudential qualification which, even if acceptable as a generality, would always give rise to differences in the concrete case? The question was also raised whether the distinction would not represent a step backward, tending rather to confuse a situation which, it was felt, had been made perfectly clear in article 16 of the draft.

52. It was also stated that, as suggested by the Commission, the distinction hinged on the amount of choice that a party was given in fulfilling its obligations. However, it was not clear how little choice the obligation must allow a party before the obligation would be considered one of "means". The view was further

³ United Nations, *Treaty Series*, vol. 298, No. 4300, p. 3.

expressed that although in private law a distinction was made between obligations of conduct and obligations of result, in international law an obligation of conduct, viewed from a different angle, could also be regarded as an obligation of result. Supposedly typical examples of instruments establishing obligations of conduct might just as easily be categorized as establishing an obligation of result, namely the promulgation of uniform legislation in all States parties. In practice and in logic, it was said, it was impossible for a means not to produce some result or for a result not to be achieved by resort to certain means. In law, freedom of choice as to means was not always total and it was sometimes the case that the desired result could be achieved by only one means. If a provision of law required achieving a particular result and was indifferent as to the means employed, only the result mattered; failure to achieve that result gave rise to various legal consequences, usually reparation or sanctions. It was never sufficient to employ the proper means if they did not lead to the desired result. Reference was made to the commentary, where the Commission stated that a conventional obligation might be interpreted as either one of means or one of result. However, it was said, the question could be asked whether all obligations were not ultimately obligations "of result", since, once it was determined by a normal process of interpretation that a party was required to adopt a certain course of action, the party was required to produce that result.

53. It was also said that further confusion with regard to the distinction was caused by the use of the words "course of conduct" in article 20, which gave the impression that a single act or omission was not sufficient to constitute non-fulfilment of an obligation of means, and by the use of the word "conduct" twice in article 21, paragraph 2, which related to failure to achieve a result. The use of the term "conduct" in two provisions as closely connected as article 20 and article 21, paragraph 2, as well as in other provisions, could create a very unsatisfactory situation.

54. The opinion was expressed that the cases in which it might be difficult, if not impossible, to place a particular obligation in one or the other category were not simply "marginal" cases. There was a growing tendency in some international institutions to seek to characterize as obligations of conduct what were *prima facie* obligations of result, with a view to achieving uniform application of international conventions. That might be laudable, but it did obscure the distinction between the two types of obligations. Reference was made to the European Convention for the Protection of Human Rights and Fundamental Freedoms and the directives of the European Economic Community. The Commission had stated that those directives contained obligations of result, in view of the wording of article 189 of the Treaty instituting the European Economic Community.⁸ However, recent jurisprudence of the European Court of Justice had shown that certain provisions of the directives might be regarded as directly applicable within the Community's legal order, notwithstanding the absence of implementing domestic legislation. Thus, an international instrument which appeared at first sight to contain obligations of result could subsequently be determined to contain obligations of conduct. Of course, it might be pointed out that those two treaties conferred rights directly upon, or applied directly to, individuals. There were, however, a growing number of treaties of that nature, and any generalized rule or distinction must take account

of them. Furthermore, it was said that taken to its logical conclusion, the reasoning offered by the Commission would mean that a State which, in accordance with a treaty, adopted given legislation but did not implement it had satisfied its international obligations, whereas another State which had, in effect, already implemented the rules in question in its internal law but not promulgated legislation for the implementation of the treaty would have committed a breach of its obligations.

55. Certain representatives, by way of example, referred to the possible categorization of the obligation arising from the principle of the peaceful settlement of disputes. On the basis of that principle, it was said, States were obliged to arrive at a specific result, the peaceful settlement of a dispute, but they might attain that result by means of their own choice, provided they were peaceful. Thus the obligation defined the means to be used for its implementation, while leaving States the freedom of choice. It was further said that the Commission had indicated that an obligation to resolve disputes by peaceful means was an obligation "of result" because a State could choose between several types of peaceful settlement devices; yet, it later stated that an obligation to adopt legislative measures was an obligation "of means" even though the State had the option of proceeding by enacting a law in the proper sense or some other normative means peculiar to it.

56. Certain representatives assumed that the main function of the distinction drawn in articles 20 and 21 was to lay the foundation for the rule enunciated in article 22 by identifying those obligations to which the rule of exhaustion of local remedies applied. It was stated that if such was indeed the purpose, then the distinction, which was based on the nature of a particular obligation, appeared to be broadly equivalent to the distinction between direct injury and indirect injury in the more traditional terminology of the law of State responsibility. It was generally accepted that the local-remedies rule was not applicable to cases based on a direct breach of international law causing immediate injury by one State to another. Such injury would normally result from breach of an obligation of conduct, whereas indirect injury (i.e. injury caused to a national of another State) would normally result from breach of an obligation of result. It remained unclear, however, whether the parameters of the distinction between direct and indirect injury coincided with those of the distinction between breach of an obligation of conduct and breach of an obligation of result. The Commission, it was said, seemed to have a doctrinal attachment to the distinction between obligations of conduct and obligations of result, making it difficult to appreciate precisely how the rule of exhaustion of local remedies would operate under the scheme it proposed.

57. With reference also to the Commission's commentary on the matter, certain representatives were of the view that although differences of interpretation could be referred to a competent international law tribunal, the fact remained that the distinction was so important in current practice that it would be desirable to establish a more precise formulation in the matter, so that it would not be necessary to rely on an international tribunal to solve the problem. It was also said that having in mind that where an international dispute arose as to whether an obligation was of one type or the other, it would be for a competent international tribunal to decide the matter, the commentary did not deal with the question of whether a claim made under

the wrong rubric would fail for that reason, as had formerly been the case with forms of action at common law. Clarification of that point would therefore be welcome.

58. The opinion was also expressed that although their wording was acceptable, the three draft articles adopted and, in particular, articles 20 and 21, could, given their place, diminish the impact of article 19. The criteria set forth in articles 20 and 21 could, without doubt, make it possible to ascertain under certain circumstances whether a breach of an international obligation had taken place or not, but they had no practical meaning if the obligation was so many-sided that it was difficult to decide whether it should be considered an obligation "of conduct" or an obligation "of result". As the distinction could give rise to misunderstandings, articles 20 and 21 were favoured only on condition that their provisions were considered to be auxiliary and complementary. Article 16 could be used to establish the existence of a breach of international law and the auxiliary and complementary character of articles 20 and 21 could be stressed by inserting into them a stipulation that would link the whole draft to generally recognized international legal documents, such as the Declaration on Principles of International Law and Friendly Relations among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV), annex) or the Final Act of the Conference on Security and Co-operation in Europe. It should not be forgotten that, as the Commission had decided in preparing the draft articles, State responsibility did not arise from the breach of certain specific international obligations only but from the breach of any international obligation.

59. One representative emphasized that articles 20 and 21 constituted a unit. Indeed, article 20 and article 21, paragraph 1, contained definitions of the notion of breach by a State of an international obligation. In his opinion, those two provisions should therefore be combined in a single article, the first paragraph of which would reproduce article 20 while the second would reproduce article 21, paragraph 1. If a legal régime based on article 20 and article 21, paragraph 1, which related respectively only to conduct, i.e. means, and to result, was to be applicable, the future convention would have to provide concrete, practical, reliable criteria for determining when it was only the means and when it was only the result that had to be taken into account, something that was not apparent in the articles in question. In seeking a criterion for distinguishing between the ideas embodied in articles 20 and 21, attention should be concentrated on the word "particular" in article 20 and on the words "means of its own choice" in article 21. Since the latter expression implied the possibility of resorting to various means, it might be thought *a contrario* that the word "particular" meant that only one means could be employed. As it was, however, doubtful that that was in fact the meaning to be given to that expression, it was not therefore possible to arrive at a satisfactory criterion for the two articles as they now stood. If the police in a certain State failed to protect an alien who was attacked even though they were in a position to do so, that omission on their part gave rise to international responsibility of the State in question since it was contrary to international law. Did the alien acquire a right to damages immediately after the omission on the part of the State in accordance with article 20, or must the person concerned first exhaust all local reme-

dies as provided by article 21? Was the claim for damages a new claim under article 21, i.e. a claim other than the one arising from the obligations of conduct? It could not be argued that there were two different claims.

60. Certain representatives, while questioning whether there was a real need for the distinction embodied in articles 20 and 21, nevertheless expressed their readiness to await the drafting of future articles since the Commission had stated in its commentary that that distinction would be of normative and practical importance when it came to determining the time and duration of the breach of an international obligation (*tempus commissi delicti*), a question it intended to study at a later stage. It was to be hoped that the following draft articles would shed further light on the practical consequences of the distinction.

61. The view was expressed that the difficulties created by the distinction could be avoided if the Commission took account of the concept of damage as a condition of responsibility, either independently or as a constituent element of an internationally wrongful act, and based the distinction on the beneficiary of the right in question, namely a foreign State or the nationals of such a State.

62. In the opinion of one representative, in view of the provisions of articles 20 and 21, it would be advisable to insert in article 3, relating to the elements of an internationally wrongful act, an additional paragraph providing that those elements could be simply a course of conduct, or a given result. It was important to make a clear distinction between an obligation and the result it required. According to article 16 of the draft, there was a breach of an international obligation by a State when an act of that State failed to conform, not with the obligation itself, but with the result expected, which could be a given course of conduct or a specific event. In other words, the distinction between international obligations "of conduct" or "of means" and those "of result" affected the question of State responsibility only in so far as one took into account the various ways in which a State might fail to fulfil its obligations. The focus should not be on the obligation itself but on the form which the breach of the obligation might take.

Article 20

63. Several representatives specifically referred to and supported article 20, which was regarded as an improvement on the original formulation proposed by the Special Rapporteur, having been made more flexible and appropriate to the reality of international practice. The article was well founded and the commentaries appended to it cited a considerable number of practical examples to clarify the different situations envisaged therein.

64. It was pointed out that the article dealt with the breach of an international obligation requiring the adoption of a particular course of conduct by a State and the responsibility which would thus arise. Such an obligation might require the enactment or the abolition of domestic legislation. The draft articles gave the State the freedom to choose the means of carrying out its obligation. However, where the means of conduct were stipulated, failure to follow them would constitute a breach. Failure to fulfil legal undertakings would be tantamount to a breach whether harmful consequences ensued or not. In the case of article 20, both the existence of a certain course of conduct and that of an obligation had to be demonstrated.

65. Article 20 was said to be a logical conclusion to the doctrine developed in the draft articles. It was in conformity with article 16 but differed from the latter in that it laid down a specific course of conduct from which a State could not depart without engaging its international responsibility. In other words, to the extent that the relevant international obligation was directed to the pursuit of a particular end, it also specified the means by which that end must be achieved. But important though it was that that end should be achieved, the fundamental consideration that the end must be seen as inseparable from the means was of equal importance. The achievement of specified results was involved in the case of an obligation of conduct, but in that case there was a specific requirement regarding the type of action or non-action required by the State to achieve the result sought by the international obligation.

66. It was also pointed out that the type of international obligation dealt with in article 20 might relate to the conduct of the executive, legislative or judicial organs of the State and might entail an act or commission, if the course of conduct was positive or active, or an omission or inaction if it was negative or passive. Had the provision been restricted to active conduct, a whole series of situations requiring passive conduct would have been neglected. In that connexion it was emphasized that States were bound to abstain from the threat or the use of force against the territorial integrity or political independence of another State and to adopt laws prohibiting racial discrimination.

67. In the opinion of certain representatives further efforts should be made to define the concept of a "course of conduct", which was ambiguous and could give rise to future difficulties with regard to interpretation. The Commission had expressed its preference for that comprehensive term rather than the twofold expression "action or omission". There were indeed cases where certain obligations required the State to refrain from a specifically determined practice, and situations could arise in which the course of conduct adopted by the State in breach of the obligation consisted of a series of actions of the same kind rather than of one separate action. On the other hand, the view was expressed that the expression "specific course of conduct" used by the Commission was preferable to the words "action or omission", which might be difficult to interpret. It was also suggested that consideration be given to the possibility of including the prohibitive aspect of State conduct in the structure of article 20; that could be done by inserting the words "or to refrain from adopting" into the text. If that should prove undesirable, the article on definitions could be used to indicate clearly that the conduct of the State also include "a specific conduct of forbearance", a phrase used in the report.

68. The view was also expressed that there was a need to define the concept of an international obligation, in order to prevent a confusion between the political and legal interpretations. It should be made clear that the obligations referred to were those flowing from the norms of international law in force at the time when the wrongful act was committed. A technical definition could likewise be given to the concept of "obligation in force".

69. With regard to the expression "not in conformity", which served to determine the existence of a breach of an international obligation, it was said that

it should be understood in the light of the commentary on article 20. An act of a State over and above what was required of it by a given obligation did not indicate absence of conformity.

Article 21

70. Several representatives also specifically referred to and supported article 21 whose text was likewise considered to be an improvement on the formulation originally submitted by the Special Rapporteur in that it avoided the distinction between complete and incomplete breach. Article 21 offered a solution which was both flexible and feasible; it had been substantiated in treaty and judicial practice and was in line with international justice and the maintenance of the rule of law. It represented an established measure of international equitable consideration designed to afford a State the opportunity to fulfil its international obligation so as to avoid incurring international responsibility. To give a party in breach an opportunity to make amends could only lead to the strengthening of the principle of *pacta sunt servanda*, which was the cornerstone of international law. The article, moreover, reflected the trend towards the co-ordination of domestic legislation with international obligations, which also strengthened the international legal order. In the commentary to the article the Commission had listed the various cases in which it applied and had set forth in detail the various problems to which it might give rise.

71. It was pointed out that article 21, which dealt with the breach of an international obligation requiring the achievement of a specified result, was based on the principle that an international obligation of result did not require a particular course of conduct: in other words, the State had a range of options by which to achieve a specified result. The Commissions had appropriately proceeded to confirm that States could, in general, choose the means to perform their international obligations and enjoyed the freedom in such cases to modify their conduct at a later time in order to ensure the required result. The general application of the article allowed the State absolute discretion in its choice of means. However, there was a limited category of cases which afforded the State only an initial choice in the application of means needed to achieve the specified result. In the other category of cases, provided the initial choice of means had not rendered impossible the achievement of the required result or an allowed equivalent result, the State could discharge its obligations by its subsequent conduct or choice of means. It was also indicated that in the case of article 21, a breach arose from the fact that the State had not performed its obligation to achieve a specified result. Paragraph 1 of the article stated the general criterion, and paragraph 2 provided for an exception: a State could acquit itself of its obligation by securing the specified result through its subsequent conduct, but it should be emphasized that the result had to be achieved in any case. There was a breach of an international obligation of result only if the State was found to have failed to achieve *in concreto* the result required by the obligation. However, when it was clear from the obligation that that result or an equivalent result could be achieved by the State's subsequent conduct, there was no breach unless the State also failed by its subsequent conduct to achieve the result in question. It was said that the liberal approach adopted by the Commission as to the course of conduct to be followed by the State was justified by the priority accorded to the attainment of a certain result or its equivalent. In that connexion it

was stated that States were bound to settle their disputes by peaceful means of their choice, including those provided for under Article 33 of the Charter. Like the obligation to bring about a peaceful settlement of disputes, most international obligations relating to human rights were obligations "of result".

72. The view was expressed that the specified result could be positive or active in substance and negative or passive in form, or vice versa. In any case, the time factor played a decisive role in ascertaining the occurrence of a breach. The provisions of article 21 had therefore introduced into the concept of a breach a novel element, that of time: the State concerned was allowed a time-limit to achieve the result. In order to establish that responsibility had arisen, it was necessary to determine the *tempus commissi delicti*, i.e. the time and duration of the breach of an international obligation of result.

73. Some representatives referred to a difficulty that might arise in determining if the promulgation of a law contrary to international law or its application constituted a breach of an international obligation. It was said in that regard that the two types of obligation should not be confused, since the breach of an obligation of result could not occur unless the required result had not been attained. The simple enactment of legislation calculated to be applied in breach of an international obligation would not generally in itself constitute a breach of the obligation unless the legislation was in fact so applied. However, the opinion was held that, without further qualification, it was not possible to accept the assertion contained in the commentary to the effect that the fact that a State bound by an obligation of result had adopted a measure or, in particular, enacted a law constituting *in abstracto* an obstacle to the achievement of the required result, was not yet a breach or even the beginning of a breach of the obligation in question. That idea seemed to follow the same lines as that which had led to the insertion of the article relating to the exhaustion of local remedies in chapter III. It meant that no internationally wrongful act could be deemed to have taken place as long as the State had a chance of rectifying its own error or of not taking any specific action on it, which was apparently in contradiction with the refusal of the Commission to introduce the concept of damage. Moreover, the mere adoption of a measure, even in the absence of implementation, must in certain cases be considered as constituting a breach of an international obligation to another State. The view was further expressed that a State which promulgated a law contrary to international law, particularly if such a law could cause physical damage to alien individuals, was committing an internationally wrongful act. In order to engage responsibility on the part of the State in question, it was not necessary for the promulgated law to have actually caused injury to the individuals to whom it applied. The most that might be admitted was the possibility of applying a different role where the promulgated law dealt only with the property and not with the persons of aliens.

74. It was further stated that a useful clarification was provided by the Commission in its commentary, where it was noted that in some cases the international obligation gave no indication whatsoever of the means the State might use to achieve the required result, but that in others the obligation, although not expressly requiring recourse to a particular means, indicated a preference for a certain means as the most likely to

achieve the result required of the State. The view was, however, expressed that a sovereign State had complete freedom of choice where no indication was given of the means to be used. It could freely opt for one means or another, having regard to the possibilities available to it in a specific historical situation, and the progressive character sometimes assumed by the fulfilment of certain internationally assumed obligations. For example, article 2, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex) stated that States parties undertook to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms. It was to be expected that the concept of "appropriate means" would be reflected differently in the practice of each State party, depending on national particularities and the nature of the existing regulations and legislative machinery.

75. Several representatives referred specifically to paragraph 2 of article 21 dealing with the situation in which, even if the State had initially adopted a conduct not in conformity with the obligation, it might be given another opportunity to correct the said conduct so as to bring about the desired result. It was said that besides the situation in which a remedy was applied to the internationally unacceptable initial conduct of the State, there was another more radical one by which initial conduct not in conformity with the obligation was completely obliterated by the subsequent conduct of the State, such as in the case of reparation for damage. The important point to bear in mind was that the State's choice of the means to be employed could in no instance constitute a breach of the obligation. A breach of an obligation of result should not be deemed to have taken place while the possibility of a remedy still existed, in other words, as long as the result in question or an equivalent result might be achieved by subsequent conduct of the State. There was a breach of the obligation only if the State also failed by its subsequent conduct to achieve the result required of it by that obligation. The good faith of the party thus remedied the original breach whether the first course of conduct had been deliberate or not. If, for example, a country agreed to exempt from customs duties goods from another country, and those customs duties were nevertheless levied on such goods upon their entry into its territory, there would be breach of the former country's obligation only if the competent authorities did not reimburse the customs duties unlawfully collected. It was further stated that by defining breach as a process occurring in stages, the rule provided an important incentive for States to redress their initial conduct so as to produce effects equivalent to those required by the international obligation, with a view to making reparation for injury suffered. That provision reflected the efforts of the Commission to solve the problem in a fair and equitable manner, drawing upon the guiding principles of international law.

76. Certain representatives expressed some doubts concerning the expression "equivalent result" in paragraph 2 of article 21. It was said that that expression, by its flexibility, would facilitate international relations, but at the same time it opened the door to various interpretations of the meaning and scope of the concept of required result and, moreover, allowed the State to claim the realization of one aspect of the required result rather than the other. The State might claim, for example, that the realization of a certain degree of economic and social development was tantamount to

the realization of the objectives of human rights and for that reason reject any accusation of a serious breach of an international obligation of essential importance for safeguarding human rights. The view was also expressed that the term "equivalent result" remained rather ambiguous, and should therefore be given a more precise and concrete meaning. For example, in the case of obligations in respect of the treatment of aliens, which, according to the Commission were obligations "of result", a case might arise where an individual died following an attack on his person in a foreign State, as a result of negligence on the part of the competent authorities of that State in fulfilling their obligations to prevent such an attack. That was the case envisaged in paragraph 2 of article 21; yet it was doubtful whether it could definitely be concluded in such a case that there had been no breach of the obligation from the outset, even if the State, for example by paying compensation to the victim's family, tended through its subsequent conduct to produce an "equivalent result" to that required by the obligation.

Article 22

77. Representatives who commented on article 22, dealing with the question of exhaustion of local remedies, generally agreed that it was by far the most significant of the three articles on State responsibility adopted by the Commission at its last session. The article embodied a universally recognized principle of general international law whereby State responsibility did not occur before all the remedies available for obtaining satisfaction at the internal level were exhausted. During the current critical period in the formation of a genuine international community, the principle of the exhaustion of local remedies was of fundamental importance, since it reconciled the principle of State sovereignty and the needs of international co-operation. The view was also expressed that the exhaustion of local remedies was an established principle concerning the diplomatic protection of nationals abroad and, as such, constituted a basic norm of international law to which Governments must give consideration when diplomatic problems developed concerning the treatment of their own nationals abroad. It was an important safeguard for States when confronted by a claim advanced by another State on behalf of one of its nationals who claimed to have suffered injury.

78. Several representatives supported the inclusion in the draft of the rule embodied in article 22. It was considered that the relevance of the provision in the text could not be questioned; its exclusion would represent a deliberate attempt to leave the current uncertain situation intact. It was essential that it should be included if the future convention on State responsibility was to be endorsed by a large number of States. It was also said that the formulation in article 22 had been arrived at after a full examination of the doctrine and of the views and practice of States on the topic, including the practice of the League of Nations. Besides, the rule contained in the article was engendered by political and practical considerations. It was an essential confirmation of the priority to be given to local remedies and was consistent with Article 2 of the United Nations Charter. The rule was a means to prevent issues that might arise between States in connexion with the treatment accorded to aliens from immediately being raised in the international arena, especially at the present time, when so many countries, on the pretext of protecting their nationals, interfered in the internal affairs of other States. It also reaffirmed the principle of the

sovereign equality of States, which ensured that no one was outside the competent local jurisdiction. The rule took national jurisdiction into account in view of the fact that parties might have associated themselves with local jurisdictions. It was also stated that the structure of the rule as formulated by the Commission fulfilled the contemporary requirement of a balance between the requirements of the suppliers of capital and those of the countries where the capital was invested. The latter States wanted confidence to be placed in their legal structures, especially since a minimum standard of legal protection could now be considered to exist in every country in the world. At the very least, it was said, the rule was an expression of hope that weaker States would no longer be forced to give special treatment to aliens and foreign companies without having a fair opportunity to remedy an alleged breach. From a practical point of view, the rule should also prevent the multiplication of claims at the diplomatic level.

79. Several representatives, endorsing the Commission's view to the effect that the text adopted should be confined to a general statement on the principle as provided for by general international law, which should be flexible enough to be able to be adapted to the various situations that arose in practice, expressed their approval of the text of article 22 as currently worded. Certain representatives considered that the final version of the text could be improved, provided that the basic concepts which it contained were not changed. Other representatives expressed disagreement with the article as a whole or with some of its elements, as well with points dealt with in the commentary attached to it.

80. One representative considered that the rule embodied in article 22 belonged to the category of primary rules, relating only to the establishment of the breach of the obligation, and was not in itself a general rule of international responsibility, even less a rule of *jus cogens* from which no derogation was possible. If retained in its existing formulation, it was too narrow.

81. Another representative expressed the opinion that the rule was inequitable, particularly where the State not only breached an international obligation of "result" but was guilty of denying justice by systematically preventing an injured alien from making use of local remedies. In his view, the Commission should reconsider the article from that perspective.

82. It was also said by one representative that, for a matter which occupied so large a place in international practice and jurisprudence, the substantive rule relating to the need to exhaust local remedies was stated at too abstract a level of generality. In his opinion, the detailed discussion in the commentary only highlighted the lack of detail in the stated rule. Although the Commission had indicated that it had taken the view that the text adopted should be confined to a general statement on the exhaustion of local remedies, it had given no reasons for that conclusion, which was far from being one of self-evident validity. In view of the Commission's statement that the draft articles under study were cast in such a form that they could be used as the basis for concluding a convention if so decided, it would seem that the work of expressing in the form of articles the solutions to the manifold problems of exhaustion of local remedies could be taken further.

83. Several representatives agreed that the rule of exhaustion of local remedies applied only where the

international obligation which the State was alleged to have breached was an obligation of result and not an obligation of conduct. As drafted, article 22, and particularly its paragraph 2, made the exhaustion of local remedies a constituent element of the notion of breach of an international obligation of result. It laid down an additional condition of the violation of obligations of result for a special category of obligations, those designed to protect aliens, natural or juridical persons, and their property. It was in the light of that obligation that it would be possible to determine whether a State had breached its obligation. A large proportion of international obligations concerning the treatment to be accorded to private individuals allowed the State to achieve by stages the result required of it or to achieve it by subsequent conduct. The breach of an international obligation of result would occur in cases where it was established that the natural or juridical persons who considered that they had been placed in a situation incompatible with the internationally required result had not succeeded, even after exhausting all remedies, in rectifying the situation. No such breach of obligation could exist in law until all available local remedies had been resorted to in vain. In that regard, article 22 completed the definition of breach of an international obligation of result contained in article 21 and was closely linked to the latter article. On that basis, one representative considered it advisable to combine the two provisions by adding several lines to article 21.

84. On the other hand, one representative considered that article 22, concerning the exhaustion of local remedies, did not apply to the situations referred to in article 21 on the obligation of result and should not be combined with the latter article, as had been proposed. In his view, the situation governed by article 21 concerned only the treatment of aliens pursuant to bilateral or multilateral establishment agreements and the like. In those cases, the exhaustion of local remedies constituted a well-established rule of general international law. In this connexion, it was said that a diversity of legal concepts currently existed in the world as to when local remedies could be considered to have been exhausted. State practice varied on that point, and it was extremely difficult to formulate a uniform attitude to the status, rights and duties of aliens in a foreign country, whether they were natural or juridical persons, unless the host country and the country of which those persons were nationals concluded a specific agreement or convention. That was the procedure followed by many Governments, in accordance with internationally accepted principles.

85. Also with reference to article 22, one representative noted that the Commission, while itself at times recognizing in its commentary the distinction according to the beneficiary of the right, whether States or natural or juridical persons, had retained in the text another concept, namely that of the result achieved. In his view, that procedure was particularly regrettable since, if the solutions chosen by the Commission were accepted, it appeared that a single obligation could not be considered as both an obligation of means and an obligation of result. On the other hand, the distinction based on the beneficiary of the right took account of the principle, which was well established in contemporary international law, whereby a State invoking the responsibility of another State would be bound by the rule of exhaustion of local remedies only when exercising

diplomatic protection and not when asserting a right of its own.

86. Also in connexion with the scope of article 22, it was noted that it was further limited to international obligations concerning the treatment to be accorded to aliens, whether natural or juridical persons. That limitation was the most fundamental, inasmuch as it justified the condition of the exhaustion of local remedies. It was considered that that justification of the rule was of primary importance to the determination of its exact scope, particularly in cases which the Commission had qualified as "more or less special or marginal". The view was expressed that all international obligations to which the articles prepared by the Commission referred were obligations from State to State; the result to be achieved was therefore required in the direct interest of another State or States, or indeed of the international community as a whole. However, that did not prevent the singling out of a category of international obligations whose results depended upon the "collaboration" of the "beneficiaries" of such obligations and the victims of their breach. The absence of such collaboration could to a certain extent be compared with contributory negligence on the part of the victim. It was further said that it was normal that the private individual concerned should take the initiative of resorting to all the local guarantees offered by a State. The exhaustion of local remedies therefore seemed to be a necessary precondition in order to determine whether a State had breached an international obligation. That was the logical consequence of the nature of international obligations whose purpose and specific object was the protection of individuals.

87. Several representatives addressed themselves to the question to what extent the rule of exhaustion of local remedies enunciated in article 22 was a rule of substance or of procedure. It was pointed out in that regard that the Commission had unequivocally concluded that it was a substantive rule, although conceding that it had procedural aspects. The opinion was expressed that the question whether exhaustion of local remedies was a rule of substance or of procedure was far from academic, since it was partly the nature of that rule that determined the point at which the international responsibility of a State could be said to be engaged. If the rule was considered substantive, or primarily substantive, the international responsibility of the respondent State was generated only when local remedies had been exhausted. On the other hand, if the rule was considered procedural, it operated solely as a bar to the admissibility of a claim by the injured State before an international tribunal but had no effect on the point in time at which the international responsibility of the infringing State was engaged.

88. Some representatives endorsed the Commission's opinion that the exhaustion of local remedies was not just a simple procedural device related to the implementation of international responsibility, but rather a rule of substance which generated the responsibility in question. It was said that, as was proved by most conventions on the protection of individuals, by the decisions of the International Court of Justice and by State practice, that it was a substantive rule which might also have international diplomatic or legal effects on the implementation (*mise en œuvre*) of international responsibility, which was the subject of the third part of the draft. The Commission's position, it was added, was in keeping with the solution adopted in the countries of continental Europe. Besides, it seemed

contradictory that an internationally wrongful act, concerning the relations between States, could cease to exist because the individual involved failed to take the necessary initiative. It was more logical that, where the interests of an individual were involved, the internationally wrongful act should possess a complex structure, resulting from a whole series of acts on the part of the State concerned, from the original act to the stage at which the internal legal order, whose administrative or judicial remedies had been scrupulously invoked by the individual concerned, revealed themselves to be incapable of ensuring that international law was respected.

89. Certain representatives who supported the Commission's position emphasized that the fact that the rule had been included in part I of the draft should not prevent the Commission when it turned to part III devoted to implementation (*mise en œuvre*) of international responsibility from studying in detail its technical and procedural aspects and its effects on diplomatic and judicial procedures which were not negligible. The view was expressed that since the Commission's position did not exclude cases of initial breaches of international law when such breaches did not prevent domestic laws from construing the rule as procedural, it was gratifying to know that the Special Rapporteur would submit articles dealing with the procedural aspects of the rule to the Commission.

90. On the other hand, some representatives entertained serious doubts about the substance of article 22 and believed that the local-remedies rule was first and foremost a procedural rule whose proper place was within the framework of the part of the draft which would be devoted to the implementation of international responsibility. The exhaustion of local remedies, it was said, was simply a condition of diplomatic protection. It was also stated that the rationale for the Commission's position found in paragraphs 13 to 35 of the commentary to article 22 was unconvincing. In particular, the cause-and-effect relationship between the two parts of the proposition in paragraph 14 of the commentary to the article was by no means evident. Further, it was stated that the apparently impeccable logic of the argumentation found in paragraph 15 of the commentary was in fact very questionable. The example was given that if State A asserted that State B was in breach of its obligations towards State A because a national of State A had been denied the benefit of most-favoured-nation treatment provided for by a treaty in force between States A and B, no claim for reparation of the injury suffered by State A in the person of its national would be admitted by an international instance of a jurisdictional nature unless local remedies had been exhausted. However, it was said, the conclusion was not, as the Commission had suggested, that the breach of the obligation imposed by the treaty had not yet occurred; it was simply that there had not yet been an opportunity for the infringing State to implement its responsibility. The situation was different when the breach of State B's international obligations to State A resulted from the action of judicial organs of State B which had failed to perform their duty to afford a national of State A the internationally required judicial protection against injury suffered owing to a violation of domestic law alone. In that case, it could be argued that State B's international responsibility was not generated until local remedies had been exhausted; however, that exception stemmed not from the principle that a State's international responsibility was not gen-

erated until local remedies had been exhausted but from the specific nature of the claim made by State A.

91. One representative indicated that he would have no objection to the rule of the exhaustion of local remedies, which was generally regarded as a procedural rule, being considered as a substantive rule, if that helped to strengthen the sovereign equality of States. In cases where the conduct of the State constituted in itself a breach of an international obligation concerning the treatment to be accorded to aliens, there could be no question of waiting until the aliens concerned had exhausted local remedies before recognizing that a breach had occurred. In his view, article 22 should, therefore, be redrafted.

92. The view was also expressed that any rigid distinction between a "procedural" and a "substantive" definition of the exhaustion of local remedies should be approached with caution. From a practical point of view it was important to determine the time from which the damage must be taken into consideration in order to calculate the amount of the reparation. According to the "substantive" approach, damages would be calculated not as of the time of the injury but as of the time of the exhaustion of local remedies, interest accruing only from the time of exhaustion. Yet, under customary international law, when a State expropriated the property of an alien it was obliged to pay just compensation as of the time of the taking, and if it failed to pay such compensation even on the exhaustion of local remedies, an international wrong would arise concerning which the Government of the alien's State could make an international claim. It seemed that the Commission's draft did not satisfactorily deal with the problem of the time of the injury to the alien as from which the obligation to compensate him ran. According to that view, a solution lay in recognizing that there was a wrong for which reparation was due at the time of the injury but that the right of the alien's Government to espouse a claim for that wrong arose only upon the unsuccessful exhaustion of local remedies. On the other hand, it was considered that as the Commission had rightly noted, the choice between those two solutions whether substantive or procedural, was quite unrelated to the question of the criteria for establishing the amount of compensation. There was no reason why the calculation of compensation should not be related to the first stage of a complex act.

93. Certain representatives considered that it was not necessary, for the purpose of international codification, to adopt a position on the highly controversial question of whether the exhaustion of local remedies rule was one of substance or one of procedure. It was said that perhaps it was not very important whether the rule was of one or the other kind since the sole purpose of article 22 was to make it possible to determine whether a breach of an international obligation existed. The opinion was also expressed that the answer to that question depended on the circumstances of each case. The United Nations Conference on the Law of the Sea had not yet succeeded in determining where the rule was to be placed, but its classification as a matter of substance or of procedure was quite irrelevant. It was further stated that, at any rate, the rule must be defined in a neutral manner without specifying whether it was one of substance or of procedure. In practice, the alien who had suffered injury or the State which presented a claim on his behalf was concerned only with obtaining satisfaction of the claim. If no satisfaction was possible because the local remedies had not

been exhausted, it did not matter to the party that that circumstance had prevented the claim from arising or the action from being brought. Furthermore, whatever the fundamental nature of the rule, whether substantive or procedural, the local remedies open to individuals must lead to results which conformed to international law.

94. Finally, certain representatives indicated that, in any case, they could not express any final view on article 22 until it was known how the Commission intended to deal with the more significant aspects of the local-remedies rule, namely the procedural aspects.

95. Referring to the nature of the rule, certain representatives considered that the rule of the exhaustion of legal remedies was not a rule of *jus cogens*, and could therefore be set aside by a treaty provision allowing for swifter protection of the interests involved. However, other representatives took the view that that rule allowed of no exceptions and that any agreement attempting to exclude it should be considered without legal effect.

96. One representative, who regarded the rule on exhaustion of local remedies as a rule of general application, at least in the treatment of aliens, but from which there could be derogation by express agreement, cited as an example the Convention on the Establishment of a Centre for Settlement of Investment Disputes, in which the parties had agreed to submit disputes for conciliation or arbitration without their nationals having to exhaust the local remedies. In that connexion another representative stated that as far as the exception to the rule of the exhaustion of local remedies in the case of investment guarantee agreements, which involved, for example, the binding jurisdiction of the International Centre for Settlement of Investment Disputes, it was simply the counterpart of the official guarantee provided by the State of which the investor was a national. In that case, diplomatic protection could not be invoked until it was established, after the exhaustion of local remedies, that the act of which the State receiving the investment had been accused was fundamentally incompatible with the provisions of the guarantee agreement. Furthermore, the system of official investment guarantees was currently coming to resemble an insurance system and in any case it seemed that the guarantee system had been applied in very few cases. Therefore it could not be concluded that there had been any sort of change in the machinery of international responsibility.

97. Certain representatives referred to other aspects of the relationship between the principle and the determination of the existence of a breach of an international obligation relating to the treatment of private individuals. Thus, the view was expressed that there was no logical connexion between the exhaustion of local remedies and denial of justice, since even the least discriminatory legal treatment of aliens could be incapable of redressing an internationally wrongful act if that act arose from a legislative measure, and the judicial authority was not empowered to abrogate or waive the application of a national law which was contrary to international law. Furthermore, the structure of internal procedural rules could render a local remedy inaccessible to an individual who had suffered injury as a result of a specific internationally wrongful act.

98. Another aspect for consideration was said to be the question as to when local remedies would be

deemed to have been exhausted. Consideration of that aspect of the rule might be necessary for the progressive development of international law in respect of State responsibility. In that regard the opinion was expressed that in order to decide whether responsibility was generated only when local remedies had been exhausted or whether it existed prior to that time, it was necessary to know whether a wrongful act was already involved or whether the first wrongful act derived from the exhaustion of local remedies. If the relationship between those quite distinct situations could lead to confusion, it was because local remedies were at the same time a means of redress and, in the case of failure, the point of departure of international responsibility.

99. With regard to the sphere of application of the rule of exhaustion of local remedies, certain representatives commented on the meaning of the term "alien". The opinion was expressed that that term was questionable since it seemed to indicate either that the State was automatically responsible with regard to individuals who were its own nationals, i.e. that it was not necessary for the latter to exhaust local remedies for it to be recognized that the State had breached an international obligation "of result" in their regard by failing to treat them as it should, or else, which was unfortunately more probable, that the field of application of the principle of the exhaustion of local remedies was limited to the treatment to be accorded to "aliens", i.e. that it did not encompass the treatment which a State undertook to accord to "national" individuals. It was also said that as regards the term "alien" it would seem at first glance to be a simple matter: the exhaustion of local remedies should in principle be restricted to individuals and bodies corporate. But, it was asked, what about stateless persons? Had not the time come to adopt an international convention on State responsibility giving the State in which a stateless person was permanently resident the right to present a claim for damages on his behalf? Questions also arose in connexion with persons having multiple nationality and bodies corporate. The future convention could not be silent in that regard. In that connexion, it was noted that the condition of the exhaustion of local remedies did apply in cases of injury caused to foreign public entities—including States—provided that, in the cases in question, they had acted *jure negotii* or *jure gestionis*. It was also pointed out that the exhaustion of local remedies was inapplicable in cases of injuries suffered by persons acting as State organs such as diplomats, representatives and other agents of the State. Finally, the view was held that an international claim arising out of State responsibility should also be subject to the rule of nationality of claims. There should be a bond of nationality between the claimant State and the person injured. Possible exceptions to that rule might be the cases of inhabitants of a protected State or aliens serving on the merchant ships or in the armed forces of a claimant State.

100. Several representatives agreed with the Commission's differing from the report of the Special Rapporteur in not extending the scope of the rule of exhaustion of local remedies to a State's treatment of its own nationals. It was said that the wording adopted by the Commission was preferable to the text proposed by the Special Rapporteur since it came closer to the traditional concept of responsibility, which related only to the treatment of aliens. To retain the Special Rapporteur's proposal regarding recognition of the international responsibility of a State in respect of its own

nationals would be, at the current stage, too bold a step in the field of the progressive development of international law. Before such a principle was incorporated into an international legal text, a more detailed study should be undertaken with a view to avoiding any provision which might result in interference in the internal affairs of other States, especially the weaker ones.

101. On the other hand, the opinion was expressed that during the second reading of the articles under consideration, particularly article 22, some thought should be given to extending the application of the principle of exhaustion of local remedies to the treatment accorded by the State to its own nationals. The international community was gradually assuming responsibility for the protection of certain fundamental rights, and most of the existing conventions on the subject, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and the Optional Protocol thereto (General Assembly resolution 2200 A (XXI) annex), expressly imposed the requirement of exhaustion of local remedies. Furthermore, it should be kept in mind that the provisions of article 19, concerning the distinction between two separate categories of internationally wrongful acts, inevitably inspired the substance of the following articles—including article 22. For instance, the express reference made by the Commission to some of the most characteristic violations of international obligations of essential importance for safeguarding the human being, such as those concerning genocide and *apartheid*, had a special bearing on the possible extension of the rule of exhaustion of local remedies to all private individuals, including nationals of the State directly involved.

102. Several representatives commented on the Commission's decision not to limit the scope of the principle of exhaustion of local remedies explicitly to cases concerning the conduct adopted by the State "within its jurisdiction". It was said that there was a clear link between the condition of the exhaustion of local remedies and the jurisdiction of the State whose initial act ran counter to an international obligation of result. In the opinion of some representatives, it would be advisable to so limit the scope of the principle. It was said, as an example, that if a fishing vessel was damaged on the high seas by a foreign warship, it would be unreasonable not to be able to determine the existence of the breach of an international obligation and not to allow the victims to file an international claim unless it was established that judicial and other local remedies available to the victims in that State had been exhausted. It was generally admitted that the rule of exhaustion of local remedies was based, among other things, on respect for the sovereignty and jurisdiction of States, and it would be unreasonable to require a private individual having no link to the sovereign jurisdiction of the offending State to abide by that jurisdiction and to exhaust local remedies available in that State. Consequently, the scope of the application of that principle should be limited to cases where a person was placed under the sovereign jurisdiction of another State and maintained certain links with that State. Such a limitation might in practice raise problems in respect of the exact limits of national jurisdiction under international law, but national jurisdiction undeniably had limits. In that connexion, the view was expressed that the applicability of the prin-

ciple to cases of injury caused by a State to an alien outside its territory and similar cases should be resolved by State practice.

103. One representative was of the view that the local remedy rule might be ineffective where the action complained of had occurred outside the State's jurisdiction or had been perpetrated against an alien who was only temporarily within the State's jurisdiction. That was a practical matter to which the Commission should address itself. Cases of injury suffered by a sailor in a harbour of a foreign country or by persons in transit at an airport were examples of such a situation.

104. Another representative felt that the term "jurisdiction" was ambiguous, because it did not correspond to the same concept in French and in English; he therefore suggested that the words "in the exercise of its State authority", which might better reflect the justified concerns of the Commission, should be inserted in article 22.

105. Several representatives stressed that the exhaustion of local remedies was only applicable where such remedies were effective and available and not merely theoretical. The Commission had made that point explaining that a remedy which would be a mere formality should not be required as a prerequisite to the State's action for reparation. It was said that in stressing the effectiveness rather than the availability of local remedies, the Commission showed that it was quite aware of the reasonable limits of the rule in cases when, on the one hand, the wrongful act entailing responsibility was directly prejudicial to another State and when, on the other hand, foreign private individuals were injured at the same time and by the same conduct as the State of which they were nationals. The question had caused difficulties for the Commission and great emphasis had been placed on the concept of local remedies "open" to individuals and "effective" local remedies. It was felt that if differences of opinion arose concerning the interpretation of availability and efficacy, they could be settled peacefully. In that connexion, it was said that to speak of remedies that were effective and truly accessible, was to say that they should, among other things, not be too onerous.

106. On the other hand, some representatives expressed doubts about the adequacy of the criteria of "effectiveness" and "availability". In that regard the view was expressed that the application of the rule of the exhaustion of local remedies was bound to raise problems of interpretation, if only in respect of the rather vague terms "effective", "available" and "equivalent". It should be remembered that local remedies by their very nature often made it impossible to obtain the results called for by international obligations. For instance, national courts in many countries were not even allowed to discuss the international obligations. Although that did not necessarily mean that a local remedy was not "effective" in such cases, since "equivalent" results might be obtained, the difficulties raised by the application of that condition were such that it would be preferable to avoid giving it too broad a scope.

107. It was further said that the Commission seemed, however, to give a rather wide meaning to those two qualifications. It alluded in the commentary to cases where the State of which the injured persons were nationals intervened without waiting until the

victims had had recourse to the remedies provided by internal law, which it considered incapable of correcting the situation in which its nationals had been placed. That example was deemed not quite convincing. The fact that the State whose nationals had been injured doubted the effectiveness of the internal remedies could not constitute a decisive criterion for determining whether an international obligation had been breached. The real reason for the non-application of the condition of the exhaustion of local remedies in the case of "a general atmosphere of hostility towards the nationals of some foreign country", as stated in paragraph 37 of the commentary on article 22, was rather the actual character of the international obligation contracted towards another State whose legitimate interests prevailed over the individual interests of the individuals concerned. After all, as the Permanent Court of International Justice had rightly stated in the *Chorzow Factory Case*, "rights or interests of an individual the violation of which rights causes damage are always in a different plane to rights belonging to a State, which rights may also be infringed by the same act".⁴ Similarly, it would be a somewhat strained interpretation to consider that local remedies were not available in cases where it was simply "difficult" for an injured alien to have recourse to them, even if the damage to his property was inflicted outside the territory of the State which committed the injurious act, to use the example cited by the Commission. There again, the real reason for not applying the principle of the exhaustion of local remedies seemed to be a different one. If, as the Commission stated, it would be unreasonable to require the State whose national had been injured to initiate actions at the level of the internal legal order of the State responsible for the injury, it was because the other State was in principle not subject to the jurisdiction of the latter State.

108. The view was also expressed that another aspect which was left unresolved by the general wording of the formula in article 22 was whether a remedy was "effective" if its operation was affected by unreasonable delay in the dispensation of justice. In that regard, it was felt that the traditional principle of exhaustion of local remedies was too limited in scope. The exhaustion of local remedies might be a cumbersome process in any country, involving the individual in delays that might render the application of the local remedies more or less useless. For that reason, it was said, article 22 should be amended in such a way that it provided for a breach of an international obligation of a State not only if the aliens concerned had exhausted the local remedies available to them without obtaining satisfaction, but also if the application of the local remedies was unreasonably delayed. A precedent had been set in article 5 of the Optional Protocol to the International Covenant on Civil and Political Rights. It was further stated that an indication of a possible answer to the question might also be found in article 41, paragraph 1 (c) of the International Covenant on Civil and Political Rights and in article 14, paragraph 7 (a), of the International Convention on the Elimination of All Forms of Racial Discrimination.

109. One representative thought that the commentaries had left unprobed at least one of the more delicate and difficult problems which called for solution. The omission which particularly came to his mind

⁴ *Publications of the Permanent Court of International Justice, Series A, No. 17, Collection of Judgements, p. 28.*

related to one aspect of the identification of situations where the rule was that remedies need not be exhausted because there were no remedies to exhaust. The problem was approached in paragraphs 47 to 51 of the commentary on article 22, but the question not expressly covered was whether a remedy could be deemed unreal (and therefore not requiring exhaustion) solely on the basis of an opinion of a local lawyer. Although it would not be reasonable to expect the commentary to cover every single problem that might arise, the problem provided a test of the adequacy of the wording of article 22. The only relevant words in it were "... if the aliens concerned have exhausted the effective local remedies available ...".

110. Another representative stressed that in stating that the principle of the exhaustion of local remedies must be interpreted in the light of the general criterion of good faith, the Commission seemed to have recognized that that criterion, which was a moral one *par excellence*, was at the heart of the problems relating to the international responsibility of States, in view of the prominence which all States must grant that criterion in fulfilling all of their obligations. It was considered, therefore, highly desirable for the Commission to draw the necessary conclusions and codify in the draft articles the fundamental rule of obligation of good faith, as embodied in Article 2, paragraph 2, of the Charter.

111. Certain representatives welcomed the Commission's conclusion that the requirement that the individual considering himself injured must exhaust local remedies in no way implied that the State of which he was a national might not make diplomatic representations to the State alleged to have committed the wrongful act until the individual had exhausted the local remedies available in the latter State. In their view, that principle was clearly right and fully in accordance with State practice. On the other hand, the opinion was expressed that such action could be taken only as a truly exceptional step, since it could take on the appearance of interference in the internal affairs of another State, not to mention the fact that it could create friction between the organs of that State, especially in countries where there was a clear-cut separation of powers. When an action for avoidance or an action for redress had been brought, diplomatic representation should be directed to the executive power, which had competence in foreign affairs.

112. One representative noted that the Commission had affirmed that the State of which the alien was a national could make diplomatic representations to the State alleged to have committed the wrongful act before that alien had exhausted the local remedies available in the latter State, but immediately afterwards it had stated that the State of which the individual concerned was a national could not "take over" the wrong done to that individual before the latter had had recourse to the domestic courts open to him. In his view, the Commission should reconsider that question in the light of State practice over the past 10 years.

113. Certain representatives made some observations of a terminological character concerning article 22. One view was held to the effect that the article was complicated and difficult to understand. Another representative expressed the hope that the Commission would, when it returned to the second reading of the article on local remedies, be able to grapple in greater detail with the expression in codified form, as opposed

to elaboration in the commentary, of some of the detailed aspects of its application.

114. As to specific terms, certain representatives considered it important to give a definition of the term "local remedies" in the draft. It was noted that the commentary on the article indicated that the Commission intended to decide on the insertion of such a definition later. With respect to the word "remedies", it was asked whether the term referred only to judicial remedies and what were the criteria for determining whether a State organ was to be regarded as judicial. Were arbitration and administrative remedies among the remedies which must be exhausted? The term "remedy", it was said, had different meanings in different States, but in an international convention it must have an independent meaning since otherwise there would be little hope of obtaining uniform interpretation and application of the convention. With regard to the word "local", it was observed that in some States there were concurrent jurisdictions and that it might be advisable to deal with that problem in the draft. In connexion with the term "local remedies", the view was also expressed that the word "effective" was apt to create problems of interpretation. In ordinary language and in legal practice, a remedy was effective if it had a positive result, but in the present instance it must of necessity have a negative result. Article 22 should specify that the remedy must be possible both in law and in fact.

115. It was also said that the words "the obligation allows" should be replaced by a reference to the nature of the obligation, since the treatment in question did not derive from an obligation but rather from law or from a contract. Finally, as regards the wording of the French version of article 22, *in fine*, which read "*les recours internes efficaces leur étant disponibles*", it was felt that wording "*efficaces et disponibles*" would be preferable.

C. SUCCESSION OF STATES IN RESPECT OF MATTERS OTHER THAN TREATIES

116. In general, representatives noted with satisfaction that the Commission had made considerable progress on the topic of succession of States in respect of matters other than treaties. The significant contribution of the Special Rapporteur, Mr. M. Bedjaoui, through his scholarly and wide-ranging ninth report⁵ was stressed. It was noted that that report had underlined the difficulties and complexities of the subject-matter, illustrating varied State practice and divergent opinions of writers. Hope was expressed by certain representatives that given the progress achieved at its twenty-ninth session, the Commission could, at its next session, complete the first reading of the draft articles on succession of States to State property and State debts.

1. *Comments on the draft articles as a whole*

(a) *General comments*

117. Several of the representatives who spoke on the subject expressed satisfaction with, or general approval of, the draft articles adopted by the Commission at its twenty-ninth session on succession of States to State debts (see A/32/10, chap. III, sect. B). Stress was placed on the importance and relevance of the formulation of international rules concerning succession to State debts; it was viewed as the most contro-

versial and intricate aspect of State succession. The study of the question of succession to State debts was described as essential for a better understanding of the work already done in the field of succession of States to State property (part I of the draft). Some representatives said that the new draft articles revealed a concern for relating the topic to current realities and that in taking that approach the Commission had made a remarkable effort to fulfil the need for the progressive development of the rules of international law in the field. The view was further expressed that the application of out-dated principles could lead to *de facto* injustices. Other representatives recalled that all international relations, particularly legal relations between States, were governed by the principle of good faith which should be the starting-point for any codification efforts on the topic. Furthermore, in view of the scarcity of precedents in the field, it was said that the Commission's work should be limited to the formulation of a basic legal framework on succession to State debts, leaving room for the countries involved to find flexible solutions on a case-by-case basis, with due regard for the circumstances prevailing at the time of the occurrence of succession of States. Another view expressed was that it seemed questionable whether a meaningful international consensus could be achieved within the foreseeable future on an item which was always complex and politically difficult. Reservations were expressed by certain representatives with regard to specific draft articles adopted at the twenty-ninth session of the Commission.

118. Finally, several representatives said that it was difficult to take a position on the new articles adopted on the topic pending further study and the final outcome of the Commission's work on the subject.

(b) *Form of the draft*

119. Support was expressed for the Commission's view that the form to be given to the codification of rules on the topic could not in fact be definitely established until the topic had been fully studied. Practical considerations, it was said, should prevail even at the initial stage and the decision to work, as in similar cases, on the basis of draft articles was seen as the best way of defining or developing rules of international law intended to regulate the subject. The draft articles, as conceived, were consistent with the form of an eventual convention, if the General Assembly decided to refer the matter to a codification conference. One representative said that if the draft articles were to become a convention, it would be advantageous for newly independent States to implement its provisions retroactively.

(c) *Scope of the draft*

120. The Commission was congratulated on having decided to confine its treatment of the topic to State property and State debts for the time being. The view was also expressed, however, that before the expiration of its current five-year term of office, the Commission could begin the consideration of a series of articles concerning State succession to other public property and public debts.

121. Furthermore, it was said that the decision taken by the Commission in 1968 to give priority in its consideration of the topic to economic and financial matters was entirely justified. The question of succession to non-financial obligations would have to be considered separately in another part and at a later date. On the other hand, the opinion was expressed

⁵ A/CN.4/301 and Add.1.

that the Commission should conduct a detailed study of all aspects of State succession in respect of matters other than treaties, without restricting itself to economic or financial considerations.

122. In that connexion, one representative stressed that the time had come to deal with the question of the status of the populations of the territories which had been the subject of a succession of States. That question was invested with a sense of urgency because of the human considerations involved. He said there were currently hundreds of thousands of former inhabitants of such territories dispersed over various areas of the globe, particularly in the territories of the former administering Powers. More often than not, those persons enjoyed only precarious rights in their new surroundings and had to cope with serious difficulties, since they had had to leave behind all their property and because even their nationality was sometimes in doubt or undefined. It was important, he stressed, to study and define the interests of those individuals within the context of the succession of States.

(d) *Structure of the draft*

123. A number of representatives commented favourably upon the Commission's approach of maintaining to the extent possible a parallel between the articles forming part II of the draft (Succession to State debts) and those included in part I (Succession to State property). That approach was viewed as commendable and of utmost importance. Certain other representatives, however, believed that the parallel between the two parts had not been respected. A certain lack of parallelism was mentioned as between article 18 and article 5, as well as between article 22 and article 13.

124. As to the types of succession of States dealt with in section 2 of both parts I and II, the view was expressed that it was only justifiable to distinguish between different types of State succession on the basis of objective criteria, and that, from a legal point of view, there were only three types of succession: separation, transfer and unification. It was said that the distinction between a "newly independent State" and the "separation of part of a State" did not seem justified as it was based on considerations of a political or psychological rather than a legal nature and as it appeared to give rise to a number of uncertainties and difficulties. However, it was stressed that a very clear distinction must be made between State succession as the direct consequence of the decolonization process—where much could be said for a broad *tabula rasa* approach—and all other cases of State succession, especially those arising out of dissolution or dismemberment of a State, a case which the Commission intended to examine in the near future. Succession of the latter category should, it was said, follow the principle that the duty of the new sovereign to bear a portion of the predecessor's debt should be dependent upon the benefits accruing to the territory transferred; the emphasis should be placed on territory and on its population as the debtor element.

125. A number of representatives spoke in favour of including in the draft procedures relating to the peaceful settlement of disputes. It was said that such procedures should lead to a binding decision based on law and should be flexible, including a wide choice of methods of settlement, in accordance with Article 33 of the Charter. If the parties did not agree on a particular method of settlement, each party would be entitled to refer the dispute to compulsory settlement.

Certain representatives referred to the need to establish effective machinery for dispute settlement in the light of the inclusion in certain articles of the draft of such expressions as "equitable proportion".

2. *Comments on the various draft articles*

Articles 1, 3, 4, 12, 13, 15 and 16

126. One representative believed articles 1 and 4 could be deleted as they merely stated the obvious. He also asked why the types of succession dealt with in articles 12 and 13 (as well as in articles 21 and 22) were not mentioned in article 3 on "Use of terms". Another representative expressed regret concerning what he deemed to be the abusive use made of such vague concepts as "equitable proportion" in articles 15 and 16 (as well as article 21) and "equitably compensated" in article 16.

Articles 17 and 18

127. Many representatives who spoke on the question of succession of States to State debts referred to the scope of the articles in part II (article 17) and to the definition of the term "State debt" (article 18). As to article 17, while certain representatives believed that it was not drafted with sufficient clarity or that it should be deleted as stating the obvious, other representatives stressed that articles 17 and 18 were intrinsically linked and opposed the deletion of article 17.

128. Several representatives considered article 18 to be the key element of part II of the draft articles and considered it to be acceptable and sufficiently broad to cover all financial obligations which might be considered as belonging to the category of "State debts". The definition in article 18 was said to be a masterly achievement of clarity, flexibility and political realism. The value of the comprehensive commentaries was also mentioned. It was noted, however, that the definition of "State debt" was the essential problem with regard to the draft articles on succession to State debts and had presented difficulties. Other representatives were of the view that the article was too vague and lacking in precision. It was said that the article did not clarify sufficiently the legal nature of the rights and obligations which they regulated and that it should specifically indicate what were the financial obligations in question. Reference was made to a lack of parallelism between article 18, defining "State debt", and article 5, defining "State property". Also, it was suggested that the Commission should consider whether it might not be preferable to transfer the definition of the term to article 3 on "Use of terms".

129. With regard to the different categories of debts to which reference was made in the commentary, certain representatives agreed with the Commission's approach of excluding from the definition of "State debt", the debts of the successor State. For clarity, it was suggested that the word "predecessor" could be inserted in the last phrase of article 18 so it would read "chargeable to the predecessor State". Some representatives supported the Commission's approach of not including debts of local authorities within the definition of "State debt". That seemed logical and just, it was said, since local authorities would continue to be responsible for their own debts, notwithstanding the succession of States. However, another view was expressed that in State practice, a very substantial part of the debts involved in succession were considered to be proper to the territory and to be "colonial" debts contracted within the context of the territory's financial

autonomy. Therefore, article 22, dealing with newly independent States, should in particular take into account all debts contracted by the administering Power in the name and on behalf of the dependent territory, because the financial autonomy of that territory had been purely formal. As to the exclusion from the definition of debts of public enterprises or establishments, it was stressed that that approach should be clarified by the Commission as it was acceptable only if it was clearly understood that the debts of any public institution situated in the territory of the successor State should pass to that State. Furthermore, it was said, if a public institution had its headquarters in the predecessor State and carried on certain activities in the territory passing to the successor State, debts relating to those activities should pass to the successor State in a proportion and according to criteria to be established. Regarding the category of delictual or semi-delictual debt, it was emphasized that a fundamental question was not answered in the draft articles so far presented: the distinction between debts having a contractual origin and those arising from illegal acts of the State, even if the victims were its own nationals or, *a fortiori*, if they were stateless persons or foreign nationals. It was said that such debts were frequently unliquidated at the date of the succession and stressed that the dominant factors in such cases should be the territory and the population. Finally, certain representatives agreed with the Commission's view that so-called "régime debts" should not be considered as a category distinct from State debts.

130. The Commission's decision that it would not be useful or timely to draft at that stage provisions on the question of "odious debts" was supported by several representatives. It was stressed that the Commission was correct in deferring the question of including provisions on the matter until each particular type of succession of States had been examined, as the rules to be formulated for each type might well settle the issues raised by the question and thus dispose of the need to include general provisions thereon in the draft. The principle of good faith as the starting-point for codification efforts on the topic was stressed with regard to that question. It was further stated that the question was too controversial to admit of constructive codification. On the other hand, other representatives favoured the inclusion in the draft of specific articles dealing with the question of "odious debts". Provision against the inheritance of "subjugation" or "war" debts was deemed vital in discouraging such grave breaches of international law as subjugation of peoples, denial of their right to self-determination, or waging war. According to that view, it was conceivable that notwithstanding the provisions of article 22, pressure might be exerted on a newly independent State to accept some of the "odious debts" as the price of independence. Therefore, it was in the interests of newly independent States to have a specific rule of international law on the matter, under which they could denounce such obligations.

131. Representatives who spoke on article 18 referred to the word "international", which had been included by the Commission in square brackets in order to draw the attention of Governments to the difference of opinion among its members regarding the scope to be given to the provision in so far as creditors are concerned. Several representatives favoured the retention of the word "international". It was stressed that no attempt should be made to define the financial

relations of the State with private individuals or corporations, such relations being governed solely by the State's internal legal order; it should be made clear that only State debts of an international character and arising at the international level could be included in the definition of "State debt". Mention was made of a tendency to apply rules of private law to questions of international law, although in international law there could be an extreme inequality between parties with rights and obligations. To place persons, natural or juridical, on the same level as States was viewed as inappropriate and inconceivable. Even if it were recognized that certain debts owed to private persons were of a magnitude corresponding to inter-State debts, substantial difficulties would arise, it was said, if the two types of debts were regarded as identical and regulated by the same rule of international law. The view was expressed that debts owed to individuals had no relevance to State succession and that foreign investors should have no more rights than nationals in the same situation. International responsibility vis-à-vis foreign investors could only arise, it was said, within the context of the exhaustion of local remedies and the denial of justice; to hold otherwise would constitute a serious breach of State sovereignty and a flagrant interference in the internal affairs of States. It was stressed that in formulating and codifying a new system of international law, the Commission must be careful to avoid establishing or confirming new forms of dependency between weak States and powerful corporations. One representative stated that his country had been subjected to intervention by foreign Powers on the pretext of recovering debts owed to their nations. Such intervention had given rise to the Drago Doctrine opposing the compulsory recovery of debts, which had been reiterated by inter-American bodies many times. That Doctrine should be, in his view, reflected in article 18 and in any other article pertaining to the same issue. Moreover, it was said, article 20 stipulated that a succession of States did not as such affect the rights and obligations of creditors, thus affording a general safeguard to foreign private creditors. Another argument adduced for retaining the word "international" was that the scope of article 18 should be reduced as far as possible since it was impossible to determine exactly the trend of contemporary practice in the light of the fluidity which currently prevailed in State practice as a result of the process of decolonization. The scope of the customary rule on succession may well have been radically changed, giving rise to a new rule applying only to newly independent States; whereas the old rule, in modernized form, may still be valid for cases of succession not related to the attachment of independence by new States. One representative suggested that the question of the financial obligations of a State vis-à-vis individuals could be studied later in a more appropriate context, for example in connexion with the study of the problem of public debts. Finally, note was taken of the fact that the meaning of the word "international" was broad in scope, referring not only to financial obligations contracted between States, but also to financial obligations between a State and an international organization or another subject of international law.

132. Other representatives, however, favoured the deletion of the word "international". They believed there was no basis for excluding State debt to private persons from the scope of the draft and favoured a broad definition in view of the varying forms which State indebtedness could take. It was urged that it

was clearly a well-established fact that international law had been concerned with the interests of aliens as well as of States, and that that practice did not constitute a flagrant interference in the internal affairs of States. International law was not confined to the rights of States but also concerned the rights of individuals, an elementary truth demonstrated in case-law and in numerous treaties. It was said that a preoccupation with notions as elusive and abstract as sovereignty or international personality could lead to an excessively theoretical codification of the law, which in turn could produce great injustice; emphasis should be placed on territory and on its population as the debtor element. Both classes of debts owed by States (those to other subjects of international law and those to natural or juridical persons) were affected equally by State succession, it was stressed. While the satisfaction of a debt to a national or juridical person might be governed solely by internal law, State succession was itself governed by international law. The Commission's work on the topic had showed there was no point in distinguishing between classes of creditors. It was quite reasonable that rules of international law should deal with aspects of the factual situation involved in succession whereby the same territory and the same population came under the jurisdiction of different States before and after succession—a situation which third parties had neither provoked nor accepted, but which was nevertheless of great importance to them. Thus rules on the passing of State property had been recognized, including the acquisition by the successor State of fiscal jurisdiction previously exercised by the predecessor State. Having dealt with the passing of such "assets" from one State to another, international law could not, it was felt, keep silent on the question of the effect of State succession on the "liabilities" of the predecessor State. It was noted that article 5 defining State property did not contain any limitation and even mentioned the internal law of the predecessor State, thus implying that State property included debt-claims of the predecessor State vis-à-vis individuals. Reference was also made to article 11 by which debts owed to the predecessor State should pass to the successor State; similarly, debts owed by the predecessor State should be dealt with, whoever the creditor was. Also mentioned were articles 21 and 22, which mentioned the link between the State debts which passed to the successor State and the "property, rights and interests" which passed to that State, a link clearly independent of the status of the creditor. Furthermore, inclusion of the word "international" would, it was stated, no doubt be contrary to the practice of States, which contained thousands of cases of succession of States to debts which were not debts on an inter-State or international level, but were State debts whose creditors were alien individuals or corporations. In a codification of the topic, State practice could not be ignored in order to meet the ideological outlook of a minority of the world community which was antipathetic to some forms of economic activity and which wished to deprecate the rights of individuals under international law. Another factor mentioned by certain representatives opposing inclusion of the word "international" was that an important part of credit currently extended to States derived from foreign private sources. The inclusion of the word might lead to a limitation of the sources of credit to States and international organizations, which would be detrimental to the interests of the international community as a whole and, in particular, to those of the developing countries. The argument that

the position of foreign private creditors was adequately safeguarded by the provisions of draft article 20, paragraph 1, seemed doubtful to certain representatives in the light of the commentary which, in their view, gave a rather vague interpretation of the paragraph and left too much uncertainty as to the rights of the creditor. It was suggested that it would be worthwhile to confirm the protection envisaged in article 20 by omitting the word "international" in article 18. Finally, it was stressed that to recognize as a fact all the practical sources from which State debts derived neither admitted nor suggested that the existence of such debts created obligations for the successor State.

Article 19

133. Article 19 concerning obligations of the successor State in respect of State debts passing to it was commented upon favourably by some representatives. They expressed satisfaction with the contents of the article and believed it to be fully consistent with and parallel to article 6 of the draft relating to rights of the successor State to State property passing to it. Other representatives, however, raised questions concerning the article. It was said that the Commission should reconsider articles 19 and 20 which seemed to contain contradictory principles. If the succession of States entailed the extinction of the obligations of the predecessor State, in accordance with article 19, it was hard to see how it could not affect the rights and obligations of third-party creditors; yet article 20 seemed to deny any such effect. It was urged that the rules governing the relationships between predecessor States, successor States and creditors be clearly defined to avoid all possible confusion. One view expressed was that article 19 was acceptable only if the draft articles provided for all cases where there was a State succession to debts, otherwise problems would arise with regard to debts which did not pass to the successor State but which could not be considered as remaining the responsibility of the predecessor State. Another view was stated that the article should be extended to debts, while another view was stated that the article should be extended to comprise cases where an agreement had been completed between predecessor and successor States in accordance with the draft articles and had been accepted by the creditor. Finally, one representative said it would be preferable to provide a definition of the expression "passing of debts", which would basically constitute what is now the text of the article.

Article 20

134. A number of representatives supported the basic, extremely important rule contained in article 20 which was seen as reflecting the universally recognized legal principle whereby an agreement between the predecessor and successor States could not affect, in and of itself, the rights of creditors. The Commission was congratulated on having simplified and clarified the texts of proposals originally submitted by the Special Rapporteur, discarding any allusion to "devolution agreements" which, according to the draft on succession of States in respect of treaties, could be considered merely as statements of intention. Other representatives, however, urged further precision and clarity. It was said that the meaning of the article should be explained further. The agreement concerning the passing of debts of the predecessor State to the successor State could not in itself be invoked against a creditor third State; on the other hand, the rule of succession to certain debts, as a rule of international law provided in

the draft, could be invoked against the third State in question. Moreover, it was stated, as soon as the successor State had contractually accepted the succession, the debt involved was its own and it was obliged to discharge it. Attention was also drawn to the seeming contradiction between articles 19 and 20 (see para. 133 above).

135. With regard to paragraph 1, a number of representatives stressed its importance, particularly the fact that the term "creditors" was given a broad interpretation so as to embrace not only third States but also their nationals. Thus the provision constituted an essential and important general safeguard to foreign private creditors. The suggestion was made, however, that to make it clearer that the paragraph applied to foreign private creditors, the term "creditor" might be defined. Other representatives expressed certain doubts whether the interests of such creditors were adequately protected particularly if the word "international" was to be included in article 18 (see para. 131 above). The formula was interpreted to mean that the set of draft articles did not affect the application of other international rules in force concerning relations between States and foreign creditors (not nationals of the predecessor State) where such relations were called into question by a case of succession.

136. Paragraph 2 elicited favourable comments from certain representatives, while other representatives questioned whether its provisions might be too rigidly worded and did not answer the question posed. It was necessary to reword the paragraph, it was stressed, so as to allow the predecessor and successor States, or the successor States, the necessary latitude to conclude any agreement regarding the passing of State debts. As to the text contained in square brackets, which was directly related to the definition of State debt contained in article 18, certain representatives considered the retention of the text necessary, on the basis of views reflected in paragraph 131 above, while other representatives favoured the deletion of the text on the basis of views reflected in paragraph 132 above. Another element considered to be important was the fact that the paragraph also referred to creditor international organizations and that it was clear from the commentary that there was no intention to exclude as creditors other subjects of international law from the scope of the paragraph. On the other hand, the view was expressed that while such an approach might be *prima facie* technically accurate, it would be useful to ascertain the practice of States on that specific point in order to determine whether there were any precedents of international organizations or other subjects of international law in that situation.

137. References to subparagraph 2 (a) were on the whole supportive, although it was considered advisable by one representative that the acceptance of the agreement between the predecessor and successor States, or between successor States, by a third State or international organization might be "express or tacit". On the other hand, certain representatives reserved their position on subparagraph 2 (b) or expressed doubts thereon. Paragraph 2 (b) was described as obscure and as being clearly inconsistent with the purpose and intent of the preceding portion of the article and the commentary. It was further stressed that the subparagraph seemed to suggest that a creditor third State or international organization could find themselves being made subject to an agreement they had not accepted and to which they were not parties.

It was necessary to determine when the consequences of the agreement were "in accordance with the other applicable rules of the articles in the present Part". According to one view expressed, if the reference to "other applicable rules" included the provisions of article 21, paragraph 2, and article 22, it was doubtful whether those rules were sufficiently clear to determine whether the agreement had legal effects in respect of third parties. For example, an agreement between the predecessor and successor States following the rules of paragraph 2 of article 21 did not justify the automatic substitution of the successor State for the predecessor State in relation to a third party; what was reasonable and equitable in the predecessor-successor State relationship was not necessarily reasonable and equitable in the relationship between either of them and a third party. Furthermore, it was urged that notwithstanding the indications in the commentary that the subparagraph dealt only with the consequences of the agreement and not the agreement itself, to the extent that it ought to bind a creditor third State, without its consent, by an agreement between the predecessor and successor States, it violated the spirit of articles 34 to 36 of the Vienna Convention on the Law of Treaties,⁶ a situation which should be avoided.

138. Lastly, one representative urged the Commission to consider a rule to the effect that if the predecessor and successor States had concluded a valid agreement which was not binding on third parties, the predecessor State could claim from the successor State any sum which the former had paid to a third-party creditor.

Article 21

139. Some representatives considered article 21, which dealt with the case of the transfer of part of the territory of a State, to be acceptable and correct on the whole, while another view was expressed that in its present form the article was not sufficiently balanced. Paragraph 1, which provided for the conclusion of an agreement between the predecessor and successor States on the passing of State debts in that type of succession, was the subject of favourable comment by some representatives.

140. Paragraph 2 was the subject of most of the comments made on article 21. The passing of State debt on the basis of equitable proportionality, in the absence of agreement and taking into account the property rights and interests which passed to the successor State in relation to State debt, was supported by several representatives. Certain of those representatives believed that solution to be wise, just, and easily applicable. The view was expressed that the principle of equitable proportion, based on actual benefit, would be fairer than simply ruling that the successor State should assume the debts connected with the transferred territory, namely localized State debts. It was stressed that equity had a special place in the system of international law which had been highlighted by United Nations practice and an increasing number of inter-State instruments. Reference was also made to paragraph 2 Article 38 of the Statute of the International Court of Justice. The suggestion was made that the principle of equitable proportion should be adopted by the Commission for all types of State succession.

⁶ See *Official Records of the United Nations Conference on the Law of Treaties, Documents of the Conference* (United Nations publication, Sales No. E.70.V.5), document A/CONF.39/27, p. 289.

Certain other representatives supported the rule as set out in paragraph 2, but recognized that the ambiguity of expressions used might lead to difficulties in their interpretation and application. Even so, it was pointed out that equity was only a guide to achieving a satisfactory apportionment of debt and that it might be assumed that some sort of third-party mechanism would or should be used to ensure a fair settlement. Moreover, it was said, the paragraph included a clarification that helped to determine what was meant by "equitable proportion" in a given context. Stress was placed on the fact that paragraph 2 referred to the case of the absence of an agreement, i.e. the existence of a dispute and that, in that case, it was on the basis of equity that the judge or arbitrator must decide. The view was expressed that paragraph 2 of article 21 made it necessary to establish effective machinery for the settlement of disputes in any future convention on the topic. Furthermore, it was urged that the question was not whether the rule established in paragraph 2 was ideal but whether it was possible to find a better alternative likely to command wider support, which did not seem possible. Nevertheless, the Commission should try, in its second reading, to avoid possible ambiguities.

141. Several other representatives expressed doubts or opposition to the reference in paragraph 2 to "equitable proportion" and urged the Commission to study the matter further. The terms "equitable proportion" and "equity" were said to be vague, amorphous and ill-defined, as well as being controversial. Equity was viewed as the absence of law, representing natural justice as opposed to legal justice. It was stressed that while it was true that principles of equity had on occasion been applied in deciding international legal disputes, the problem had always been whether equity was distinct from law. Such a concept, it was urged, could introduce political elements which would undermine the foundations of law. Paragraph 2 of Article 38 of the Statute of the International Court of Justice had never been used by the Court; the difference between equity and decisions *ex aequo et bono* was not clear in the present state of international law. The vagueness of the concept was further aggravated, it was felt, by the fact that the paragraph provided that account should be taken of the property, rights and interests which passed to the successor State in relation to the State debt. The opinion was stated that the nature of the debt might be much more important in determining the passing than the amount of property transferred.

142. The view was, however, expressed that while the practice of using such expressions as "equity" and "equitable proportion" was not reprehensible in itself, and might be of value as a formula of last resort, it was necessary to recognize that what the international community was doing was identifying an area in the law in which it did not wish, or was unable, to prescribe objective rules with a specific and predictable content. It was left to the parties to agree as to what was equitable in a particular case. If they could not agree, no rule of law was applicable and all that could be hoped for was that they would accept third-party settlement. It was suggested that the factors which a third party should take into account when exercising the subjective discretion conferred upon him should be identified more precisely. Thus, the Commission should probe more deeply the range of factors which might affect an equitable decision in such circumstances and specify that some were more relevant than others. Only after

such an exercise, and a full accounting of the difficulties and divergencies involved therein, could States be aware of the full implications of signifying their willingness to accept the application of equity.

143. The use of the word "interests" was referred to by certain representatives. It was felt that it would be helpful if the Commission were to specify more clearly what it had in mind by that word, the imprecision of which had been demonstrated in the Barcelona Traction Case. Another view put forward favoured the elaboration of the word "interests", so as to emphasize the source of the financial obligation, which might be contractual or delictual, and to take into account such factors as the size of the population of the territory and the gross national product.

Article 22

144. Several representatives fully approved and unreservedly endorsed the rule enunciated in article 22 relating to newly independent States. Support was expressed moreover for the inclusion of an article on newly independent States since the problems of succession to State debts might persist for many years after the attainment of independence and because there still was a number of Non-Self-Governing Territories which the whole world hoped would attain independence as soon as possible. It was stressed by several representatives that the rule embodied in article 22 constituted a significant contribution and an historical step towards the progressive development of international law. The opinion was expressed that international law should cease expressing the ethic of only part of its subjects and seek rather to reflect the new requirements of international public order, including the right to development. Favourable comments were made on the Commission's thesis that international law could not be codified or progressively developed in isolation from the political and economic context in which the world was living and that the proposed rules must reflect the concerns and needs of the international community. Thus it was impossible to evolve a set of rules concerning State debts for which newly independent States were liable without to some extent taking into account the situation in which a number of newly independent States found themselves. The Commission had found, it was stated, that in formulating rules governing succession to State debts, it could not ignore the legal consequences of the fundamental right of peoples to self-determination and the principle of the permanent sovereignty of every people over their wealth and natural resources. Article 22 was described as a successful blend of justice, scholarship and realism that would enable developing countries to meet their financial obligations without dislocating their economies, thus making international law more meaningful and relevant. State succession in the case of newly independent States was considered a special case, deserving preferential treatment. The view was in particular stressed that there was a good rationale for distinguishing between the case of newly independent States and other types of State succession, such as the case of separation of part of the territory of a State. While in the latter case, both the predecessor State and the territory transferred had been responsible for and had consented to, the incurring of the debt, thus allowing for some apportionment thereof, such was not the case in the newly independent State situation. Reference was made to instances mentioned in the Special Rapporteur's report in which colonial Powers had been

only too willing to incur debts without consulting the territory which became a newly independent State.

145. A number of representatives fully supported the general clean-slate rule contained in paragraph 1 providing for the non-passing of State debt of the predecessor State to the newly independent State. It was stressed that the clean-slate principle was fundamental to the preservation of the sovereignty of newly independent States. Furthermore, it was stated, the clean-slate rule, while not uncontroversial, had warrant in United Nations doctrine and was already contained in the draft convention on succession of States in respect of treaties.⁷ The rule was viewed as perfectly fair bearing in mind the financial situation of a number of newly independent States. Support for article 22 as representing a compromise was also expressed, although a more simple and precise version was considered preferable. One representative supported in particular the alternative formulation of the article as proposed in foot-note 404 of the Commission's report. Another representative who supported the provisions of article 22 believed, however, that its drafting could be improved. He suggested that the article could be brought more into line with article 13 by including the situations referred to in paragraphs 4 and 5 of the latter article. Finally, the Commission's commentaries on the decolonization process were praised as very meticulous and erudite.

146. A number of representatives who supported article 22 drew particular attention to paragraphs 39 to 50 of the commentary dealing with the financial situation of newly independent States. Those paragraphs provided, it was said, an up-to-date picture of the situation of developing countries being asphyxiated by the growing burden of their external debt and provided an extremely useful background for the formulation of article 22. The article was viewed as being of considerable practical importance in the light of the monumental problems faced by newly independent States of servicing their debts, part of which derived from succession to debts of the predecessor State. It was pointed out that the repayment of debts, some inherited with independence and others incurred of necessity to overcome under-development, had imposed severe and crushing financial burdens on most developing countries, which had to incur new debts, in some cases, to pay off old ones. Consequently, it was stressed, the rules applicable in the case of newly independent States should be just and equitable not only in theory but also in their application to the actual situation of the States concerned. It was viewed as significant that the Commission had established a link between the topic and the legal problems relating to the establishment of the new international economic order and that its commentary had reproduced the provisions of the Programme of Action on the Establishment of a New International Economic Order (General Assembly resolution 3202 (S-VI)) relative to the alleviation of the debt burden of the developing countries. The concern of the non-aligned countries with regard to the debt problems of developing countries and the question of debt cancellation was underlined. In that connexion reference was made to the final communiqué of the ministerial meeting of the Bureau of Non-Aligned Countries held in April 1977 (A/32/74, annex I) and to the Declaration adopted on 29 September 1977 by the Ministers for Foreign

⁷ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 10*, chap. II, sect. D.

Affairs of the States members of the Group of 77 (A/32/244, annex).

147. Other representatives expressed opposition or reservations concerning article 22 and the general clean-slate rule embodied therein. One view expressed was that since it was only justifiable to distinguish between different types of succession on the basis of objective criteria, the distinction between a "newly independent State" and the "separation of part of a State" was unjustified and gave rise to uncertainties and difficulties. That distinction, it was said, was based on considerations of a political or psychological rather than a legal nature. According to that view it seemed impossible to advance the principle that no State debt should pass to the successor State in the absence of an agreement between the predecessor and successor States. Thus the article was considered unacceptable as it stood and a compromise solution was urged. Another view expressed was that article 22 was perhaps the most difficult and controversial of the articles on the topic adopted at the twenty-ninth session. It was recognized that the Commission had had to do some creative work because, as it had itself stated, State practice and the writings of jurists did not provide clear and consistent answers to the question of the fate of State debts of the former metropolitan Power. If State practice and writings suggested a rule at all in the field, it was stressed, it would be based on the criterion of the extent to which a loan may have been of benefit to the formerly dependent territory. The rule proposed in article 22 was seen as being based on the financial situation of newly independent States and could not have been extrapolated from State practice. Although readily admitting that a certain number of newly independent States suffered from a severe burden of debt that inhibited their development, it was felt that that consideration alone was not sufficient to justify adopting the non-passing of State debts as a principle generally applicable to all newly independent States.

148. Certain representatives drew attention to the distinction, which was said to be difficult to appreciate, made by the Commission in relation to the passing of State debts between the case of transfer of part of the territory of a State (article 21) and the case of decolonization (article 22). In the former case, it was provided that an equitable proportion of the State debt of the predecessor State passed to the successor State, whereas in the latter case nothing passed from the predecessor State to the newly independent State in the absence of an agreement between them. It appeared that newly independent States were to have something that might be called "better than equitable" treatment. The Commission's argument that it was necessary to avoid such general language as "equitable proportion", which had proved appropriate in other types of succession but which would raise serious questions of interpretation and possible abuse in the context of decolonization, was considered not convincing at all. It was stressed that while the special situation and needs of newly independent States could not be denied, it was necessary to ask what were the serious questions in interpretation and possible abuse which could affect the application of the concept of equity. If, as was assumed, settlements involving equity were to be reached only by agreement or a third-party decision, it was asked what questions of interpretation and abuse could affect newly independent States which would not also operate in other situations. The view was expressed that it was not merely the rule estab-

lished for newly independent States which raised questions but, even more important, the impact of that rule upon the value and application of equity elsewhere. The alternative text of article 22 as formulated in foot-note 403 of the Commission's report was viewed as more in line with the proper approach and was supported by certain representatives.

149. Concerning the commentary on article 22, certain representatives believed that it had occasionally gone outside the framework of State succession and indeed that of a legal study. It was considered inappropriate for the Commission to include passages on international economic analysis in its report, as was done in paragraphs 39 to 50 of the commentary; that was not the sphere of the Commission's competence. Reference was made by certain representatives to the fact that a number of texts or portions thereof quoted in the commentary, including resolutions adopted at the sixth special session of the General Assembly, had given rise to reservations, or had been vigorously opposed, by Governments.

150. Some representatives referred to the proviso in paragraph 1 that the clean-slate rule would apply unless an agreement between the predecessor and newly independent States provided otherwise in view of the link between the State debt of the predecessor State connected with its activity in the territory to which the succession of States related and the property, rights and interests which passed to the newly independent State. While the view was expressed that the requirement for an express agreement for the passing of State debts sought to protect the newly independent State from being burdened by investments made for the benefit of the metropolitan country or to favour settlement by the colonizers, other representatives expressed doubts concerning such agreements which sounded very much like the *leonine* and rejected category of devolution agreements. It was stressed that account should be taken of the pressures which could be exerted during the negotiation of an agreement between the newly independent State and the predecessor State which had been the former colonial Power. The new State might, it was said, be pressured into accepting "odious debts" as the price of independence which had in fact often occurred. The suggestion was made that if the agreement had been obtained from the newly independent State involuntarily, that State might have the right to repudiate it. One view was that the paragraph should retain only the principal rule and not enter into the details of the agreement, while other representatives urged that, notwithstanding the requirements found in paragraph 2, the nature of the agreement should be elaborated. It was noted that the misgivings concerning the paragraph were attenuated by the connexion established between State debt and the activity of the predecessor State in the territory concerned. It was suggested that in addition to the criterion just mentioned, another related criterion which should be satisfied was that the debt incurred should actually benefit the newly independent State. The alleged advantage to the colonial territory of certain activities which had most often been designed by the predecessor State to create conditions favourable to colonization was questioned. With regard to the further criterion of paragraph 1 concerning the link between the State debt of the predecessor State connected with its activity in the territory concerned and the property, rights and interests which pass to the successor State, one representative said that succession to State debts

or obligations should be in equitable proportion to State properties and rights. He stated that while an exact parallel might be ideal, more lenient conditions should be allowed to the least developed countries whose attainment to independence might be more or less recent. Another representative, however, expressed doubts concerning the criterion of the equitable relation between the debts and property, rights and interests passing to the newly independent State.

151. Several representatives expressed in particular their full support and endorsement of paragraph 2 of article 22 which was viewed as being of great importance for the defence of newly independent States. It was described as an essential safeguard concerning the criteria governing the agreement between the predecessor State and the newly independent State, envisaged in paragraph 1 of the article. The agreement must not infringe the principle of the permanent sovereignty of every people over its wealth and natural resources, nor endanger the fundamental economic equilibrium of the newly independent State. Paragraph 2, it was stressed, gave legal effect to a number of important General Assembly resolutions adopted in recent years, was in full harmony with the proposed new international economic order and reaffirmed principles set forth in the Charter of Economic Rights and Duties of States (General Assembly resolution 3281 (XXIX)) and in the Charter of the United Nations. The Commission had rightly referred in its commentaries to various resolutions and to the relevant work of United Nations bodies, it was said. The opinion was stated that given the severe indebtedness of newly independent States, which could make political independence a mockery, it was of fundamental importance that economic realities should be taken into account especially when the debts had been incurred without the consent of the people of the newly independent State. Moreover, as the Commission had well realized, article 22 must take into account the payment capacity of the newly independent State, in view of the burden it had to bear in its efforts to develop an often backward economy.

152. Certain representatives raised the question whether the paragraph went far enough. According to one view, it would be necessary to include in paragraph 2 other criteria that took into account the disparity in levels of development of the territories concerned. It was not sufficient, it was stressed, to include a proviso to the effect that the fundamental economic equilibria of the newly independent State should not be endangered, since that referred only to the implementation of the agreement with the predecessor State; it was essential that the agreement itself should not be disproportionate to the real economic circumstances of the newly independent State and should have due regard for the new State's capacity to pay. Another comment made was that it would seem preferable to delete the word "fundamental". Finally, it was suggested that the word "should" be replaced by the word "shall", in the English version, which had already been used in paragraph 6 of article 13.

153. However, the opinion was stressed that it should be recalled that States which took measures in the exercise of their sovereignty over their wealth or natural resources or in the interest of their fundamental economic equilibria should, in so doing, fulfil their international obligations in good faith. In addition, it was said that the Commission had treated the law loosely in its commentary to article 22 in that

cussing the principle of permanent sovereignty over natural resources. Certain representatives recalled in connexion with passages quoting from certain General Assembly resolutions relating to that principle, including the Charter of Economic Rights and Duties of States, that a number of Governments had expressed reservations or registered strong opposition to some of the resolutions and passages quoted. Thus one representative drew attention to what was viewed as the startling statement in the commentary that by those resolutions, the General Assembly had reiterated and "developed" the principle of the permanent sovereignty over natural resources. That statement was open to the interpretation, it was said, that the Assembly, by its adoption of controversial resolutions, "developed" principles which were arguably of a legal character. It was stressed that such an interpretation of the powers and practice of the Assembly was not accepted and did not conform to the United Nations Charter or to international law; the Assembly was not a law-making body, and its resolutions only contributed to the development of international law where they obtained virtually universal support, where the members of the Assembly had a law-making intention, and where the content of the resolution was reflected in general State practice.

D. QUESTION OF TREATIES CONCLUDED BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS OR BETWEEN TWO OR MORE INTERNATIONAL ORGANIZATIONS

154. Many representatives who spoke on the question of treaties concluded between States and international organizations or between two or more international organizations noted and welcomed the substantial progress achieved by the Commission at its twenty-ninth session on the topic. It was on that question, it was said, that the Commission had achieved the greatest results at that session. Significance was seen in the fact that the Commission had been able to adopt 22 additional draft articles on the topic (see A/32/10, chap. IV, sect. B), which indicated that efforts to codify the vast area of treaty law had entered a new phase. The Commission, it was stressed, had made a commendable effort to regulate the growing interaction between the numerous and different subjects of international law; the many international organizations now in existence had given a new dimension to international law. It was nevertheless said that difficulties had arisen and a number of problems had still to be resolved. It was recalled that the Commission in its report had indicated that international practice was still very limited in that field, and practically non-existent with regard to such aspects as reservations. The Special Rapporteur on the topic, Mr. Paul Reuter, had given evidence of his ability and ingenuity through his reports and by his efforts to ensure as much progress as possible on the topic.

155. The Commission was encouraged to continue its consideration of the question and the hope was expressed that its future work would proceed expeditiously and would not be unduly hampered by dogmatic controversies. It was also stressed that work on the question of treaties concluded between States and international organizations or between two or more international organizations was now a matter of priority.

1. The general approach and method followed by the Commission

156. Most representatives who spoke on the matter supported the method adopted by the Commission

in its formulation of draft articles on treaties concluded between States and international organizations or between international organizations, by which it endeavoured to follow the provisions of the Vienna Convention on the Law of Treaties as closely as possible. That practical approach had led to significant progress, it was said, and confirmed the particular usefulness and value of the Vienna Convention. Hope was expressed that the remaining articles on the subject would be drafted in the same manner. It was stressed, however, that in using the Vienna Convention as its guide, it was important for the Commission to avoid allowing the present codification effort to become an exercise in interpretation of that Convention or to result in the formulation of contractory provisions. Attention was drawn by one representative to the various types of relationships which the draft articles under consideration must maintain with the Vienna Convention. If they were given the form of a convention, it was said, then on the issues regulated, the convention would take its place as a companion instrument of parallel authority to the Vienna Convention. But to the extent that the draft articles were based on adaptations on that Convention, reference could be made to State practice in the application of the latter Convention when faced with difficulties of interpretation of the new instrument, but only in so far as it dealt with relations between States and international organizations or between such organizations. So far as the relationship between States under the new instrument was concerned, he stated that the text of the Vienna Convention could be used to correct deficiencies in the new instrument, and to that extent that Convention would prevail. On the other hand, one representative was of the view that the Vienna Convention should be considered with a critical mind, as it was very recent and as yet untested. In his view, work on the present question afforded a golden opportunity to correct any inadequacies or defects of the Vienna Convention.

157. While approving of the Commission's method which recognized the intrinsic link between the Vienna Convention and the rules pertaining to treaties concluded between States and international organizations or between such organizations, some representatives stressed that the close relationship should not be transformed into a mere analogy and that the Commission should exercise caution in its approach to the topic. Because of the special character of the legal personality of international organizations, they could never be assimilated to States, it was stated. It was therefore indispensable, according to those representatives, that the parallelism should not extend too far and that the basic differences between States and international organizations be duly taken into account. Unlike States, the rights of international organizations were determined and limited by their rules, it was said. In addition, it was recalled that the legal status, functions and structure of international organizations differed from one organization to another and that there were differences between treaties concluded between international organizations and States and treaties concluded only between international organizations.

158. One representative doubted whether the latter category of treaties really came within the scope of the law of international treaties, since they were really no more than interdepartmental understandings, such as were common in every national administration. Thus, he said, it seemed simpler for the Commission

to concentrate on those treaties to which States had given their consent. Furthermore, the appearance of international organizations on the world scene, particularly as contracting parties, was, according to another representative, a relatively recent phenomenon so that practice was still limited and far from uniform. Concern was expressed about the danger that the Commission might over-simplify intricate aspects of international organizations when drawing up draft articles strictly parallel with the Vienna Convention.

159. One representative urged a close investigation of the various articles of the Vienna Convention in order to be certain that they applied *mutatis mutandis* to treaties to which an intergovernmental organization was a party. The Vienna Convention was largely concerned with the consent of a State to be bound by a treaty, that consent being basically a matter for the internal law of that State, international law governing the modalities of its expression on the international plane. On the other hand, he said, an intergovernmental organization was a creation of international law, and its internal law was a matter of international law; the whole process by which it decided to be party to a treaty also derived from international law, although there was a process in the background by which States agreed that an international organ should decide to be bound by a treaty.

160. On the other hand, certain other representatives questioned the need for the distinctions which the Commission had made between States and international organizations, such distinctions being described as multiple and convoluted. The view was expressed that inasmuch as international organizations were subjects of international law and could enter into treaty relationships with States, they should be considered as being equal with States for the purpose of participating in the same treaty. It was said by one representative that Governments derived legitimacy from the consent of the governed, and international organizations acted on the basis of the consent of their members. Both had international legal personality and the capacity to enter into treaties, and nothing in the law of treaties made it obligatory to investigate how either States or international organizations received authority to act. He said the internal law of international organizations was not relevant to the law of treaties. Special rules for international organizations in the law of treaties were required only in limited circumstances and should not, he stressed, be expanded because of an inability to accept the legal personality of such organizations.

161. Finally, some other representatives urged a practical approach to the matter. While not ignoring that there were differences between States and international organizations, such an approach, it was suggested, would avoid dogmatic controversies concerning the legal nature of international organizations and the allegedly "fundamental" differences between States and such organizations in respect of treaty relations, which could unduly hamper the future work on the topic. It was remarked that there was a need to find solutions which were generally acceptable so that the draft articles might be a non-controversial contribution to the progressive development of international law. One representative stressed that it was the practical and pragmatic approach followed by the Commission which had led to significant progress at its twenty-ninth session.

162. The form of the Commission's work on the topic was questioned by certain representatives. One

opinion expressed was that a proper format for the work of the Commission on the topic might be a simple article applying the Vienna Convention except as provided for in the articles that would follow, of which few would then be needed. Similarly, the view was stated that the Commission should first have sought to establish how far the rules set out in the Vienna Convention could be applied to the treaties under consideration. Thus it was urged that before going on to the second reading of the draft articles the Commission should make a radical reappraisal of its work and recast them in the form of the necessary modifications to the Vienna Convention. The fear was expressed that the draft articles being prepared would be both too complex and too numerous, which would seriously delay the later stages of codification. It was further questioned whether it was feasible to draft an international convention on the topic. Once it had received the observations of the Governments and international organizations concerned, the Commission should, it was suggested, confine itself to producing a comprehensive report indicating the modifications needed to apply the Vienna Convention to the treaties under consideration, leaving the future evolution of the law to subsequent practice. It was perhaps superfluous, one representative said, to draft a complete set of articles on the question; it would be tragic if, in so doing, the Commission undermined the work accomplished in the Vienna Convention.

2. Comments on the draft articles as a whole

163. Some representatives voiced their general agreement with the basic legal principles embodied in the draft articles on treaties concluded between States and international organizations or between international organizations adopted by the Commission at its twenty-ninth session. Those draft articles were said to require little comment since they closely followed the Vienna Convention and reflected the current state of the law. Certain representatives who made specific comments on certain draft articles, such as those relating to reservations and article 27, said that the other articles adopted were acceptable.

164. Other representatives, however, expressed doubts concerning various aspects of the new draft articles. One representative stressed that they were far from acceptable, as it was revealed in the draft articles relating to reservations that the essential fact that international organizations were not full-fledged subjects of international law had been neglected. Another representative had no objection to the provisions formulated by the Commission but felt bound to question their practical value, since in its commentary the Commission cited only a few relevant treaties and not a single case of a reservation formulated in the circumstances. Certain representatives noted that in an endeavour to achieve symmetry, repetitions and recurrences of long difficult expressions had been retained. In addition, to make the draft articles complete, a series of combinations and permutations of terms had been adopted. While it was recognized that such technical difficulties had been encountered and that the Commission had succeeded in finding compromise solutions, it was stressed that it would be desirable for the Commission to render the text simpler and less cumbersome. It was suggested that article 2 on use of terms might include certain terms used throughout the draft in order to shorten it without detriment to its clarity. Finally, one representative felt that some of the commentaries on draft articles that reproduced

textually the corresponding articles of the Vienna Convention should have been broader, more detailed and more explicit.

165. One representative referred to the repeated reference in the draft articles to "the object and purpose of the treaty". He said that when only States were parties to a treaty, once could always refer to the object and purpose of the treaty, but when one or more international organizations were parties to a treaty, a reference to its object and purpose could have certain repercussions on the object and purpose of the treaty establishing the relevant international organization or organizations. He urged that the Commission should give some thought to that problem.

166. Certain representatives reserved their position on the draft articles under consideration pending further study and the Commission's future work on the topic.

3. *Comments on the various draft articles*

Article 2, subparagraph 1 (i)

167. One representative considered the definition of "international organization" contained in subparagraph 1 (i) of article 2 to be unsuitable because it was too vague. In his view, the term should mean only those organizations which had been established by treaty and themselves possessed the treaty-making capacity. He stressed that if any other kind of intergovernmental organization became a party to agreements or treaties, there would be a problem in determining whether those agreements or treaties should be governed by international law or by internal law.

Article 2, subparagraph 1 (j)

168. With regard to the definition of "rules of the organization" in subparagraph 1 (j) of article 2, one representative found that definition useful and acceptable, since it was as precise and complete as possible. He noted that it reproduced in full the definition of that expression given in the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character.⁸ On the other hand, another representative believed that transportation was incorrect since the two contexts were very different. Consequently, he welcomed the fact that the Commission had recognized the need to re-examine that point and stressed the importance of the definition in connexion with article 27 (see para. 179 below).

Articles 19, 19 bis, 19 ter, 20, 20 bis, 21, 22, 23 and 23 bis

169. Many of the representatives who spoke on the topic made general comments on the draft articles included in section 2 of part II of the draft, relating to the question of reservations, as well as more specific comments relating to certain articles included in that section. The draft articles relating to reservations dealt with an extremely complex problem on which little light was shed by existing international law, it was said. The view was, however, expressed that although some complications seemed inevitable in achieving a consensus because of the fundamental differences of approach as far as international organizations were con-

cerned, simpler and less elaborate solutions to the problem of reservations were preferred.

170. Some representatives found reasonable and practical the rules concerning reservations adopted by the Commission. Support was expressed in particular for articles 19, 19 *bis* and 19 *ter*. The rules concerning reservations, it was said, were based on the "liberal" régime of the Vienna Convention on the Law of Treaties allowing, in general, the formulation of reservations in all cases for States (article 19 *bis*, para. 1), and in cases for international organizations when the treaty was solely between organizations (article 19) or when the participation of an organization was not essential to the object and purpose of a treaty between States and international organizations (article 19 *bis*, para. 3). Thus when an organization's participation in the latter type of treaty was essential to its object and purpose, the Commission had adopted a more "strict" approach, allowing reservations only if expressly authorized or otherwise agreed that reservations were authorized (article 19 *bis*, para. 2). Similarly, for the question of objections to reservations, which had not been the subject of a separate provision in the Vienna Convention, a "liberal" régime allowing objections was applied for States (article 19 *ter*, para. 2) and for international organizations in the case of treaties between organizations (article 19 *ter*, para. 1). In the case of treaties between States and international organizations, organizations were afforded a "liberal" régime if their participation in the treaty was not essential to its object and purpose or if the possibility of objecting was expressly granted by the treaty or was a necessary consequence of the tasks assigned to the organizations by the treaty (article 19 *ter*, para. 3); otherwise, a "strict" régime would be applicable for international organizations. It was indicated that by adopting such a balanced, pragmatic and flexible dual régime, the Commission had succeeded in reaching a successful compromise on the delicate question of reservations, taking into account the differences between States and international organizations. It was stressed that the general application of the "liberal" régime of the Vienna Convention with respect to reservations could lead to a chaotic situation; nor could the solution be to deny international organizations the right to formulate or accept reservations, or to object to them. Thus, it was emphasized, the Commission had been correct in considering the matter from the viewpoint of determining what limitations should be imposed on that right. In that connexion, the system proposed by the Commission in article 19 *bis* and 19 *ter* seemed quite acceptable. If the participation of the international organization was essential in view of the specific responsibilities given to it by the treaty, everything would point to the fact that the organization would have participated fully in the adoption of the text of the treaty and in the related negotiations. Furthermore, it was said, if the organization's own field of competence was such that it could not fulfil the object and purpose of the treaty, it would not have become a party to the treaty and thus it was far from certain that certain problems raised were real ones. It was noted with gratification that the Commission had recognized in connexion with article 19 *bis*, paragraphs 2 and 3, the distinction between different types of international organizations, by taking into account the situation of non-universal organizations admitted to participation in a multilateral convention in cases where, because of the powers delegated to them by States, they were at least partly substituted for their members. For organizations of that

⁸ See *United Nations Conference on the Representation of States in Their Relations with International Organizations*, vol. II (United Nations publication, Sales No. E.75.V.12), document A/CONF.67/16, p. 207.

kind, it was said that the more open régime provided for in article 19 *bis*, paragraph 3, and article 19 *ter*, paragraph 3, was particularly suitable.

171. Other representatives, however, could not accept the solutions offered in the draft articles on reservations, as it was maintained that the basic differences existing between States and international organizations were not sufficiently brought out. Those differences implied, it was stressed, distinctions with respect to their importance, their nature and the conditions under which they might formulate reservations, which in the case of international organizations should be allowed only as an exception to the general rule, in other words only when expressly authorized by the treaty in question. It was thus stressed by some representatives that the Commission should accordingly reconsider the draft articles adopted on reservations and revise its position. Support was expressed by certain of those representatives for the alternative text to articles 19 and 19 *bis* reproduced in foot-note 435 of the Commission's report which was based on a more restricted but homogeneous régime. To provide, as was done in the present text of draft articles 19 and 19 *bis*, for a régime allowing reservations by international organizations, even subject to certain conditions, conformed to neither the doctrine nor the practice followed by international organizations, it was said. The statement was made that the condition based upon the concept of participation that was essential to the object and purpose of the treaty was vague and would lead to uncertainty. One view expressed was that in formulating reservations States were seeking to protect their vital interests, but, in view of the restricted competence of international organizations, it was difficult to know what interests it might be vital for them to protect. Furthermore, objections to reservations on the part of certain States or organizations could give rise to situations where the organization could have different relationships, possibly on important matters, with different member States. It was emphasized that the formulation of reservations and the acceptance or rejection of reservations by an international organization clearly had to be decided by its competent organ. According to another view, intergovernmental organizations should not be authorized to formulate reservations under residual rules, since it was clear from the proposed texts, especially article 20 *bis*, that such a possibility could undermine the delicate balance maintained by the relevant provisions of the Vienna Convention. The fact that one or more international organizations might be entitled to become party to a multilateral convention should not, it was stressed, prejudice the right of the State to formulate reservations in accordance with the provisions of the Vienna Convention.

172. Still other representatives viewed the draft articles on reservations as being more restrictive than necessary. It was questioned by certain representatives whether a special rule was required in the situation envisaged in article 19 *bis*, whereby international organizations were given less flexibility than a State in making a reservation to a treaty in which its participation was essential to the object and purpose of the treaty. According to that view, the residual rule reflected in article 19 of the Vienna Convention that a reservation was permissible where it was not incompatible with the object and purpose of the treaty should simply be applied to international organizations in their treaties with States and international organizations. It was stressed that the essential principles of the "liberal"

régime of the Vienna Convention should be extended to treaties concluded by international organizations. According to one view expressed, international organizations should be fully authorized to enter reservations and to object to reservations made by States. It was possible that reservations made by States might run counter to some decisions taken by a competent organ of an international organization whose participation was essential to the object and purpose of the treaty. Alternatively, such reservations might, it was said, be inconsistent with the principles and purposes of the organization. In such cases, it was stressed, the right of the organization to enter an objection should not be restricted nor linked to any necessary consequences of the tasks assigned to it by the treaty. Restrictions should not be imposed on international organizations on the assumption that such organizations were institutions created by the States participating in the treaty since that was not necessarily so, as in the case of a regional organization concluding a treaty with non-member States.

173. In that regard, certain representatives urged the Commission to study and clarify the relationship between an international organization and its member States, when both the organization and its member States were parties to the same treaty. A solution should be found, one representative said, to the problems currently being encountered when an international organization, which carried out its activities within the territory of a State, was a party, together with that State, to a treaty to which only one of them had made reservations.

174. In connexion with the use in article 19 of the phrase "treaty between several international organizations" one representative considered it premature to foreclose the possibility of reservations in a bilateral sense. In his view, while an understandably cautious approach on the matter had been taken by the Commission, it should not be forgotten that excessive caution would inhibit the progressive development in that important area of treaty law.

175. Concerning article 19 *bis*, the view was expressed by one representative that the phrase "treaties between States and one or more international organizations or between international organizations and one or more States" was too long, even though good reasons had been given for its use. He suggested that a shorter term be adopted which could be defined in article 2 on the use of terms.

176. As to article 20 *bis*, one representative wondered whether the elaborate scheme of situations contained in paragraph 3 was necessary, or whether it might be preferable to leave that question to the interpretation of the treaty.

177. One representative considered that the Commission should redraft articles 23 and 23 *bis* to take into account both the obligation of good faith provided for in article 18 and the provisions of articles 25 and 25 *bis*. In his view, if a signatory State or international organization formulated a reservation, that reservation should remain valid until such time as the State or international organization in question had notified its intention not to become a party to the treaty or had ratified the treaty but confirmed its reservation.

Articles 24, 24 bis, 25 and 25 bis

178. One representative suggested that a rule should be established providing that the failure of any

international organization to become a party to the treaty should not be regarded as an obstacle to the entry into force or provisional application of the treaty unless the participation of that organization was essential to the object and purpose of the treaty.

Article 27

179. A number of representatives expressed doubts concerning paragraph 2 of article 27, which provided that an international organization party to a treaty may not invoke the rules of the organization as justification for its failure to perform the treaty, unless performance of the treaty, according to the intention of the parties, is subject to the exercise of the functions and powers of the organization. It was pointed out that the Commission itself viewed the text as a compromise for the purposes of the first reading, and that its members had expressed widely divergent opinions on the text. Thus the Commission was urged to re-examine the question in greater depth.

180. It was stressed by some of those representatives that the internal law of the State could not be assimilated to the rules of an international organization. Certain representatives stressed that the principle that the rules of an international organization could not be invoked as a justification for its failure to perform a treaty was not correct, as there were cases where they had to be invoked, as when reference was made to the actual competence to conclude treaties, or in the case of treaties concluded to execute decisions or resolutions of an organization, which treaties were logically subordinate to such decisions or resolutions or to the action taken by the organization which gave rise to them. It was said that the Commission had overlooked the difference between States and international organizations. Rules of an international organization, unlike the internal law of a State, belonged to the sphere of international law, it was stressed. It was also emphasized that international organizations, unlike States, could not amend the rules which governed them in order to be able to perform the treaties to which they were a party, as those rules took precedence over the treaties. It was deemed advisable, therefore, to amend paragraph 2 to bring it into line with Article 103 of the Charter. The difference between States and international organizations was mentioned by another representative who said that while article 27 of the Vienna Convention was fully justified since the capacity of States to conclude treaties was derived from international law, the same situation did not obtain in the case of international organizations. Such organizations derived their capacity to conclude a treaty from its own rules (draft article 6), and the conclusion of a treaty in contravention of those rules would thus be a case of conclusion *ultra vires*, and in that case the invocation of the rules might be justified. In that connexion, one representative suggested that the rules of the United Nations, so defined, might in fact be determinative of the legality or illegality of a failure to perform a treaty obligation. Necessity was seen, according to another view, for distinguishing between the constituent instrument of an international organization and its other rules, including the decisions and resolutions of organs. As matters now stood, the constituent instrument of an international organization was considered, according to article 2, paragraph 1 (j), to be part of the rules of the organization, in spite of the fact that its characteristic as a multilateral treaty clearly distinguished it from the internal law of a State.

181. Certain representatives considered that the rule reflected in article 27 raised the question of the link between the treaty to which an international organization was a party and the international legal instrument governing the organization in question, i.e. the problem of the legal relationships between the organization and its member States and between the member States as such. One representative noted that the question was also related to articles 29 and 34. It was seen as obvious by that representative that a treaty between an international organization and one or more of its member States was in a different position from a treaty between an international organization and one or more third States. He said that strictly speaking an international organization could not be a party to its constituent instrument, although it was certainly bound by that instrument in the same way as its member States were bound by it. The legal relationship between an international organization and its member States could not therefore be dealt with on the same footing as the legal relationship between an international organization and a third State or another international organization. In regard to the relationship between an international organization and its member States, he stressed that the "rules of the organization" were not comparable to the "internal law" of a foreign State. It seemed to him that the problems dealt with in article 27, and the yet-to-be-discussed article 46, were in reality only problems in respect of third parties. Another representative referred to the question in connexion with the link between article 27 and the question of international responsibility. He believed it necessary to ask whether it was the responsibility of the international organization as such or that of its member States which was involved when a change in the internal rules of the organization occurred which could be invoked vis-à-vis other contracting parties to a treaty. It was well known, he said, that any change in the rules governing an international organization, especially amendments to its constituent instrument, was, in the final analysis, attributable to the will of its member States. The question arose, in that regard, whether it might not be preferable to adopt different solutions for organizations with a universal basis and for those more limited in scope.

182. Doubts were also expressed whether, in view of the complexity of the subject, the rule proposed in paragraph 2 could cover all the problems that were likely to arise in practice. It was far from certain, it was said, that the rule to be retained should be of the same kind for all international organizations. The Commission was urged to proceed with caution and to review the article in the light of the new phenomenon of international organizations whose rules enabled them to exercise part of the treaty-making competence previously exercised by the individual member States. Another point made was that paragraph 2 did not achieve its purpose, since all activities of an international organization, and therefore also the performance of a treaty, must be subject to the "exercise of the functions and powers of the organization". Thus, under that paragraph, an international organization could always invoke its own rules as a justification for failure to perform a treaty.

183. Certain other representatives opposed the rule stated in paragraph 2 as they viewed it as unacceptable that an exception should be admitted to the principle of observance of treaties by an international organization. They stressed that the obligations of international

organizations to perform the treaties they concluded should be no less than those of States. It was seen as unwarranted and pernicious to draw a radical distinction between the internal law of a State party and the rules of an international organization party with regard to the observance of treaties. The provision of paragraph 2 could be read, it was emphasized, as meaning that the parties intended, even without expressly so indicating, that the international organization could unilaterally absolve itself of its treaty obligations by a plea of later exercise of its functions and powers. These representatives considered that the existing form of the paragraph could clearly endanger the fundamental principle *pacta sunt servanda*. One representative stressed in particular that the existing wording gave the impression that the international organization had done something which it should not have done and that its act was tainted by flaws rendering it null and void. In addition, the exception provided for by that paragraph also implied, he stressed, the existence of treaties contrary to the functions and powers of an international organization. But questions relating to the competence and purposes of international organizations and those relating to the particular mandates of the organs of such organizations had nothing to do with the problem of observance of treaties. Just as, in the case of States, it was held that it was incumbent upon the State to resolve questions pertaining to the internal imputation of acts performed by one of its organs, he believed it should be decided, when international organizations were involved, that it would be for the organizations themselves to settle analogous questions.

Article 30

184. Some representatives commented on the decision by the Commission to place in a separate paragraph 6, the initial phrase of paragraph 1 of article 30 of the Vienna Convention, concerning the primacy of the United Nations Charter over all successive treaties. That was done, it was noted, to take into account divergent views on whether Article 103 of the Charter could be extended to international organizations. Placing the phrase in a separate paragraph 6 was viewed by one representative as intentionally ambiguous, but as also preserving the primacy of the Charter. Another representative viewed the solution to be an improvement over the text of article 30 of the Vienna Convention.

185. Certain other representatives, however, expressed doubts on the matter. In their view, the ambiguous wording of paragraph 6 was regrettable and should be dispersed; the primacy of the Charter should be confirmed in clear terms. It was viewed as inconceivable and illogical to give States the opportunity of ridding themselves collectively of obligations to which they were subject individually and which they had freely assumed by becoming parties to the United Nations Charter.

Articles 31, 32 and 33

186. One representative drew attention to paragraph 2 of the general commentary on section 3 dealing with the interpretation of treaties as an illustration of the need for the commentaries on articles reproducing textually the corresponding articles of the Vienna Convention to have been broader, more detailed and more explicit. The example given in paragraph 2 of the commentary to support the position indicated therein was not, he said, convincing. It was not, he stressed, the public character of preparatory work that constituted the specific factor which would allow useful con-

clusions to be drawn in the matter of interpretation. In fact, he said, for parties which had themselves negotiated a treaty, whether bilateral or multilateral, the public nature of the preparatory work posed no problems, inasmuch as each of the parties possessed all the documents leading up to the final conclusion of the instrument. A more attentive and detailed review of the practice of international organizations in that regard was called for, given the specific nature of the subject-matter and the exploratory character of the draft articles.

Article 34

187. While considering the substance of article 34 to be acceptable, one representative felt that it would be preferable, in paragraph 1, to refer only to one State, without qualifying it as a "third" State, since all States had the status of third States under treaties concluded exclusively between international organizations. Similarly, in paragraph 2 of that article, he believed it would have been appropriate to substitute the expression "State not party to the treaty" for the words "third State", a corresponding change also being made in the title.

E. OTHER DECISIONS AND CONCLUSIONS OF THE INTERNATIONAL LAW COMMISSION

1. *The most-favoured-nation clause*

188. Representatives widely supported the Commission's intention, in accordance with General Assembly resolution 31/97 of 15 December 1976, to complete at its next session, in 1978, the second reading of the draft articles on the most-favoured-nation clause. That topic had not been considered at the twenty-ninth session, the draft articles adopted in first reading having been transmitted to Member States, organs of the United Nations with competence on the subject-matter and interested intergovernmental organizations for their observations. The Commission was awaiting those observations, which would be taken into account in the report to be submitted by Mr. N. Ushakov, whose appointment as the new Special Rapporteur on the topic was generally welcomed.

189. The most-favoured-nation clause was a field in which considerable work had already been done. It was said that the draft provisionally adopted was well conceived and that it was to be hoped that it could take the form of an international instrument. That, it was added, would not fail to have significant effects on international co-operation not only in trade relations but also in economic relations in general, by giving full effect to the principle of non-discrimination which derived from the principle of the sovereign equality of States and would contribute greatly to the development of international law.

190. It was emphasized that the concept of the most-favoured-nation clause went beyond purely legal considerations; its scope had outgrown the limits of international trade to include broader economic sectors. The principle it embodied was gradually changing as States moved towards more advanced forms of co-operation and closer interdependence. The most-favoured-nation clause should, therefore, take account of differing degrees of development in the countries to which it was applied; its application to all countries, regardless of their level of development, would constitute equality in form but would involve, in reality, an implicit discrimination against the weakest members of the international community. In the field of trade,

It was said, although the purpose of the clause was to enable countries to compete on an equal footing, it should not function in a discriminatory manner against the weaker economies or depend on reciprocity; the industrialized countries should implement a generalized system of preferences and grant preferences to all the developing countries without requiring other preferences in return; the latter practice affected the very principle of equal treatment underlying the most-favoured-nation clause and ran counter to world-wide efforts to ensure equitable economic relations. It was added that preferences without reciprocity should apply to all the developing countries and not only to some of them, as occurred with the so-called special or vertical preferences, which ensured a market for commodities from certain developing countries and, in turn, ensured a preferential market in those countries for products from industrialized countries, thus fundamentally altering the conditions of equality of access to consumer and supplier markets in the countries concerned to the obvious detriment of other countries whose products did not receive similar treatment. The growth of systems of that kind furthered the development of some countries but obstructed that of others and embodied discrimination contrary to the very essence of the most-favoured-nation clause. Accordingly, it was stressed that in its second reading of article 21, the Commission should make provision for safeguarding the interests of developing countries according to their degree of development and should codify the differential treatment referred to in the GATT Tokyo Declaration, adopted at the Ministerial Meeting of GATT in 1973,⁹ not only with regard to tariffs but also in broader areas of co-operation between industrialized and developing countries. In any case, the articles prepared thus far by the Commission on the topic should be understood not to prejudice the establishment of new rules of international law in favour of the developing countries.

191. It was further stated that the Commission should also keep in mind emerging situations involving new and more extensive modes of co-operation between countries with like interests. Any integration process, whether regional, subregional or between neighbouring States, should automatically be considered an exception to the application of the most-favoured-nation clause; thus, for example, the Latin American Free Trade Association and the Cartagena subregional integration scheme that had been created specifically to accelerate the economic development of their members by means of internal benefits ranging from tariff reductions to joint development programmes for specific industries. As GATT had recognized, such benefits could not be automatically claimed by third States under the most-favoured-nation clause without irrevocably undermining systems of integration. Also in that connexion, a general reference was made, with approval, to the arguments put forward by the spokesman for the Commission of the European Community, as well as by the spokesman for the Presidency of the European Community during the discussions in the Sixth Committee the previous year.

2. *The law of the non-navigational uses of international watercourses*

2. A number of representatives expressed support for the Commission's decision to continue its study

⁹ See General Agreement on Tariffs and Trade, *Basic Instruments and Selected Documents, Twentieth Supplement* (Sales No. GATT/1974), p. 19.

of the law of the non-navigational uses of international watercourses on the basis of comprehensive reports to be submitted by Mr. S. Schwebel, whose appointment as the new Special Rapporteur on the topic was generally welcomed. Nevertheless, certain representatives considered it unfortunate that the Commission had lacked the time to deal thoroughly with the topic although they were hopeful that now it might be taken up with some degree of priority so that the work would finally be embodied into an international convention.

193. It was said that the appointment of the Special Rapporteur came at a particularly opportune moment with the gathering momentum of concern over the need for the progressive development and codification of the rules of international law regulating the development and use of international water resources. It was recalled that the General Assembly had referred that topic to the Commission as early as 1969. Given the absence of treaties in the cases of a large number of international drainage basins and the inadequacy of the legal and institutional arrangements made in others, and given the advances of science and technology with respect to water-related fields, the finite character of water resources and the competition among water users, the potential for dispute was obvious. Therefore, it was added, forthright action to meet the situation was all the more necessary. It was pointed out that the United Nations Water Conference, held in 1977, had emphasized the importance and urgency of that question and the Economic and Social Council, in resolution 2121 (LXIII), had requested the Commission to give it higher priority.

194. One representative, explaining that his country was a lower riparian country and that its resources were heavily dependent on the use of international watercourses, submitted the following principles for consideration by the Commission with a view to improving friendly relations among States: (i) the waters of an international river should be equitably apportioned among the riparian States, having due regard to the heavy dependence of particular riparian States on water and traditional uses of such water; (ii) exercise of rights by a riparian State within its territory should not result in reducing the normal flow of water or in ecological changes liable to cause damage in the territory of another riparian State; (iii) each riparian State should exercise the utmost care within its territory to prevent the pollution of water; (iv) where the utilization of water by a riparian State was likely to cause damage to another riparian State, prior agreement of the latter State should be required; (v) any right of a riparian State that could be exercised in more than one way should be exercised in such a way as not to cause damage to another riparian State; (vi) an aggrieved riparian State should be adequately compensated for any loss suffered by reason of the violation of its rights by the other riparian State; (vii) riparian States should be under legal obligation to settle their disputes peacefully. If a friendly settlement could not be reached, they should be required to approach international forums available for that purpose.

3. *Status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier*

195. Several representatives expressed satisfaction that the Commission, in response to the recommendation of the General Assembly in resolution 31/76, had started its work on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic

courier by setting up a working group to study the ways and means of dealing with that topic and expressed their agreement with the recommendations submitted by the working group and adopted by the Commission, regarding the future work thereon. A number of those representatives expressed the hope that the Commission would give careful consideration to the possibility of drafting a protocol on the topic which would supplement the Vienna Convention on Diplomatic Relations. That, it was said, would fill some gaps in diplomatic law, would eliminate the concerns expressed at Vienna in 1975 at the United Nations Conference on the Representation of States in Their Relations with International Organizations and would contribute to the strengthening of friendly relations among States. The view was expressed that among the questions that should be considered were the communications by diplomatic couriers, the exemption of diplomatic couriers and their baggage from customs inspection or control, including distant inspection or control with the use of technical means, and the inviolability of diplomatic mail in cases of rupture of diplomatic relations.

196. On the other hand, it was questioned whether the Commission should pursue work on a protocol on the problems of the diplomatic pouch and courier. The view was expressed that if it did so, the Commission should deal with the problem of abuse of the diplomatic pouch, as in the smuggling of arms and drugs.

4. *Second part of the topic "Relations between States and international organizations"*

197. Several representatives expressed satisfaction that the Commission had taken up the study of the second part of the topic concerning relations between States and international organizations on the basis of a preliminary report submitted by the Special Rapporteur, Mr. A. El-Erian. It was noted that the Commission's discussion of the report seemed to indicate that it could now consider that part of the topic, as it was ripe for codification, thereby completing its work of codifying diplomatic law. The view was expressed that in undertaking such a task, the Commission should base its approach on the principle of functionalism; the privileges and immunities of officials of international organizations were indispensable to carry out the tasks entrusted to them. So far such privileges and immunities had been established in a piecemeal fashion, and the Commission's task was to formulate general rules susceptible of being embodied in an instrument which, although it might be residual in character, could help in unifying present practices and be applied by international organizations in cases of lacunae in the existing special conventions.

198. On the other hand, some representatives doubted the desirability of giving a high degree of priority to work on the matter. Further still, some representatives questioned the usefulness of the work the Commission intended to do in the sphere of relations between States and international organizations. The view was expressed that that work would not prove useful so long as the 1975 Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character had not been generally accepted. It was also said that those relations were already adequately regulated by special conventions, practice and Article 105 of the United Nations Charter, and that the Sixth Committee should avoid encouraging another codification effort which might well prove abortive.

5. *Programme of work of the International Law Commission*

(a) *Implementation of the current programme of work*

199. Representatives generally agreed with the broad goals set forth by the Commission regarding work on the topics under active consideration within the Commission's five-year term of office ending in 1981 and, in that context, with the programme of work adopted by the Commission for its thirtieth session. That programme consisted in concluding the second reading of the draft articles on the most-favoured-nation clause, continuing the preparation of draft articles on the high priority topic of State responsibility and on the two priority topics of succession of States in respect of matters other than treaties and treaties concluded between States and international organizations and studying the proposals on the elaboration of a protocol concerning the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier.

200. Several representatives, stressing the importance of the codification and progressive development of the rules of international law governing State responsibility, urged the Commission to give the highest priority to its work on that topic so as to speed up the elaboration of its draft on State responsibility for internationally wrongful acts. It was said that at its twenty-ninth session the Commission had adopted only three articles and that at that pace and given the complexity of the questions which it still had to examine, such as participation by other States in the internationally wrongful act of a State and circumstances precluding wrongfulness and attenuating or aggravating circumstances, the Commission would not be able to complete, in 1979 as planned, the first reading of part I of the draft articles, relating to the origin of responsibility.

201. It was noted that the Commission had divided its draft into three parts, the first of which was subdivided into five chapters, but had thus far considered only the first two chapters and a part of the third. In that regard, the view was expressed that it was hard to understand why the Commission wished to complete the second reading of part I of the draft articles before the conclusion of its five-year term of office. It would in fact be more logical for it to examine first the articles of part II of the draft (content, forms and degrees of international responsibility), which was in certain respects closely linked to part I. On the other hand, the opinion was held that it was important for the Commission to concentrate on finishing the first and second readings of part I of the draft articles and not to permit that work to be retarded by the consideration of articles in parts II and III. In particular, it was said, it would be an error for the Commission to devote any time at all to the question of settlement of disputes unless and until the rest of the work in parts I and II had been completed.

202. With regard to State succession in respect of matters other than treaties, it was said that the articles submitted by the Commission dealt with almost all questions relating to State debts, which gave grounds for hope that the Commission would complete in 1978 the first reading of the draft articles on succession to State property and State debts and could possibly begin considering a series of articles concerning State succession to other public property and public debts before the expiration of its current five-year term of office.

203. Opinions were also expressed by some representatives in favour of giving as high a priority as that to be given to State responsibility to the question of treaties concluded between States and international organizations or between two or more international organizations and to the law of the non-navigational uses of international watercourses.

204. It was also noted that under the item in the agenda of the General Assembly entitled "Review of the multilateral treaty-making process", the Commission had been given an opportunity to submit observations. The hope was, therefore, expressed that the Commission would be able to find time in its two sessions between the current and the thirty-fourth sessions of the Assembly to prepare for the Assembly an exposition of its views on the multilateral treaty-making process and of its own role therein. That potential additional burden was one which the Commission should bear in mind in planning the use of its time.

(b) *Possible additional topics for study following the implementation of the current programme of work*

205. Representatives generally welcomed the review made by the Commission of possible additional topics for future study. It was pointed out that since its inception the Commission had prepared a number of draft conventions which, after having been adopted, had become pillars of modern international law. Yet international relations continued to evolve, with the result that it was always necessary to study new topics in the field of the codification and progressive development of international law. In that regard, the opinion was expressed that it was timely for the Commission to proceed to a more thorough exchange of views on its future work programme. The Commission, it was said, should review the current state of international law as a whole and, after consulting the Sixth Committee and the regional legal committees, should draw up a new general programme reflecting the needs of the international community and the general trends in international law. Reference was made in that connexion to the 1971 "Survey of international law: Working paper prepared by the Secretary-General",¹⁰ as a basis for drawing up such programme.

206. In that sphere, it was deemed essential that the Commission, a body of limited membership composed of experts acting in their personal capacity, and the Sixth Committee, in which all States Members of the Organization were represented, should pursue a productive dialogue. As a matter of fact, it was said, the Commission was caught in a dilemma: on the one hand, the General Assembly continued referring questions to it, while, on the other, it had not yet been able to complete certain drafts which it had been discussing for some time.

207. In the opinion of some representatives, the Sixth Committee should ensure that the quality of the Commission's output did not suffer as a result of its pursuing its activities on too wide a front. It was, therefore, necessary for the General Assembly to show restraint in the assignment of new topics to the Commission. There was no doubt, it was said, that during the recent sessions the Assembly had been too hasty in recommending that the Commission should give priority to different topics, without any discrimination or real regard for the over-all picture. The Sixth Com-

mittee should distinguish codification assignments which required no more than preliminary investigations by the Commission, such as completely new topics whose scope was yet not clear, from other assignments for which the preliminary research had already been done and which the Commission could be authorized to continue. On that basis, certain new topics could be added to the programme of work, limiting their study to preliminary investigation by the Secretariat, a duly appointed Special Rapporteur and by the Commission, without taking any decision on the future course of that work. If the volume of work of the Commission was reduced, the work could progress at a more leisurely pace, in an atmosphere of intellectual concentration which was an essential condition of success in the difficult task of codification. Discussion in the Commission would be more concentrated and its reports would be less discursive.

208. It was also stated that while the order of priority of the work to be undertaken was laid down by General Assembly resolutions, it was also desirable that the Commission itself should take appropriate initiatives to speed up the work on a limited number of topics. In the opinion of certain representatives, the Commission's work programme had now become severely overburdened so that it was making only piecemeal progress on all its topics. That situation was certainly distracting to Governments, and created difficulties for many members of the Commission. The Commission had sometimes been criticized for dissipating its efforts and it was desirable in their view that it should concentrate on present topics which were urgent and would contribute to enhancing the role entrusted to the United Nations by Article 13 of the Charter like those closely connected with international peace and security, before proceeding to take up new ones. At least, it was said, new topics should not be taken up until about the third year of the Commission's current term of membership. In that connexion it was recalled that for a long time the Commission had insisted on having on its agenda no more than one major topic and one minor topic, i.e. one topic requiring a great deal of research by both the Special Rapporteur and the individual members of the Commission both during and between its sessions, and another topic requiring less research. It was also suggested that the Commission might give thought to the possibility of dealing with some smaller and more specific topics which, because of their restricted ambit, could be fully dealt with in two or three sessions. The Commission should attempt to deal succinctly and rapidly with such topics giving them priority over larger and possibly more theoretical questions.

209. Several representatives agreed in general with the tentative conclusions reached by the Commission regarding the selection from its general programme of work of additional topics for future active consideration. In that connexion, the opinion was expressed that, in any event, whatever the reference in the draft resolution to be recommended by the Sixth Committee to specific topics for inclusion in the Commission's active programme of work, it should be understood as not precluding the Commission's freedom of action to take up other topics or to give to those to be mentioned a lower priority in the light of the circumstances prevailing at the time of commencement of work thereon. Other representatives addressed themselves in detail to all or some of the topics singled out by the Commission.

¹⁰ See *Yearbook of the International Law Commission, 1971*, vol. II, part two, p. 1, document A/CN.4/245.

- (i) Juridical régime of historic waters, including historic bays and rights of asylum

210. Certain representatives endorsed the Commission's conclusion that in the present circumstances it was preferable not to keep on its agenda the question relating to historic waters including historic bays and to the right of asylum, which were already being dealt with by other bodies. It was deemed appropriate to relieve the Commission of the obligation to keep those topics on its agenda.

- (ii) International liability for injurious consequences arising out of acts not prohibited by international law

211. Representatives generally favoured consideration by the Commission of the topic of international liability for injurious consequences arising out of acts not prohibited by international law, the so-called "liability for risk", which had been placed on the programme of work pursuant to a recommendation of the General Assembly. Some representatives considered that the Commission should begin work on the topic at its next session and it was suggested that for that purpose the Commission should appoint a Special Rapporteur. It was recalled that the Assembly had emphasized the need to take up the topic as early as possible and it was stated that it had become indispensable to ascertain at what point acts which were formally lawful could become intrinsically wrongful. Reference was made in that regard to the relevance of the topic for the new law of the sea.

212. Other representatives, stressing the relationship between that topic and that of State responsibility, favoured its being taken up in the light of the progress made on the draft articles on State responsibility for internationally wrongful acts currently under preparation. It was stated that since final completion of the articles of part I of that draft was not to be achieved until the end of 1981, it would not be realistic to expect the Commission to undertake, before that date, a discussion of the topic of liability for risk. For some representatives, that topic should be put on the active work programme only upon completion of work on the present draft as a whole. It was said, in that regard that in setting aside the topic of liability for risk, and in deciding to treat the problems in sequence, the Commission would enhance its chances of bringing the work on State responsibility to a successful conclusion. The violation of future rules on liability for risk would entail responsibility for internationally wrongful acts, a responsibility in respect of which those rules would be "primary" rules of international law, in the terminology of the Commission.

213. The view was also expressed that in dealing with the topic of liability for risk the Commission could not leave aside the "primary" rules and deal exclusively with the "secondary" rules, as it had rightly done in respect of the topic of State responsibility. In addition, it was said, the different aspects of the question should be studied together, as they could not be separated; those aspects were: the determination of the acts involved; general rules concerning the origin of liability; contents of that liability; and implementation of liability and settlement of disputes.

- (iii) Jurisdictional immunities of States and their property

214. Several representatives favoured consideration by the Commission of the topic of jurisdictional immunities of States and their property. It was a topic limited in scope, of considerable practical importance in the ordinary course of relations between States since the growing tendency of States to engage in commercial activities presented particular problems and one on which there was a great deal of material in the way of State practice and jurisprudence, making it thus suitable for codification and progressive development. Reference was made in that connexion to the recent entry into force of the European Convention on State Immunity of 1972 and the Foreign Sovereign Immunities Act of the United States of 1976 as well as to the fact that at the Commonwealth Law Ministers Conference recently held in Canada, it had been decided to request the Commonwealth secretariat to examine whether there were any general principles of law that could be adhered to by all Commonwealth countries in that field, taking into account the recent developments in international organizations, including the Council of Europe and the United Nations.

215. The opinion was expressed that the topic of jurisdictional immunities of States and their property was a complicated one, in that those immunities were dependent upon the peculiarities of each legal system, and experience had shown that the elaboration of an international instrument on the topic was made difficult by the need to find language translatable into the terms of the various national legal systems. In addition, a definition of foreign State had to be found which would take account of the peculiarities of the internal legal system of that foreign State. Those difficulties were, however, not deemed insurmountable for codifying the topic. On the other hand, it was considered that the topic, which touched on both domestic law and international law, presented such particular difficulties with regard to codification that it was made unsuitable for active consideration by the Commission.

- (iv) Draft Code of Offences against the Peace and Security of Mankind

216. Several representatives supported the review by the Commission of the draft Code of Offences against the Peace and Security of Mankind which it had submitted in 1954 to the General Assembly.¹¹ At that time, the Assembly had decided to defer consideration of the draft Code until it took up again the question of defining aggression. The Assembly had not only taken up that question but it had also adopted a definition of aggression in 1974.¹² The time had therefore come to bring the draft Code up to date, so as to take into account the developments which had occurred in international relations and international law since its elaboration.

217. In the opinion of some representatives, the draft Code, which was closely related to the question of international criminal jurisdiction, had not lost its timeliness in the context of international relations. In that connexion, the view was expressed that much work had been done on the development of international humanitarian law, but the question of definition of war crimes and responsibility for them had not attracted adequate attention. Nor had any discussion taken place at the governmental level—as distinguished

¹¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 9*, chap. III.

¹² General Assembly resolution 3314 (XXIX), annex.

from the non-governmental level where the discussion had been lively—of the idea of an international criminal tribunal. It was further stated that it was imperative to complete the codification of the rules of law on a subject which was all the more important for international peace and security because aggression, military intervention and the use of force were increasingly threatening the sovereignty and territorial integrity of countries and undermining the very foundations of the United Nations. Once completed, the draft Code would considerably facilitate the Commission's work in the field of State responsibility, especially with regard to the consideration of the objective element of the internationally wrongful act, since it would provide a criterion for determining the degree of gravity of the wrongful act and the consequences attributable to it. It was essential to settle those questions so as to ensure the political viability of the Commission's final draft on that topic.

218. Other representatives, however, saw no advantage in the Commission's reviewing the draft Code. Not only would it be difficult to achieve consensus among States, but much of the content of the draft Code had been taken over into the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations adopted by the General Assembly in 1970, and into the definition of aggression, adopted by the General Assembly in 1974. It was also said that the Commission's suggestion on the matter did not seem to fall within its mandate as laid down in its Statute¹³ and in Article 13 of the Charter and referred to tasks which the General Assembly should not have sought to impose on the Commission, and which the Commission was not equipped to carry out. If those tasks were to be carried out, they should be assigned to properly constituted special committees which would be empowered to negotiate the political compromises that would undoubtedly be required.

219. Representatives agreed not to make reference to the draft Code of Offences against the Peace and Security of Mankind in the draft resolution to be recommended at the current session by the Sixth Committee in view of the fact that a separate item concerning the Code had been inscribed by the General Assembly in its agenda for the present session and allocated also to the Sixth Committee.

(v) Other topics

220. Some representatives stressed the need for the Commission to concentrate on the codification of rules relating to the peaceful settlement of international disputes. In that regard, the view was expressed that the Sixth Committee should examine the field, which was one of the least developed in international law and one which would require the greatest efforts for the formulation of a treaty or of rules permitting a better application of the specific measures laid down for that purpose in Article 33 of the Charter. But before the question was considered by the Committee from a political point of view, the Commission might provide the Committee with a draft or with guidelines on the subject, taking into account the provisions of the Declaration on Principles of International Law Con-

cerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations as well as the precedents in the matter established by the regional agreements in force.

221. The view was also expressed that the Commission might envisage examining the impact of the work of post-war international organizations on the traditional sources of international law. Other topics to which attention was called as worthy of consideration by the Commission were the law relating to international economic relations, recognition of States and Governments and treatment of aliens. In addition, the opinion was expressed that in so far as the subject of nationality of claims did not fall within the scope of the present studies on State responsibility, that subject was ripe for study, particularly in the light of the effect on the protection of corporations and shareholders of the decision of the International Court of Justice in the *Barcelona Traction* Case. It was further said that another topic might be that concerned with the resolution of the problems associated with the use of ships by international organizations, which was at least as urgent and practical as consideration of the problems of treaties concluded by international organizations.

6. *Methods of work*

222. Representatives supported in general the Commission's conclusions regarding its methods of work. It was considered that those methods were judicious, appropriate and effective and that together with the current procedures and organization of work were on the whole satisfactory. It was observed that the excellence of the methods of work of the Commission was reflected in the important results obtained with respect to codification; those results stood out when compared to the work of similar bodies such as the League of Nations Committee of Experts for the Progressive Codification of International Law or The Hague Conference for the Codification of International Law. A diplomatic conference soundly based on the proposals of the Commission was bound to succeed from the very outset, unlike those conferences which had not benefited from similar preparatory work. The methods of work of the Commission had passed the test of suitability and there was, therefore, no need to amend the Commission's Statute. The Commission should, nevertheless, continuously keep under review its methods of work in an effort to find appropriate ways to improve them. In that respect, the opinion was expressed that the possibility of review should not be disregarded concerning the distinction embodied in the Statute between methodologies depending on whether projects for codification or for the purpose of development of international law were concerned.

223. Several representatives welcomed the setting up by the Commission of the Planning Group on a virtually continuous basis. That would permit the Commission to adapt itself in the simplest and most flexible way to the requirements expressed yearly by the General Assembly and in particular to take up new matters which the Assembly considered urgent.

224. Several representatives stressed that as far as methods of work were concerned, they were purely a matter for the Commission's internal organization, in regard to which it should enjoy autonomy. It was said that the Commission should adopt whatever working methods it found best, provided that it never sacri-

¹³ See *The Work of the International Law Commission*, revised edition (United Nations publication, Sales No. E.72.I.17), p. 71.

ficed quality to speed, and that all its members were able to participate fully in the major phases of its work. In that respect the opinion was expressed that the Commission's work should not be assessed in terms of the number of articles provisionally adopted at one session. The inherent difficulty of certain topics, particularly State responsibility, necessarily slowed the Commission's work. In the codification and progressive development of international law, patience and determination were required, together with a painstaking attention to detail, in order to elaborate draft rules capable of being applied in the many diverse situations arising in international relations. Legislation was a laborious and difficult task which required time. It was better to have before the Sixth Committee a small number of well-drafted articles, as in the present case, than a large number of mediocre quality. The Commission should avoid hastily adopting drafts for submission to the General Assembly. Besides, by preparing documents of good quality rather than a multiplicity of documents, the Commission gave valuable assistance to the members of the Sixth Committee and the Members of the United Nations generally, which, in view of the considerable volume of ongoing legal activities, often had difficulty in keeping abreast of the most recent work done in that field. In any event, as the Commission had rightly stated in paragraph 119 of its report, to submit to the General Assembly every two or three years a final set of draft articles of a high technical value and a high degree of acceptability to the whole international community on essential areas of international law could not be considered a slow pace at all.

225. With respect to the Commission's composition and attendance, it was emphasized that the role assigned to the Commission in its Statute should be preserved: the Commission should continue to be an organ composed of specialists in international law, representing the principal legal systems of the world and the main forms of civilization and responsible for the codification and progressive development of international law. Because of its composition, the Commission was the organ best suited to draw the right conclusions from the general evolution of State practice and theory and to formulate rules which met the current needs of the international community, in the light of the new political, economic, and social trends. However, the view was expressed that a composition not based on the principle of equitable geographical representation led rather to the adoption of conservative solutions by the Commission. It was further said that many members of the Commission found it impossible to be present during the whole session, especially when the duration of sessions was now of 12 weeks. That was a matter which Governments and the Commission itself should look into. Members of the Commission were chosen with a view to ensuring representation of the main forms of civilization and of the principal legal systems of the world, and the international community was therefore entitled to expect that the Commission's draft articles would be the product of collective wisdom. Accordingly, Governments and other bodies must make every effort to enable individual members of the Commission to participate fully in its work. The recent efforts to avoid overlapping between the next session of the Conference on the Law of the Sea and the thirtieth session of the Commission were deemed an encouraging sign in that regard. It was also stated that the working conditions

of the members of the Commission should be improved by providing them constantly with information on United Nations activities concerning legal matters.

226. As far as the manner of adoption of the Commission's texts, the view was expressed that the principle of consensus which guided the Commission in its work had great merit since that was the only way to ensure results acceptable to the greatest possible majority of Member States in a world of diverse interests and varying legal opinions. On the other hand, it was said that the conservatism of the solutions arrived at by the Commission resulted also from the fact that it had always sought, at least until its most recent session, to apply the consensus principle. Unanimity was of course desirable but if the Commission could not submit a unified text, it should submit more than one text among which the Sixth Committee could choose and which would reflect the division between those who wished to maintain the *status quo* and those who wished to establish a new, just and equitable legal order.

227. Also on the subject of the Commission's methods of work, one representative, while recognizing that the Commission had done detailed research on theory, decisions of tribunals, practices of States, and fully and partly accepted international practices, found it striking that the Commission not only prepared its drafts in bits and pieces but did not always disclose in advance the scheme adopted by it for the study of various topics. In his view, the Commission itself often seemed not to be quite clear in its own mind as to what the whole architectural plan of its drafts was going to be. For example, it had so far avoided a decision on whether the draft articles on State responsibility were to begin with an article giving definitions or an article enumerating the matters excluded from the scope of the draft. The reasons could not be that the draft articles were only tentative, since the same might apply to the definitions and the preliminary clauses. It appeared, in his view, as if the Commission had not yet studied, even tentatively, the whole of the subject of one of its series of draft articles. It was surely desirable that the Commission should first survey a topic in its entirety and tentatively prepare a structure of codification before beginning its detailed work. That method would increase the speed of work and enable those who were called upon to give their views on draft articles to bear in mind the final end of the work.

228. In connexion with the methods of work of the Commission some representatives addressed themselves to the question of governmental involvement, by way of oral or written comments, in the evolution of the Commission's texts. It was considered that in the process of keeping to methods under review, the Commission should give to that aspect of its relationship with Governments further thought. It was stated that under the present system, when a set of articles appeared in instalments over an extended period, the only opportunity which Governments had to comment in writing was at the conclusion of the first reading of the draft. The result was that Governments tended to resort to the debates in the Sixth Committee as a vehicle for the communication of the substance of their ideas to the Commission. It was not certain, however, whether it would be advisable for Governments to comment orally on each and every one of the provisions adopted by the Commission each year or

whether it would be preferable for them to wait for the finished draft in first reading before going into details. The procedure of oral comments had the disadvantages of allowing little time for the careful weighing of the report, unduly extending consideration of the report and deflecting the Committee's attention from current procedural aspects of the Commission's work. Although it was true that at the second reading of its drafts, the Commission took into account the relevant observations made in the Sixth Committee, it then had at its disposal the written or oral comments of Governments on the "ensemble" of the texts adopted in first reading. The affirmation was made that it would be simpler and more effective if Governments confined themselves to submitting comments on the complete set of draft articles after the first reading by the Commission.

229. Also with regard to working relations between the Commission and Governments, the view was expressed that Governments should be invited to submit written observations on several occasions in the course of the preparation of a set of draft articles, particularly since Governments were often unable to present their views in the Sixth Committee because they had not had an opportunity to study the Commission's reports in detail. The opinion was also expressed that the possibility of requesting preliminary written comments from Governments at interim stages in its work should be brought to the attention of the Commission. It was always useful to give Governments an additional opportunity to describe their views in detail and with the precision that was possible only in written form. In recent years the Sixth Committee had adopted a somewhat inefficient method of handling the report of the Commission. There was an increasing tendency to read extremely detailed statements which, although interesting and worth while, were too detailed to enable other delegations to respond and thus give rise to the lively exchange of ideas which the presence of Committee members in New York should make possible. It would be preferable for such detailed statements to take the form of written comments, which would in turn permit statements to focus on particular features. That approach would be in the long-term interests of the Commission and make more efficient use of the presence of representatives at the General Assembly. It was also stressed that Governments could submit comments to the Commission in writing in response to the Commission's appeals. Comments received in due time could be taken into account when the Commission drafted the final version of the draft articles. Governments should therefore endeavour to submit their comments as soon as possible when so requested.

230. Representatives generally supported the Commission's recommendations regarding the pressing need to increase the staff of the Codification Division of the Office of Legal Affairs. It was said that despite a lack of manpower, the staff of the Codification Division did magnificent work for the Commission in addition to servicing the Sixth Committee, other special or *ad hoc* committees and legal plenipotentiary conferences. In view of the number and importance of the items in the Commission's programme of work, the increase in the staff of the Division was entirely justified. The Codification Division must be able to undertake a greater number of research projects and studies than was currently permitted by its very full

schedule. The additional staff should be chosen in such a manner as to maintain the high standards of integrity and competence which characterized the present few members of the Division. In that connexion, one representative expressed the view that the proposed action concerning the strengthening of the Codification Division should draw upon ordinary allocations so as not to require an increase in the budget of the Organization.

231. Representatives also endorsed the reference in paragraph 123 of the report concerning the manner in which regulations for the control and limitation of documentation should be applied with respect to research projects and studies requested from the Codification Division. In that connexion, the Secretariat was congratulated on its important study on *force majeure* and "fortuitous event",¹⁴ which should be made as widely available as possible in all the languages of the Commission.

7. *Form and presentation of the report of the Commission to the General Assembly*

232. Several representatives supported in general the conclusions reached by the Commission regarding the form and presentation of its report to the General Assembly. With regard to the form of the report and particularly to its length and that of the commentaries, it was said that as in the case of any legal text, it was difficult to pass judgement on draft articles in isolation. Attention was drawn to the fact that the Commission's mandate required it to make well-reasoned reports and to give adequate background information in its commentaries. Thus the Commission's practice of referring in them to doctrine was entirely consonant with its Statute. The Commission acted rightly in providing the full background of arguments for the proposals it submitted to the General Assembly, given the need for the clearest possible picture of specific aspects of the progressive development of law and the ever-growing requirements of the international community. In that manner, delegations and Governments, especially those without extensive research facilities, were enabled to follow the Commission's work and to make constructive contributions to the discussion. Besides, it was said, while the primary role of the commentaries was not the dissemination of scientific or theoretical material, the Commission's report should nevertheless be a self-contained document. The summary records of the Commission's proceedings were distributed only to its members and often were not available in final form until about one year after the close of each session. In practice, therefore, the commentaries were the only source of information readily accessible to Governments on the background and rationale of individual draft articles. It was also stated that the practical character of the structure of the Commission's report had been confirmed over the years and deserved to be maintained in the future. The logical division of the report and the inclusion of an analytical table of contents made it easy to consult. The summaries given in the various chapters, especially those providing the full background of debates concerning the topic dealt with in the chapter, were particularly useful. Footnotes were also an invaluable research tool.

233. Several representatives agreed with the view expressed by the Commission that its commentaries were an essential element of the codification process,

¹⁴ ST/LEG/13.

and an important part of the *travaux préparatoires* of the resulting conventions. It would be a mistake to sacrifice the authority of a document which, in the course of 30 years, had become an indispensable mirror reflecting the latest developments in the field of the codification and progressive development of international law, solely to satisfy the wishes of those who had no time to read it. As the Commission itself had concluded, the report should be short or long according to the Commission's perception of the need for explaining and justifying the draft articles contained therein to the General Assembly and Member States. The Commission should enjoy complete freedom of action in the preparation of its reports.

234. Certain representatives, while agreeing that the substantive value of the commentaries should take priority over brevity, stressed the need for the report to be manageable and easy to consult and study. The report was not only a briefing for decisions but also a source of practical information. Its fullness had thus far enabled representatives to check the conclusions adopted by the Commission and point out any shortcomings they might find. There could be no doubt that a manageable report was necessary if the Commission was to benefit from comments of the Committee and of member Governments; otherwise, comments would always be "preliminary views" subject to further consideration. No doubt there was room for improvement, and the Commission had expressed its readiness to review its method of presentation. It was said that the suggestion that summaries should be provided remained to be explored. Also, an index would probably add to its usefulness.

235. Certain representatives questioned some aspects of the practice of adding commentaries to the draft articles. That practice, it was said, sometimes caused the drafters to think, perhaps unconsciously, that what was vague or had been omitted in the article could be made specific or introduced in the commentary. However, the text of the articles must be as self-sufficient as possible; the notions contained in it must be expressed as accurately, clearly and unambiguously as possible. It followed, according to that view, that some elements in the commentaries were worthy of being incorporated into the text of the relevant articles.

236. Also, certain representatives expressed misgivings regarding the value of the commentaries as part of the *travaux préparatoires* of codification conventions adopted on the basis of drafts to which they were attached. In that regard it was said that although they were part of the preparatory work for the articles, they would as such have very limited value under article 32 of the Vienna Convention on the Law of Treaties. Among the various sources of international law, the commentaries stood only slightly above the level of legal literature and at the lowest level of preparatory work, since they derived from lawyers who, although prominent in their field, had been invited by the General Assembly to express their personal views on the subject in question. The situation would be very different if the Commission was composed of States represented by experts. If the Commission's commentaries were really to have the character of *travaux préparatoires*, the members of the Commission would have to be representatives of States, which they were not, and certain paragraphs of the report could not reflect the more or less unilateral viewpoint of a

given rapporteur. It was also stated that to consider the commentaries as an important part of the *travaux préparatoires* was diametrically opposed to what had been said by the Commission in 1966 concerning the position of its proceedings in relation to the preparations for the Convention on the Law of Treaties.

237. The view was further expressed that for several years the Commission had been too free in giving its interpretations to various international treaties. Certainly, such treaties could usefully be invoked to support a given proposition, but the greatest caution must be exercised in formulating observations upon them. Above all, the Commission must refrain from giving interpretations to the Charter of the United Nations, and should bear in mind the Declaration adopted in San Francisco on that subject.

238. The opinion was expressed that, having in mind the limited value of commentaries as *travaux préparatoires*, the Commission was not required to submit detailed monographs to the General Assembly and to governmental services already overburdened with work; it would be quite sufficient to submit the shortest possible explanatory statements, such as many Governments customarily submitted to their legislatures. It was further stated that the Commission should try to set out in a few sentences the positive ideas it was seeking to embody in each article. According to that opinion, that purpose was not served by the learned commentaries in the report which, while they justified the language of a proposed article, sometimes lost sight of the original intention. Moreover, in order to make the interpretation of individual articles easier, the authors of the report might sometimes have found it useful to replace long explanations by specific examples. In that connexion, the view was expressed that the numerous examples given were illustrative rather than exhaustive. It would be preferable in the commentaries to refer in certain cases to the experience of specific countries.

239. Also with respect to the form of the report, the view was expressed that the multiplicity of footnotes made the report excessively heavy and difficult to read, so that it did not meet the practical needs of the body or bodies to which it was addressed. Many of the footnotes contained quotations drawn from a great number of works without any attempt at evaluation. The Commission had decided in 1966 to drop all quotations from its commentaries, realizing that it was better to leave the Secretariat to compile the bibliographical material needed for diplomatic conferences, and the Secretariat had most adequately fulfilled that task. Other footnotes consisted of proposals for which certain members of the Commission, not identified by name, had expressed a preference. At one time, members dissenting from the Commission's conclusions had been entitled to register their dissent in the annual report. That practice did not seem to have been abolished, although it was no longer necessary since dissenting opinions, together with the identity of their authors, were duly published in the Commission's *Yearbook*.

240. It was also suggested that the Commission should give consideration to readjusting the pattern of its adoption of commentaries to its draft articles, since there had been a tendency for the Commission to adopt those commentaries in haste without giving its members sufficient time to read and digest them in draft form. The greatest care should be exercised in draft-

ing the commentaries and, it was said, much would be gained if they were written in a spirit of détente, compromise and mutual understanding.

241. As far as the time of submission of the Commission's annual report to the General Assembly, several representatives stressed the importance for Governments to be allowed sufficient time to study the Commission's report. It was said that the purpose of the debate in the Sixth Committee was not merely to provide an opportunity for delegations to express their views on the subject; it should above all give national authorities the chance to express their initial reaction, as had previously been the case. The Commission was composed of legal experts of high standing and competence, but in the final analysis it was States which were represented at conferences of plenipotentiaries and which became parties to the treaties adopted at them. To ensure fruitful consideration of the Commission's report in the Sixth Committee, Governments must be able to make their views known, and for that purpose they must have time to study the report in depth. The report differed greatly in its nature and contents from the other reports submitted to the Assembly. It was regrettable that Governments did not have time to study it with the attention it deserved and to take appropriate positions on the draft articles contained in it. In particular, the developing countries had too few legal experts, and it was difficult for them to study and comment on a report which was received late.

242. It was recalled that in the past, it had been the practice of the Sixth Committee to begin its work with the consideration of the Commission's report, in view of the importance Governments attached to it. Unfortunately, that was no longer possible, given the date on which the Commission concluded its yearly sessions and the time needed for processing the document before it could be distributed. In those circumstances, the Commission had suggested that the Sixth Committee should postpone its consideration of the Commission's report until later in the Assembly's session. For the Commission, that solution was practical and preferable to distributing its reports in several parts. The latter solution did not seem feasible, since the Commission adopted its report at the end of its session. The suggestion to postpone consideration of the Commission's report until the end of the General Assembly session was generally supported as a practical way of helping to solve the situation. Nevertheless, some representatives stressed the need for paying continuous attention to the matter of ensuring the timely distribution of the report to Governments prior to the commencement of the annual review of the General Assembly.

243. In that regard, the opinion was reiterated that an earlier distribution of the report might be achieved if it were to be reduced in size and submitted in instalments. It was also stated that in order to do justice to the report, it would have to be circulated at least four weeks before the opening of the session of the General Assembly. The Commission would then have to meet earlier, and that might cause difficulties for some of its members. Nevertheless, consideration should be given to such a course in view of the wish of the members of the Sixth Committee to give the reports of the Commission all the attention they deserved.

244. Also in connexion with the consideration of the Commission's report in the General Assembly the view was expressed that it should be possible to arrange the programme of work of the Sixth Committee in such a way as to ensure the uninterrupted consideration of the Commission's report. Some representatives came to New York specifically to attend meetings at which the report was considered and it was, moreover, highly desirable for those meetings to be attended by the Chairman of the Commission. It was to be deplored that the Commission's report was not considered while the Chairman of the Commission was in New York. The Chairman could then have listened to the criticisms of the report and replied to them, which would have been of great interest.

245. Some representatives pointed out that the fact that the Commission's report was not issued in time in some languages caused additional difficulties for all delegations which used those languages. The hope was expressed, therefore, that steps would be taken to ensure that the Commission's reports were in future translated simultaneously into all the official languages.

8. *Co-operation with other bodies*

246. Representatives welcomed the Commission's continued practice of co-operating with regional juridical bodies such as the Asian-African Legal Consultative Committee, the Inter-American Juridical Committee and the European Committee on Legal Co-operation.

9. *Gilberto Amado Memorial Lecture*

247. Satisfaction was expressed at the future organization of the Gilberto Amado Memorial Lecture, to be delivered by Judge T. O. Elias.

10. *International Law Seminar*

248. Several representatives expressed gratification at the success of the International Law Seminar organized by the United Nations Office at Geneva, which had held its thirteenth session during the Commission's session, with several Commission members volunteering their services as lecturers. The hope was expressed that such seminars would continue to be organized during future sessions of the Commission, so as to promote the dissemination and teaching of international law.

249. A number of representatives announced that, as in previous years, their Governments would make available scholarships enabling students from developing countries to attend the seminar which would be held simultaneously with the next session of the Commission. Representatives thanked those Governments which had made financial contributions to enable participants from developing countries to attend the seminar. Hope was expressed that other Governments would follow suit to ensure a satisfactory geographical distribution among participants. However, in the opinion of some representatives, the long-term solution was to finance the seminars, which were of particular importance to developing countries, from the regular budget of the United Nations.

Decision

250. At its 68th meeting on 9 December 1977, the Committee adopted draft resolution A/C.6/32/L.19 by consensus (see para. 251 below).

Recommendation of the Sixth Committee

251. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

*Report of the International Law Commission**The General Assembly,*

Having considered the report of the International Law Commission on the work of its twenty-ninth session (A/32/10),

Emphasizing the need for the progressive development of international law and its codification in order to make it a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States,¹⁵ and to give increased importance to its role in relations among States,

Noting with appreciation the work done by the International Law Commission on State responsibility, succession of States in respect of matters other than treaties and treaties concluded between States and international organizations or between international organizations,

Noting with satisfaction the conclusions reached by the International Law Commission regarding the study of other topics under current consideration,

Welcoming the review made by the International Law Commission of possible additional topics for future study and the continued attention paid by it to the question of rationalizing further its organization and methods of work,

1. *Takes note* of the report of the International Law Commission on the work of its twenty-ninth session;

2. *Expresses its appreciation* to the International Law Commission for the work accomplished at that session;

3. *Approves* the programme of work planned by the International Law Commission for 1978;

4. *Recommends* that the International Law Commission should:

(a) Complete at its thirtieth session the second reading of the draft articles on the most-favoured-nation clause adopted at its twenty-eighth session, as recommended by the General Assembly in resolution 31/97 of 15 December 1976;

(b) Continue on a high priority basis its work on State responsibility, taking into account resolutions of the General Assembly adopted at previous sessions, with the aim of completing at least the first reading of the set of articles constituting part I of the draft on responsibility of States for internationally wrongful

acts, within the present term of office of the members of the International Law Commission;

(c) Proceed with the preparation, on a priority basis, of draft articles on:

(i) Succession of States in respect of matters other than treaties, in an endeavour to complete the first reading of the set of articles concerning State property and State debts;

(ii) Treaties concluded between States and international organizations or between international organizations;

(d) Continue its work on the law of the non-navigational uses of international watercourses;

5. *Endorses* the conclusions reached by the International Law Commission to study the proposals on the elaboration of a protocol concerning the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier, as requested by the General Assembly in resolution 31/76 of 13 December 1976;

6. *Endorses* the conclusions reached by the International Law Commission regarding the second part of the topic of relations between States and international organizations;

7. *Invites* the International Law Commission, at an appropriate time and in the light of progress made on the draft articles on State responsibility for internationally wrongful acts and on other topics in its current programme of work, to commence work on the topics of international liability for injurious consequences arising out of acts not prohibited by international law and jurisdictional immunities of States and their property;

8. *Expresses confidence* that the International Law Commission will continue to keep the progress of its work under review and to adopt the methods of work best suited to the speedy completion of the tasks entrusted to it;

9. *Endorses* the recommendation of the International Law Commission for the strengthening of the Codification Division of the Office of Legal Affairs of the Secretariat;

10. *Endorses* the conclusion reached by the International Law Commission, in paragraph 123 of its report, concerning research projects and studies required by the work of the Commission;

11. *Expresses the wish* that seminars continue to be held in conjunction with sessions of the International Law Commission and that an increasing number of participants from developing countries be given the opportunity to attend these seminars;

12. *Requests* the Secretary-General to forward to the International Law Commission for its attention the records of the discussion on the report of the Commission at the thirty-second session of the General Assembly.

¹⁵ General Assembly resolution 2625 (XXV), annex.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 106th plenary meeting, on 19 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/433, para. 251). For the final text, see resolution 32/151.¹⁶

¹⁶ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 112 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/10	Report of the International Law Commission on the work of its twenty-ninth session (9 May-29 July 1977)	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 10</i>
A/32/74	Letter dated 25 April 1977 from the representative of India to the Secretary-General	Mimeographed
A/32/183	Draft articles adopted by the International Law Commission on topics considered at its twenty-ninth session: note by the Secretary-General	Ditto
A/32/244	Letter dated 29 September 1977 from the representative of Pakistan to the Secretary-General	Ditto
A/C.6/32/L.19	Draft resolution	For the sponsors and the text, see A/32/433, paras. 6 and 251

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 113:* Report of the United Nations Commission on International Trade Law** on the work of its tenth session

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee*, 4th to 11th, 47th and 68th meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 105th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 86), twenty-eighth (item 92), twenty-ninth (item 89), thirtieth (item 110) and thirty-first (item 108).

DOCUMENT A/32/402

Report of the Sixth Committee

[Original: English]
[12 December 1977]

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Introduction

1. At its 5th plenary meeting, on 23 September 1977, the General Assembly decided to include in the agenda of its thirty-second session the item entitled "Report of the United Nations Commission on International Trade Law on the work of its tenth session" and to allocate it to the Sixth Committee.

2. The Sixth Committee considered the item at its 4th to 11th meetings, from 28 September to 6 October,

and at its 47th and 68th meetings, on 16 November and 9 December.

3. At the 4th meeting, on 28 September, Mr. N. Gueiros (Brazil), Chairman of the United Nations Commission on International Trade Law at its tenth session, introduced the Commission's report on the work of that session (A/32/17).¹

4. At the 47th meeting, on 16 November, the Rapporteur of the Sixth Committee raised the question whether the Committee wished to include in its report to the General Assembly on the item a summary of the main trends that had emerged during the debate on the Commission's report. After referring to General Assembly resolution 2292 (XXII) of 8 December 1967 concerning publications and documentation of the United Nations, the Rapporteur informed the Committee of the financial implications of the question. At the same meeting, the Sixth Committee decided that, in view of the nature of the subject-matter, the report on agenda item 113 should include a summary of the main trends of opinion that were expressed during the debate.

5. Pursuant to General Assembly resolution 2205 (XXI) of 17 December 1966, and in keeping with past practice, the report of the Commission on the work of its tenth session was submitted to the United Nations Conference on Trade and Development (UNCTAD) for comments. However, since the tenth session of the Commission had been held later in the year than usual,

¹ The presentation of the report was pursuant to a decision by the Sixth Committee at its 1096th meeting, on 13 December 1968 (see *Official Records of the General Assembly, Twenty-third Session, Annexes*, agenda item 88, document A/7408, para. 3).

the report on the work of that session could not be made available to UNCTAD in sufficient time to enable the item to be considered by the Trade and Development Board at the first part of its seventeenth session, held from 23 August to 2 September 1977. Accordingly, at its 470th meeting, on 25 August 1977, the Board decided to defer consideration of the item until the second part of its seventeenth session.²

Proposals

6. At the 47th meeting of the Committee, a draft resolution (A/C.6/32/L.8) was submitted by Austria, Brazil, Canada, Cyprus, Egypt, Finland, Ghana, Greece, Guatemala, Indonesia, Jordan, Kenya, Morocco, Nigeria, Peru, the Philippines, Sierra Leone, Singapore, Spain, Turkey, the United Republic of Tanzania, Yugoslavia and Zaire, later joined by Argentina, Hungary, Lesotho and the Sudan. [For the text see para. 44 below.]

7. At the 68th meeting, on 9 December, a second draft resolution (A/C.6/32/L.14) was submitted by Austria, Cyprus, Ghana, Greece, Kenya and Sierra Leone.³ The draft resolution read as follows:

“United Nations Conference on the Carriage of Goods by Sea

“The General Assembly,

“Recalling its resolution 31/100 of 15 December 1976, by which it decided to convene an international conference of plenipotentiaries to consider the adoption of a convention on the carriage of goods by sea,

“Recalling further that paragraph 4 (g) of resolution 31/100 requests the Secretary-General to invite to the Conference, as observers, among others, ‘interested regional intergovernmental organizations’,

“Taking note of the view expressed by the United Nations Commission on International Trade Law at its tenth session regarding the desirability of also inviting to the Conference, as observers, interested intergovernmental organizations of a non-regional character and non-governmental organizations, particularly those that had participated in the Commission’s work on the subject-matter of the Conference (see A/32/17, para. 58),

“Noting also that the Secretary-General has, pursuant to paragraph 2 of resolution 31/100, authorizing the convening of the Conference in New York ‘or at any other suitable place for which the Secretary-General may receive an invitation’, accepted an invitation by the Government of the Federal Republic of Germany to hold the Conference at Hamburg from 6 to 31 March 1978,

“1. Expresses its appreciation to the Government of the Federal Republic of Germany for its

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 15*, vol. II, para. 217. The second part of the seventeenth session of the Board is scheduled for 4 April 1978.

³ At the same meeting, the Chairman announced that the sponsors did not wish to press for a vote on draft resolution A/C.6/32/L.14 and had agreed to a proposed consensus decision by the Committee on the subject-matter of their draft resolution. [For the decision, see para. 45 below.]

offer to host the United Nations Conference on the Carriage of Goods by Sea at Hamburg from 6 to 31 March 1978;

“2. Requests the Secretary-General to invite to the Conference, as observers, in addition to the organizations, national liberation movements, agencies and United Nations organs, referred to in resolution 31/100 of 15 December 1976, interested intergovernmental organizations, and non-governmental organizations which have participated in the work of the United Nations Commission on International Trade Law relative to the subject-matter of the Conference.”

Debate

8. The major trends of opinion expressed in the Sixth Committee on the report of the Commission on the work of its tenth session are summarized in sections A to I below. Sections A and B deal with general observations on the role and functions of the Commission and on its working methods, while the remaining sections are devoted to the Committee’s deliberations on the specific topics considered by the Commission at its tenth session, as follows: international sale of goods (sect. C); international payments (sect. D); international commercial arbitration (sect. E); liability for damage caused by products intended for or involved in international trade (sect. F); training and assistance in the field of international trade law (sect. G); future work (sect. H); and other business (sect. I).

A. General observations

9. As in the past, representatives stressed the importance of the Commission’s work. The view was generally shared that the work of the Commission in the unification, harmonization and progressive development of the law regulating international trade helped to remove obstacles to the flow of such trade on equitable terms, encouraged the development of healthy trade policies and created a climate of confidence for transnational transactions. All this could not but serve the larger end of promoting friendly relations and co-operation among States, thus contributing to world peace and security.

10. Representatives were equally favourable in their assessment of the progress thus far made by the Commission, its Working Groups and the Commission’s secretariat in carrying out the Commission’s work programme, as attested to by the number of highly significant texts which had emerged from the Commission in its relatively brief period of existence. The draft Convention on the International Sale of Goods which the Commission had placed before the General Assembly at the present session was one more mark of such progress.

11. Referring to the special needs of developing countries, a number of representatives urged the Commission to take greater account thereof in its work. The view was also expressed that the Commission could do more than it had so far done to promote the implementation of the goals of the new international economic order as outlined in the resolutions of the sixth and seventh special sessions of the General Assembly.

12. Recalling that the tenth session of the Commission had been held at Vienna at the invitation of the Government of Austria, representatives expressed appreciation to that Government for its generosity in acting as host to the session.

B. *Working methods of the United Nations Commission on International Trade Law*

13. Continued approval was expressed by representatives of the working methods followed by the Commission and its Working Groups. Much of the progress made by the Commission, it was noted, was owed to the efficiency of such working methods and especially to the system of conducting its substantive work through expert Working Groups, each of which concentrated on specific subjects assigned to it by the Commission.

14. Favourable notice was also taken by representatives of the practice by which the Commission, through its secretariat, consulted and, to the extent possible, collaborated with other United Nations bodies and with intergovernmental organizations and international and regional non-governmental organizations active in the particular fields of interest to the Commission. The importance of such practice both in avoiding wasteful duplication of efforts and in ensuring that the Commission's work was properly influenced by the widest possible range of views could not, it was stated, be over-emphasized.

C. *International sale of goods*

15. Stressing the central position occupied by the law of sales in international trade law, many representatives commended the Commission and its Working Group on the International Sale of Goods for the successful accomplishment of the work on a draft Convention on the International Sale of Goods which, it was observed, marked the high point of its tenth session. The text produced by the Commission (see A/32/17, para. 35) provided, it was said, an excellent basis for a convention on the subject.

16. With regard to the Commission's recommendation that the General Assembly should convene at an appropriate time a conference of plenipotentiaries to conclude, on the basis of the draft Convention approved by the Commission, a Convention on the International Sale of Goods, most representatives expressed themselves in favour of such a conference at an appropriate time. It was, however, recalled in that connexion that the Commission intended to place before the thirty-third session of the General Assembly draft provisions on the formation and validity of contracts for the international sale of goods, together with appropriate recommendations on the action to be taken in respect of those draft provisions. Those recommendations would presumably deal with the questions whether such rules on the formation and validity of contracts should be incorporated into the Convention on the Sale of Goods or should be the subject-matter of a separate Convention and, if the latter, whether both texts should be considered by one and the same conference or two separate conferences. For that reason, a number of representatives thought it preferable to maintain flexibility on those questions and specifically to defer any decision on those matters until the Commission itself had considered them and made appropriate recommendations.

17. Most representatives, while not disagreeing with that last view, nevertheless emphasized the inter-relationship between rules on the formation and validity of contracts for the sale of goods and those regulating the rights and obligations of the contracting parties *inter se* and consequently the desirability at least of having both texts considered by the same conference of plenipotentiaries even if they were subsequently to be embodied in two separate conventions. Furthermore such a procedure, it was noted, had the added merit of being more economical.

18. On the question whether the set of rules on the international sale of goods elaborated by the Commission should be issued in the form of uniform rules for optional use by parties to a sales transaction rather than be embodied in a convention, most representatives expressed themselves in favour of the form of a convention as a binding multilateral treaty, for reasons similar to those stated in the Commission's report (*ibid.*, paras. 20-32). The view was also expressed, however, that resort might be had to alternatives other than the two mentioned above. Such alternatives might, for example, include constituting the Sixth Committee itself into a kind of conference of plenipotentiaries which would meet annually to adopt instruments that would become legally binding on the States voting on such issues. Another option could be to have States submit to the Commission their comments on the draft of a proposed Convention, such comments could then be incorporated into the draft text by the Commission and the text submitted to the General Assembly for adoption.

19. Although most representatives preferred to reserve for a later period their Governments' substantive comments on the provisions of the draft Convention produced by the Commission, a number of preliminary observations were nevertheless offered with respect to those provisions. Firstly, there appeared to be general agreement that in the text approved by the Commission the Commission's Working Group on the International Sale of Goods had achieved the stated objective of its work on that topic which, it was recalled, had been to consider and effect such revision of the text of the Uniform Law on the International Sale of Goods (ULIS) annexed to the 1964 Hague Convention as might make that text susceptible of wider acceptance by States having different legal, social and economic systems.⁴

20. Two particular features of the text received favourable notice in that regard. One of them was the fact that the text did not rely simply on juridical concepts familiar only to certain States but reflected a genuine attempt to blend concepts taken from the major legal systems of the world to the extent applicable. Similarly, it was noted, the text also sought to balance more equitably the interests of the seller and of the buyer, of the developed and the developing countries. All of that, it was said, made for a text which was not only an improvement substantively over that of ULIS but was more likely than the latter text to receive widespread acceptance among States.

21. Many representatives expressed satisfaction at the fact that the Commission's text, while covering the same subject-matter, was considerably shorter and

⁴ See *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 18*, para. 38, subpara. 3 (a) of the resolution contained therein.

simpler than that of ULIS, making it more readily understandable and easier to work with. The view was also expressed, in respect to the provision of article 1, paragraph 3, whereby in the determination of the sphere of application of the Convention no regard is to be had to questions of the nationality or the civil or commercial character of the parties or of the contract, that the Commission had been well advised to exclude from the draft Convention notions such as nationality which were artificial and confusing.

22. Questions were, however, raised and reservations expressed with respect to various provisions of the draft Convention. Thus, for example, a number of representatives expressed the view that the scope of the draft Convention might be too restrictive, although the view was also expressed that the scope might be too broad as regards the kinds of contract sought to be encompassed, such as contracts for the supply of gas and electricity. Concern was also expressed with respect to the recognition in article 7 of existing trade usages for the reasons, it was said, that the provision introduced an element of uncertainty into contractual relationships and was, at any event, unduly favourable to the industrialized countries which had developed those usages and were more familiar with them. On the other hand, article 7 was cited as a noteworthy example of due flexibility in the provisions of the draft Convention, inasmuch as usage would play an important role in the interpretation and application of the principles contained in the draft.

23. Similarly, whereas the provisions of article 26 (delivery of goods free from third party industrial or intellectual property rights or claims) were well received by a number of representatives, the view was also expressed that the matter was outside of the province of the "sale of goods" proper and was, at any rate, of too complex a nature to be dealt with in the manner in which it had been by the Commission. A number of comments were also directed to the desirability of providing in the draft for the recovery of interest by a party damaged by a breach of contract.

24. Representatives, however, expressed the most doubts and reservations with regard to article 37 which provides that, in the event that a validly concluded contract does not state the price or indicate how such is to be determined, the buyer must pay the price generally charged by the seller at the time of the conclusion of the contract or, if that is not ascertainable, the price generally prevailing at the aforesaid time for such goods sold under comparable circumstances.

25. Numerous points were adduced in criticism of that provision: the provision was unfair to the buyer by, in effect, permitting the seller to fix the price of the goods when it had not been otherwise determined by the parties; if a valid contract was to be presumed in such a case, then the appropriate rule should be that the buyer pay a "reasonable price"; the provision was contrary to principles known to many legal systems, for, price being of the essence of a contract of sale, its absence precluded the existence of a valid contract and thus left no room for the fixing of the price in the manner contemplated by the provision; the provision introduced unnecessary complication and uncertainty into contractual relationships; and, at any event, the provision dealt with a matter relating to the validity of the contract, which it was the avowed intention of the draft not to deal with.

26. The view was also expressed that since the effect of article 37 was that a contract was not nullified by the failure to fix a price, it would be preferable to bring that point out explicitly so as to avoid misinterpretation.

D. *International payments*

27. Several representatives took note of the continuing progress of work in the Commission in the field of international payments and a number specifically endorsed the Commission's decisions at its tenth session with respect both to security interests in goods and contracts guarantees as set forth in paragraph 37 of the Commission's report.

28. The necessity was, however, emphasized of carrying out further preliminary work, as the Commission proposed to do, to ascertain the practical need and relevance for international trade of uniform rules on security interests. In that regard, the view was also expressed that the need in that area could perhaps be adequately filled by rules on conflict of laws alone.

E. *International commercial arbitration*

29. Representatives uniformly expressed satisfaction at the favourable reception with which the UNCITRAL Arbitration Rules⁵ have met since their issue and noted the increasing recourse which was being made to those Rules by international commercial arbitration circles. The Asian-African Legal Consultative Committee (AALCC) was particularly commended for its decision to recommend to its members the use of the UNCITRAL Arbitration Rules in the settlement of disputes arising in the context of international commercial relations.

30. Many representatives also noted that AALCC had, at the tenth session of the Commission, put forward for the Commission's consideration certain proposals relating to the subject of international commercial arbitration, particularly the enforcement of arbitral awards. The issues raised by those proposals, it was observed, were very weighty and AALCC was to be commended for its initiative in that regard. It was also gratifying to note that the Commission had decided to give those matters thorough study and consideration.

F. *Liability for damage caused by products intended for or involved in international trade*

31. A number of representatives noted the Commission's decision not to pursue work on the subject of products liability at this time and voiced their agreement with that decision. The hope was, however, expressed that the Commission would take up the subject again at a future time when conditions had become more conducive to such work.

G. *Training and assistance in the field of international trade law*

32. Widespread regret was expressed by representatives, especially those from developing countries, at the cancellation of the Second UNCITRAL Symposium on International Trade Law because of insufficiency of voluntary contributions to hold it. Representatives stressed the importance which their respective States attached to the training and assistance activity of the Commission, pointing out that it was only through the availability world-wide of the neces-

⁵ *Ibid.*, *Thirty-first Session, Supplement No. 17, para. 57.*

sary expertise in international trade law that the goal of unification, harmonization and progressive development of that field of law could become a reality. Developing countries were anxious to participate actively in the development of international trade but had so far been handicapped by the lack of the requisite expertise. Furthermore, they had had to continue to depend on knowledgeable foreign trade-partners to carry on their own foreign trade.

33. It was also suggested in that regard that the Commission should consider ways, other than the holding of symposia, which seemed costly and too restrictive in the number of participants and subjects covered, to promote the development of expertise in international trade law, especially among third-world countries. Research assistance facilities through the United Nations University was one possibility mentioned in that connexion.

34. Divergent opinions were expressed with respect to the Commission's recommendation that the General Assembly consider the possibility of providing for the funding of the Commission's symposia on international trade law, in whole or in part, out of the regular budget of the United Nations. Several representatives stated that they did not favour that approach to the funding of the symposia. The Organization's budget had undergone a rapid increase in recent years and should not be burdened with that additional charge, especially in the light of other priorities. Furthermore, the meagreness of voluntary contributions towards its funding could itself be taken as indicative of a lack of interest in the programme by Member States. It was also urged, in that connexion, that the recommendation should not be viewed in isolation but should be measured against the established principles and precedents for the funding of United Nations activities. On that test the cost of holding the UNCITRAL symposia appeared to be of the kind that should be met out of voluntary contributions and not out of the regular United Nations budget.

35. However, most representatives who touched on the matter expressed support for the Commission's recommendations. While recognizing the need to avoid unnecessary charges on the regular budget of the United Nations, representatives nevertheless associated themselves with the Commission's recommendations for a number of reasons. Firstly, the importance of the programme itself had been repeatedly recognized both by the Commission and by Member States; the large number of qualified candidates from many States who had been recommended by their Governments to participate in the symposia was clear evidence both of the value of the programme and the interest of States in its continuation. The Commission, it was recalled, had so far attempted to finance that activity by relying solely on voluntary contributions from Governments and from other sources, with disappointing results. It was only realistic, therefore, to recognize that the only way to continue that valuable programme was to make provision for it in the regular budget of the United Nations. As regards cost, it was noted that only a modest expenditure was involved: the total amount which had been required for the second UNCITRAL symposium was about \$US 25,000. Furthermore, voluntary contributions were not being ruled out; rather, funds would be made available from the regular budget of the United Nations only to supplement, if necessary, the amount received from voluntary contributions.

H. Future work

36. Representatives, noting with satisfaction that the Commission had completed, or was on the verge of completing, work on most of the priority items on its programme and as a result was now engaged in the process of drawing up a new work programme for the future, commended the Commission on the progress thus achieved. Satisfaction was expressed at the fact that the Commission had in that connexion embarked on a process of solicitation of views and consultations with Governments and interested intergovernmental and non-governmental organizations.

37. While indicating that their Governments' formal proposals had already been, or soon would be, communicated to the Commission, several representatives nevertheless mentioned a number of subjects and specific topics which the Commission should consider for inclusion in its new work programme. Among them were: the rules governing the transfer of ownership, *force majeure* clauses in contracts; transport insurance; dispatch agency agreements in the import and export of goods; rules for multimodal transport; contracts for economic co-operation (other than sales contracts); model contracts in fields other than the sale of goods, such as agreements between private parties on licensing and the transfer of technology; the problems created by economic concentration at the international level, including the activities of multinational enterprises, and harmonization of anti-trust legislation. It was also pointed out that the increasing involvement of States and public bodies in international trade had begun to raise questions regarding the border line between private and public law which could form the basis of work by the Commission in collaboration with other competent bodies.

38. Several representatives drew particular attention to the role which they thought the Commission could play in the task of restructuring international economic relations along the lines outlined in the resolutions of the sixth and seventh special sessions of the General Assembly relating to the establishment of a new international economic order. The Commission, it was urged, should not confine itself to the revision of existing texts or to work of a purely technical nature in already established fields. Important issues which could be dealt with in that context included: the elimination of discrimination in international trade; questions relating to raw materials and commodities, the international monetary system and industrialization. The view was, however, expressed in that connexion that the Commission should continue, in its future work, to seek to maintain a balance between a global view of the development of international trade law, on the one hand, and the more concrete work of formulation of draft provisions, on the other.

39. General approval was expressed by representatives of the proposal for more concrete collaboration in the future between the Commission and other international bodies engaged in the work of unification of private law, such as the International Institute for the Unification of Private Law (UNIDROIT) and the Hague Conference on Private International Law, and specifically of the proposal to set up a consultative group composed of representatives of the secretariats of those three bodies to promote such collaboration.

40. Representatives, stressing the importance to international trade and to their respective countries of an

international régime on the carriage of goods by sea, welcomed the Conference of Plenipotentiaries, to be held at Hamburg, from 6 to 31 March 1978, to conclude, on the basis of the draft text elaborated by the Commission at its ninth session, a Convention on the Carriage of Goods by Sea and expressed optimism on the outcome of that Conference. Representatives also voiced their approval of the choice of venue for the Conference, and expressed their appreciation to the Government of the Federal Republic of Germany for its generosity in offering to act as host to the Conference.

41. With respect to the scheduling of the Conference, however, a number of representatives observed that it tended to overlap with the forthcoming session of the United Nations Conference on the Law of the Sea. Care had to be taken to avoid too tight a scheduling of legal conferences as there was a real danger of over-taxing the capacity of many States, especially developing countries, to be represented at such conferences.

I. Other business

42. Several representatives addressed the issue of the possible transfer of the International Trade Law Branch of the Office of Legal Affairs, the secretariat of the Commission, from New York to Vienna. It was said that reasons of efficiency, economy and the convenience of States, particularly developing countries, many of which did not have representation in Vienna, made it desirable for the work of the Commission to continue to be centred in New York. It was also to be hoped that adequate research and support facilities would be available for the secretariat should it be relocated, in order that it might maintain the high quality that had characterized its work. The view was also expressed in that connexion that it would be desirable to seek the opinion of the Commission on the issue.

Decisions

43. At its 47th meeting, the Sixth Committee adopted by consensus draft resolution A/C.6/32/L.8. At its 68th meeting, on 9 December, it adopted a draft decision. [For the text, see para. 45 below.]

Recommendations of the Sixth Committee

44. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the United Nations Commission on International Trade Law

The General Assembly,

Having considered the report of the United Nations Commission on International Trade Law on the work of its tenth session (A/32/17),

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law and defined the object and terms of reference of the Commission, its resolution 3108 (XXVIII) of 12 December 1973, by which it increased the membership of

the Commission, and its resolution 31/99 of 15 December 1976, by which Governments of Member States not members of the Commission were entitled to attend as observers the sessions of the Commission and its Working Groups, as well as its previous resolutions concerning the reports of the Commission on the work of its annual sessions,

Recalling also its resolutions 3201 (S-VI) and 3203 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VI) of 16 September 1975,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic co-operation among all States on a basis of equality and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having regard for the need to take into account the different social and legal systems in harmonizing the rules of international trade law,

Noting with appreciation that the United Nations Commission on International Trade Law has completed, or soon will complete, work on many of the priority items included in its programme of work,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its tenth session;

2. *Commends* the United Nations Commission on International Trade Law for the progress made in its work and for its efforts to enhance the efficiency of its working methods;

3. *Notes with satisfaction* that the United Nations Commission on International Trade Law has completed work on a draft Convention on the International Sale of Goods (*ibid.*, para. 35) and that the Commission intends to place before the General Assembly, at its thirty-third session, draft provisions on the formation and validity of contracts for the international sale of goods, together with appropriate recommendations on the action to be taken with respect to those draft provisions;

4. *Notes with regret* that the second international symposium on international trade law could not be held owing to the insufficiency of voluntary contributions from Governments and other sources;

5. *Recommends* that the United Nations Commission on International Trade Law should:

(a) Continue its work on the topics included in its programme of work;

(b) Continue its work on training and assistance in the field of international trade law, taking into account the special interests of the developing countries;

(c) Maintain close collaboration with the United Nations Conference on Trade and Development and continue to collaborate with international organizations active in the field of international trade law;

(d) Continue to maintain liaison with the Commission on Transnational Corporations with regard to the consideration of legal problems that would be susceptible of action by the United Nations Commission on International Trade Law;

(e) Continue to give special consideration to the interests of developing countries and to bear in mind the special problems of land-locked countries;

(f) Keep its programme of work and working methods under review with the aim of further increasing the effectiveness of its work;

6. *Calls upon* the United Nations Commission on International Trade Law to continue to take account of the relevant provisions of the resolutions adopted by the General Assembly at its sixth and seventh special sessions that laid down the foundations of the new international economic order, bearing in mind the need for United Nations organs to participate in the implementation of those resolutions;

7. *Welcomes* the decision of the United Nations Commission on International Trade Law to review, in the near future, its long-term programme (*ibid.*, para. 36) and, in this connexion, requests Governments to submit their views and suggestions on such a programme;

8. *Expresses the view* that both the draft Convention on the International Sale of Goods and the draft provisions on the formation and validity of contracts for the international sale of goods, referred to in paragraph 3 above, should be considered by a conference of plenipotentiaries at an appropriate time;

9. *Decides* to defer until its thirty-third session, when it shall have received from the United Nations Commission on International Trade Law the recommendations relating to the draft provisions on the formation and validity of contracts for the international sale of goods, a decision as to the appropriate time for convening the conference of plenipotentiaries mentioned in paragraph 8 above and as to the terms of reference of such a conference;

10. *Appeals* to all Governments and to organizations, institutions and individuals to consider making financial and other contributions that would make

possible the holding of symposia on international trade law as envisaged by the United Nations Commission on International Trade Law;

11. *Requests* the Secretary-General to study the problem of how adequate financial resources can be provided for the symposia on international trade law which are organized biannually by the United Nations Commission on International Trade Law, taking into account the availability of voluntary contributions and the relevant recommendation of the Commission adopted at its 185th meeting on 17 June 1977 (*ibid.*, para. 45), and to report to the General Assembly at its thirty-third session;

12. *Requests* the Secretary-General to forward to the United Nations Commission on International Trade Law the records of the discussions at the thirty-second session of the General Assembly on the Commission's report on the work of its tenth session.

* * *

45. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision.

*United Nations Conference on the Carriage
of Goods by Sea*

On the understanding that it is up to the United Nations Conference on the Carriage of Goods by Sea, to be held at Hamburg, Federal Republic of Germany, from 6 to 31 March 1978, to decide on the invitation and status of non-governmental organization-participants, and in the hope that the Conference will give favourable consideration to the matter, the General Assembly:

(a) *Takes note* of paragraph 58 of the report of the United Nations Commission on International Trade Law on the work of its tenth session (A/32/17);

(b) *Decides to request* the Secretary-General to invite the organizations referred to in that paragraph.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/402, para. 44). For the final text, see resolution 32/145.

At the same meeting, the General Assembly adopted the draft decision of the Sixth Committee contained in its report (*ibid.*, para. 45) (see decision 32/438⁶).

⁶ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 113 which are not reproduced in the present fascicle.

Document No.	Title or description	Observations and references
A/32/17	Report of the United Nations Commission on International Trade Law on the work of its tenth session (23 May-17 June 1977)	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 17</i>
A/C.6/32/L.8	Draft resolution	For the sponsors and the text, see A/32/402, paras. 6 and 44
A/C.6/32/L.14	Draft resolution	<i>Idem</i> , para. 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 114:* United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General

CONTENTS

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A/32/412	Report of the Sixth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee, 52nd, 53rd and 62nd meetings; ibid., Sixth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 105th meeting.*

DOCUMENT A/32/412

Report of the Sixth Committee

[Original: English]
[7 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to its resolution 3502 (XXX) of 15 December 1975.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. At the 52nd meeting, on 22 November, the Legal Counsel introduced the report of the Secretary-General (A/32/326).

4. The Sixth Committee considered the item at its 53rd and 62nd meetings, on 23 November and 5 December. The summary records of those meetings contain the views of representatives who spoke during the consideration of the item.

5. At the 62nd meeting, the representative of Ghana introduced a draft resolution (A/C.6/32/L.11 and Corr.1) sponsored by Bangladesh, Cyprus, Denmark, Germany, Federal Republic of, Ghana, Greece, Jamaica, Mali, Qatar, the Syrian Arab Republic, Turkey, and the United Republic of Tanzania, later joined by Algeria, Austria, the Ivory Coast, the Niger, Norway, Sierra Leone and the Sudan (for the text see para. 7 below).

6. At the same meeting, the Committee adopted the draft resolution by consensus.

Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE
TEACHING, STUDY, DISSEMINATION AND WIDER AP-
PRECIATION OF INTERNATIONAL LAW

The General Assembly,

Noting with appreciation the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/32/326) and the recommendations made to the Secretary-General by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, which are contained in that report,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States, international organizations and institutions should be encouraged to give further support to the Programme and to increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Recalling that, in the conduct of the Programme, it is desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others,

1. *Authorizes* the Secretary-General to carry out in 1978 and 1979 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships in 1978 and 1979, at the request of Governments of developing countries;

(b) Assistance in the form of a travel grant for one participant from each developing country who will be invited to the regional courses to be organized in 1978 and 1979; to be financed from provisions in the regular budget and also voluntary financial contributions which would be received as a result of the requests set out in paragraphs 7 and 8 below;

2. *Expresses its appreciation* to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 1976 and 1977;

3. *Expresses its appreciation* to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme, in particular for the efforts made to support the teaching of international law;

4. *Expresses its appreciation* to the United Nations Institute for Training and Research for its participation in the Programme, particularly in the organization of Regional meetings and in the conduct of the fellowship programme in international law sponsored jointly by the United Nations and the Institute;

5. *Expresses its appreciation* to the Governments of the Bahamas, Bangladesh and Qatar for providing host facilities for the regional training and refresher courses held in 1976 and 1977;

6. *Urges* all Governments to encourage the inclusion of courses on international law in the programmes of legal studies offered at institutions of higher learning;

7. *Requests* the Secretary-General to continue to publicize the Programme and to invite periodically Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise assisting in its implementation and possible expansion;

8. *Reiterates* its request to Member States and to interested organizations and individuals to make voluntary contributions towards the financing of the Programme and expresses its appreciation to those Member States which have made voluntary contributions for this purpose;

9. *Requests* the Secretary-General to report to the General Assembly at its thirty-fourth session on the implementation of the Programme during 1978 and 1979 and, following consultations with the Advisory Committee of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, to submit recommendations regarding the execution of the Programme in subsequent years;

10. *Decides* to include in the provisional agenda of its thirty-fourth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/412, para. 7). For the final text, see resolution 32/146.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 114 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/326	Report of the Secretary-General	Mimeographed
A/C.6/32/L.11 and Corr.1	Draft resolution	For the sponsors and the text, see A/32/412, paras. 5 and 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 115:* Respect for human rights in armed conflicts: report of the Secretary-General**

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A/32/396	Report of the Sixth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee*, 14th to 19th and 50th meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 97th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 49), twenty-eighth (item 96), twenty-ninth (items 92 and 12), thirtieth (items 114 and 70) and thirty-first (item 111).

DOCUMENT A/32/396

Report of the Sixth Committee

[Original: English]
[1 December 1977]

1. The item entitled "Respect for human rights in armed conflicts: report of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to paragraph 6 of Assembly resolution 31/19 of 24 November 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 14th to 19th meetings, between 11 and 17 October 1977, and at its 50th meeting, on 18 November. The summary records of those meetings contain the views of representatives who spoke during the consideration of the item.

4. In connexion with the item, the Committee had before it a report of the Secretary-General on the results of the fourth session of the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held at Geneva from 17 March to 10 June 1977 (A/32/144 and Add.1), submitted pursuant to paragraph 5 of General Assembly resolution 31/19.

5. At its 14th meeting, on 11 October, the Sixth Committee decided to invite the representative of Switzerland, the country which had convened and acted as host for the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, to participate in the debate of the Committee on the item.

6. On 28 October, Austria, Bangladesh, Canada, Cyprus, Denmark, Egypt, Finland, Jamaica, Kenya,

Liberia, Mali, Mexico, the Netherlands, Norway, Pakistan, Sweden and Yugoslavia submitted a draft resolution (A/C.6/32/L.6).

7. At the 50th meeting, on 18 November, the representative of Sweden introduced a revised draft resolution (A/C.6/32/L.6/Rev.1) sponsored by Austria, Bangladesh, Canada, Cyprus, Denmark, Egypt, Finland, Ghana, Honduras, Jamaica, Kenya, Liberia, the Libyan Arab Jamahiriya, Mali, Mexico, Morocco, the Netherlands, Nigeria, Norway, Pakistan, Senegal, the Sudan, Sweden and Yugoslavia, later joined by El Salvador, Sierra Leone and Swaziland (for the text, see para. 9 below).

8. At the same meeting, the Sixth Committee adopted the draft resolution by consensus. Also at the same meeting, the representatives of Somalia, the Ivory Coast, Togo, Tunisia and Israel made statements.

Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

RESPECT FOR HUMAN RIGHTS IN ARMED CONFLICTS

The General Assembly,

Mindful of the necessity to eliminate the scourge of war which has brought untold sorrow to mankind,

Recalling the fundamental principle of international law set out in Article 2, paragraph 4, of the Charter of the United Nations that all Members shall refrain from the threat or use of force in their international relations,

Reaffirming the need to secure the full observance of human rights in armed conflicts pending the earliest possible termination of such conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts, in particular the Hague Conventions of 1899 and 1907,¹ the Geneva Protocol of 1925² and the Geneva Conventions of 1949,³

Noting the report of the Secretary-General on the fourth session of the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held at Geneva from 17 March to 10 June 1977 (A/32/144 and Add.1),

1. *Welcomes* the successful conclusion of the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts which has resulted in two Protocols Additional to the Geneva Conventions of 12 August 1949, adopted by the Diplomatic Conference on 8 June 1977, namely, Protocol I relating to the Protection of Victims of International Armed Conflicts (A/32/144, annex I) and Protocol II relating to the Protection of Victims of Non-International Armed Conflicts (*ibid.*, annex II);

2. *Notes* the recommendation, approved by the Diplomatic Conference, that a special conference be called on the issue of prohibition or restriction of use for humanitarian reasons of specific conventional weapons;

¹ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

² League of Nations, *Treaty Series*, vol. XCIV, No. 2138, p. 65.

³ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

3. *Expresses its appreciation* to the Swiss Federal Council for acting as host to the four sessions of the Diplomatic Conference and to the International Committee of the Red Cross for preparing the basis for discussion and for its constant assistance to the Conference;

4. *Urges* States to consider without delay the matter of signing and ratifying or acceding to the two Protocols Additional to the Geneva Conventions of 1949, which will be opened for signature on 12 December 1977 in Berne;

5. *Appeals* to States which have not done so to become parties to the Geneva Conventions of 1949;

6. *Calls upon* all parties to armed conflicts to acknowledge and to comply with their obligations under the existing instruments of international humanitarian law and to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949;

7. *Calls upon* all States to take effective steps for the dissemination of humanitarian rules applicable in armed conflicts;

8. *Requests* the Secretary-General to submit to the General Assembly at its thirty-fourth session a report concerning the state of signatures and ratification of the Protocols Additional to the Geneva Conventions of 1949 and decides to include in the provisional agenda of its thirty-fourth session an item entitled "Report of the Secretary-General on the state of signatures and ratifications of the Protocols Additional to the Geneva Conventions of 1949 concerning the respect for human rights in armed conflicts".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 8 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/396, para. 9). For the final text, see resolution 32/44.⁴

⁴ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 115 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/144 and Add.1	Report of the Secretary-General on the fourth session of the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts	Mimeographed
A/32/496	Note verbale dated 20 December 1977 from the Mission of the United Republic of Cameroon addressed to the Secretariat transmitting the text of the Yaoundé Declaration on humanitarian law	Ditto
A/C.6/32/L.6	Draft resolution	Replaced by A/C.6/32/L.6/Rev.1
A/C.6/32/L.6/Rev.1	Revised draft resolution	For the sponsors and the text, see A/32/396, paras. 7 and 9

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 116:* Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization**

CONTENTS

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A/32/338	Report of the Sixth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee*, 19th to 23rd, 25th to 30th, 32nd and 33rd meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 47th meeting; *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 97th meeting.

**Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda items 89 and 24), twenty-eighth (item 25), twenty-ninth (items 95 and 20), thirtieth (items 113 and 29) and thirty-first (item 110).

DOCUMENT A/32/338

Report of the Sixth Committee

[Original: English]
[15 November 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to paragraph 6 of Assembly resolution 31/28 of 29 November 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and to allocate it to the Sixth Committee.

3. At the 19th meeting, on 17 October, the representative of Finland, Mr. Bengt H. G. A. Broms, in his capacity as Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, introduced the Committee's report (A/32/33).

4. The Sixth Committee considered the item at its 19th to 23rd, 25th to 30th, 32nd and 33rd meetings, held between 17 and 31 October. The summary records of those meetings contain the views of representatives who spoke during the consideration of the item.

5. At the 20th meeting, on 18 October, the representative of the Philippines introduced a draft resolution (A/C.6/32/L.2) sponsored by Algeria, Argentina, Australia, Bangladesh, Benin, Bolivia, Brazil, Burundi, the Central African Empire, Chad, Colombia, Ecuador, Egypt, El Salvador, Ghana, Guinea, Guinea-Bissau, Honduras, India, Indonesia, Iran, Iraq, Italy, Jamaica, Japan, Jordan, Kuwait, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Morocco, Mozambique, New Zealand, the Niger, Nigeria, Panama, Papua New Guinea, Peru, the Philippines, Portugal, Romania, Senegal, Singapore, Somalia, Spain, Sri Lanka, the Sudan, Swaziland, the Syrian Arab Republic, Thailand, Togo, Tunisia, the United

Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire and Zambia, later joined by Turkey. At the 33rd meeting, on 31 October, the Chairman announced that, after the Sixth Committee had taken its decision on the draft resolution (see para. 9 below), the delegations of Angola and Cyprus had informed him of their desire to be sponsors of the draft resolution. [For the text, see para. 11 below.]

6. Cyprus submitted an amendment (A/C.6/32/L.3) to the draft resolution, which called for the insertion, in operative paragraph 2, of a new subparagraph (c) to read as follows:

“(c) To concentrate first on those proposals which strengthen the role of the United Nations without requiring amendment of the Charter”.

7. At the 32nd meeting, on 28 October, the representative of Cyprus withdrew the amendment. His statement and statements made by other representatives thereon are included in the summary record of the 32nd meeting.

8. The Sixth Committee had before it a note by the Secretary-General (A/C.6/32/L.5) on the administrative and financial implications of draft resolution A/C.6/32/L.2. At the 32nd meeting, the Secretary of the Committee made a further statement in that connexion. In addition, the representative of the Budget Division made a statement in response to certain questions raised.

9. At its 32nd meeting, the Sixth Committee adopted without a vote draft resolution A/C.6/32/L.2 (see para. 11 below).

10. At the same meeting, the Sixth Committee also decided that the Special Committee on the Char-

ter of the United Nations and on the Strengthening of the Role of the Organization should meet at United Nations Headquarters from 27 February to 24 March 1978.

Recommendation of the Sixth Committee

11. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolutions 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 December 1970, 2968 (XXVII) of 14 December 1972 and 3349 (XXIX) of 17 December 1974,

Recalling also its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

Recalling especially its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its resolution 31/28 of 29 November 1976,

Having considered the report of the Special Committee (A/32/33),

Noting that the Special Committee has examined in detail the observations received from Governments contained in the Secretary-General's analytical study concerning suggestions and proposals regarding the Charter of the United Nations and the strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of interna-

tional law in relations between States (*ibid.*, annex II, document A/AC.182/L.2),

Considering that the Special Committee has not yet completed the mandate given to it,

Reaffirming its support for the purposes and principles set forth in the Charter of the United Nations,

1. Takes note of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;

2. Decides that the Special Committee should continue its work in pursuance of the following tasks with which it is entrusted:

(a) To list the proposals which have been made or will be made in the Committee and to identify those which have awakened special interest;

(b) To examine proposals which have been made or will be made in the Committee with a view to according priority to the consideration of those areas on which general agreement is possible;

3. Requests the Special Committee to be mindful of the importance of reaching general agreement whenever it has significance for the outcome of its work;

4. Urges members of the Special Committee to participate fully in its work in fulfilment of the mandate entrusted to it;

5. Invites Governments to submit, or to bring up to date, their observations and proposals in accordance with General Assembly resolution 3499 (XXX);

6. Requests the Secretary-General to render all assistance to the Special Committee, including the preparation of summary records of its meetings;

7. Requests the Special Committee to submit a report on its work to the General Assembly at its thirty-third session;

8. Decides to include in the provisional agenda of its thirty-third session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 8 December 1977, the General Assembly took note of the decision contained in the report of the Sixth Committee (A/32/338, para. 10). At the same meeting, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (*ibid.*, para. 11). For the final text, see resolution 32/45.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 116 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/33	Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 33</i>

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/58 and Add.1 and 2	Report of the Secretary-General	Mimeographed
A/32/133	Letter dated 6 July 1977 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General	Ditto
A/32/235	Letter dated 23 September 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General	Ditto
A/C.6/32/L.2	Draft resolution	For the sponsors and the text, see A/32/338, paras. 5 and 11
A/C.6/32/L.3	Amendment to document A/C.6/32/L.2	<i>Idem</i> , para. 6
A/C.6/32/L.5	Administrative and financial implications of the draft resolution contained in document A/C.6/32/L.2: note by the Secretary-General	Mimeographed
<i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/338</i>		
A/C.5/32/43	Note by the Secretary-General	Ditto
A/32/409	Report of the Fifth Committee	See <i>Official Records of the General Assembly, Thirty-second Session, Annexes</i> , agenda item 100

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 117:* Report of the Committee on Relations with the Host Country**

CONTENTS

Document No.	Title	Page
A/32/406	Report of the Sixth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee*, 51st, 52nd and 59th meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 97th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 91), twenty-eighth (item 99), twenty-ninth (item 94), thirtieth (item 112) and thirty-first (item 109).

DOCUMENT A/32/406

Report of the Sixth Committee

[Original: English]
[6 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to its resolution 31/101 of 15 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. At the 51st meeting, on 21 November, the Chairman of the Committee on Relations with the Host Country introduced the report (A/32/26).

4. The Sixth Committee considered the item at its 51st, 52nd and 59th meetings, on 21, 22 and 30 November. The summary records of those meetings contain the views of representatives who spoke during the consideration of the item.

5. At the 59th meeting, on 30 November, the Chairman of the Committee on Relations with the Host Country introduced a draft resolution (A/C.6/32/L.12) sponsored by Cyprus. [For the text, see para. 7 below.]

6. At the same meeting, the Committee adopted the draft resolution by consensus.

Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

*Report of the Committee on Relations with the
Host Country*

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country (A/32/26),

1. *Accepts* the recommendations of the Committee on Relations with the Host Country contained in paragraph 26 of its report;

2. *Decides* to continue the work of the Committee on Relations with the Host Country, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971, with the purpose of examining on a more regular basis all matters falling within its terms of reference and requests the Secretary-General to provide the Committee with all necessary assistance;

3. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Report of the Committee on Relations with the Host Country".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 8 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/406, para. 7). For the final text, see resolution 32/46.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 117 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/26	Report of the Committee on Relations with the Host Country	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 26</i>
A/C.6/32/L.12	Cyprus: draft resolution	See A/32/406, paras. 5 and 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 118:* Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms, and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes: report of the *Ad Hoc* Committee on International Terrorism**

CONTENTS

Document No.	Title	Page
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee, 54th to 59th and 68th meetings; ibid., Sixth Committee, Sessional Fascicle*, corrigendum; *ibid., Fifth Committee, 64th meeting; ibid., Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings*, 105th meeting.

**Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 92), twenty-eighth (item 94), twenty-ninth (item 91), thirtieth (item 116) and thirty-first (item 113).

DOCUMENT A/32/453

Report of the Sixth Committee

[Original: English]
[15 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to paragraph 12 of Assembly resolution 31/102 of 15 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and to allocate it to the Sixth Committee.

3. At the 54th meeting, on 25 November, the representative of Iran, Mr. Fereydoun Hoveyda, in his capacity as Chairman of the *Ad Hoc* Committee on International Terrorism, introduced the Committee's report (A/32/37).

4. The Sixth Committee considered the item at its 54th to 59th and 68th meetings, between 25 November and 9 December 1977. The summary records of those meetings contain the views of representatives who spoke during the consideration of the item.

5. At the 68th meeting, on 9 December, the representative of Togo introduced a draft resolution (A/C.6/32/L.13) sponsored by Algeria, Burundi, the Congo, Democratic Yemen, Egypt, Ethiopia, Ghana, Guinea, Kenya, the Lao People's Democratic Republic, Lesotho, the Libyan Arab Jamahiriya, Mali, Morocco, the Niger, Nigeria, the Sudan, Togo, Tunisia, Uganda, the United Republic of Tanzania, Yemen, Zaire and Zambia, later joined by Afghanistan and Somalia (for the text, see para. 8 below).

6. The Sixth Committee had before it a note by the Secretary-General (A/C.6/32/L.17) on the ad-

ministrative and financial implications of the draft resolution.

7. At its 68th meeting, the Sixth Committee adopted the draft resolution by a roll-call vote of 89 to 9, with 24 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chile, China, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, German Democratic Republic, Ghana, Guinea, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Surinam, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.¹

¹ Subsequently, the delegations of Bolivia, Cyprus, Equatorial Guinea and Gabon indicated that, had they been present during the vote, they would have voted in favour of the draft resolution.

Against: Australia, Belgium, Canada, Israel, Japan, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Colombia, Denmark, El Salvador, Finland, France, Germany, Federal Republic of Greece, Guatemala, Iceland, Ireland, Italy, New Zealand, Nicaragua, Norway, Papua New Guinea, Philippines, Portugal, Singapore, Spain, Sweden, Thailand, Turkey, Uruguay.

The representatives of the United States of America and Guatemala made statements in explanation of vote before the vote. The representatives of Ecuador, Nicaragua, the United Kingdom of Great Britain and Northern Ireland, Chile, Israel, Japan, Uruguay, France, Austria, Sierra Leone, Greece, Canada, Sweden, Italy, Belgium, and Algeria made statements in explanation of vote after the vote.

Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms, and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes

The General Assembly,

Deeply perturbed over acts of international terrorism which are occurring with increasing frequency and which take a toll of innocent human lives,

Recognizing the importance of international co-operation in devising measures effectively to prevent their occurrence and of studying their underlying causes with a view to finding just and peaceful solutions as quickly as possible,

Recalling the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,²

Taking note of the report of the *Ad Hoc* Committee on International Terrorism (A/32/37),

Deeply convinced of the importance to mankind of the continuation of the work of the *Ad Hoc* Committee,

1. *Expresses deep concern* over increasing acts of international terrorism which endanger or take in-

nocent human lives or jeopardize fundamental freedoms;

2. *Urges* States to continue to seek just and peaceful solutions to the underlying causes which give rise to such acts of violence;

3. *Reaffirms* the inalienable right to self-determination and independence of all peoples under colonial and racist régimes and other forms of alien domination, and upholds the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the organs of the United Nations;

4. *Condemns* the continuation of repressive and terrorist acts by colonial, racist and alien régimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms;

5. *Appeals* to States which have not yet done so to examine the possibility of becoming parties to the existing international conventions which relate to various aspects of the problem of international terrorism;

6. *Invites* States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem, bearing in mind the provisions of paragraph 3 above;

7. *Invites* the *Ad Hoc* Committee on International Terrorism to continue its work in accordance with the mandate entrusted to it under General Assembly resolution 3034 (XXVII) of 18 December 1972, first by studying the underlying causes of terrorism and then by recommending practical measures to combat terrorism;

8. *Invites* the States which have not yet done so to submit their observations and concrete proposals as soon as possible to the Secretary-General so as to enable the *Ad Hoc* Committee to carry out its mandate more efficiently;

9. *Requests* the Secretary-General to transmit to the *Ad Hoc* Committee an analytical study of the observations of States submitted under paragraph 8 above;

10. *Requests* the *Ad Hoc* Committee to consider the observations of States under paragraph 8 above and to submit its report with recommendations for possible co-operation for the speedy elimination of the problem, bearing in mind the provisions of paragraph 3, to the General Assembly at its thirty-fourth session;

11. *Requests* the Secretary-General to provide the *Ad Hoc* Committee with the necessary facilities and services, including summary records of its meetings;

12. *Decides* to include the item in the provisional agenda of its thirty-fourth session.

² General Assembly resolution 2625 (XXV), annex.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly, by a recorded vote of 91 to 9, with 28 abstentions, adopted the draft resolution submitted by the Sixth Committee in its report (A/32/453, para. 8). For the final text, see resolution 32/147.³

³ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 118 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/37	Report of the <i>Ad Hoc</i> Committee on International Terrorism	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 37</i>
A/32/420	Letter dated 6 December 1977 from the representative of Israel to the Secretary-General	Mimeographed
A/32/495	Letter dated 20 December 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General	Ditto
A/C.6/32/4	Letter dated 20 October 1977 from the Chargé d'affaires, a.i. of the Permanent Mission of Venezuela to the United Nations addressed to the Secretary-General	Ditto
A/C.6/32/L.13	Draft resolution	For the sponsors and the text, see A/32/453, paras. 5 and 8
A/C.6/32/L.17	Administrative and financial implications of the draft resolution contained in document A/C.6/32/L.13: note by the Secretary-General	Mimeographed
<i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/453</i>		
A/C.5/32/88	Note by the Secretary-General	Mimeographed
A/32/475	Report of the Fifth Committee	See <i>Official Records of the General Assembly, Thirty-second Session, Annexes</i> , agenda item 100

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 119:* Drafting of an international convention against the taking of hostages:** report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Taking of Hostages

CONTENTS

Document No.	Title	Page
A/32/467	Report of the Sixth Committee	1
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee, 59th to 63rd and 69th meetings; ibid., Sixth Committee, Sessional Fascicle, corrigendum; ibid., Fifth Committee, 64th meeting; ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 105th meeting.*

** This question was previously discussed by the General Assembly at its thirty-first session (agenda item 123).

DOCUMENT A/32/467

Report of the Sixth Committee

[Original: English]
[15 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to paragraph 6 of Assembly resolution 31/103 of 15 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 59th to 63rd and 69th meetings, between 30 November and 12 December 1977. The summary records of those meetings contain the views of representatives who spoke during the consideration of this item.

4. At the 59th meeting, on 30 November, the representative of the Federal Republic of Germany introduced a draft resolution (A/C.6/32/L.10), sponsored by Argentina, Australia, Austria, Belgium, Brazil, Canada, the Central African Empire, Chile, Colombia, Costa Rica, Denmark, Ecuador, El Salvador, Finland, France, Germany, Federal Republic of, Greece, India, Iran, Ireland, Italy, the Ivory Coast, Japan, Kenya, Lesotho, Liberia, Luxembourg, Malaysia, Morocco, Nepal, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, the Philippines, Portugal, Senegal, Sierra Leone, Singapore, Spain, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, later joined by Algeria, Bolivia, Chad, Fiji, Ghana, Guatemala, Honduras, Iceland, Indonesia, Mali, Mauritania, Mexico, Papua New Guinea, Samoa, Somalia and Surinam (for the text, see para. 7 below).

5. The Sixth Committee had before it a note by the Secretary-General (A/C.6/32/L.15) on the ad-

ministrative and financial implications of the draft resolution.

6. At its 69th meeting, on 12 December, the Sixth Committee adopted the draft resolution by consensus. Statements were made by the representative of the United Republic of Tanzania before the adoption of the draft resolution and by the representative of the Federal Republic of Germany after its adoption.

Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Drafting of an international convention against the taking of hostages

The General Assembly,

Recalling its resolution 31/103 of 15 December 1976,

Having considered the report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Taking of Hostages (A/32/39),

Considering that the *Ad Hoc* Committee has been unable to complete the mandate given to it within the allocated time,

Mindful of the need to conclude, under the auspices of the United Nations, an international convention against the taking of hostages, taking into account the urgency of formulating effective measures to put an end to the taking of hostages,

Bearing in mind the recommendation of the *Ad Hoc* Committee that it should continue its work in 1978 (*ibid.*, para. 14),

1. *Takes note* of the report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Taking of Hostages;

2. *Decides* that the *Ad Hoc* Committee, as constituted (*ibid.*, para. 3), should continue, in accordance with paragraph 3 of General Assembly resolution 31/103, to draft at the earliest possible date an international convention against the taking of hostages and, in the fulfilment of its mandate, to consider suggestions and proposals from any State, bearing in mind the views expressed during the debate on this item at the thirty-second session of the Assembly;

3. *Invites* Governments to submit, or to bring up to date, suggestions and proposals for consideration by the *Ad Hoc* Committee;

4. *Requests* the Secretary-General to render all assistance to the *Ad Hoc* Committee, including the preparation of summary records of its meetings;

5. *Requests* the *Ad Hoc* Committee to submit its report and to make every effort to submit a draft convention against the taking of hostages to the General Assembly at its thirty-third session;

6. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Drafting of an international convention against the taking of hostages".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/467, para. 7). For the final text, see resolution 32/148.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 119 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/39	Report of the <i>Ad Hoc</i> Committee on the Drafting of an International Convention against the Taking of Hostages	<i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 39</i>
A/C.6/32/4	Letter dated 20 October 1977 from the Chargé d'affaires, a.i. of the Permanent Mission of Venezuela to the United Nations addressed to the Secretary-General	Mimeographed
A/C.6/32/L.10	Draft resolution	For the sponsors and the text, see A/32/467, paras. 4 and 7
A/C.6/32/L.15	Administrative and financial implications of the draft resolution contained in document A/C.6/32/L.10: note by the Secretary-General	Mimeographed
<i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/467</i>		
A/C.5/32/87	Note by the Secretary-General	Mimeographed
A/32/476	Report of the Fifth Committee	See <i>Official Records of the General Assembly, Thirty-second Session, Annexes</i> , agenda item 100

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 120:* Resolutions adopted by the United Nations Conference on the Representation of States in Their Relations with International Organizations:**

- (a) Resolution relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States;
- (b) Resolution relating to the application of the Convention in future activities of international organizations

DOCUMENT A/32/468

Report of the Sixth Committee

[Original: English]
[15 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to its decision 31/408 of 13 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the Sixth Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. At its 69th meeting, on 12 December, the Sixth Committee agreed that, because of the lack of time, consideration of the item should be deferred until the thirty-third session of the General Assembly.

Recommendation of the Sixth Committee

4. The Sixth Committee recommends to the General Assembly that the item entitled "Resolutions adopted by the United Nations Conference on the Representation of States in Their Relations with International Organizations" should be included in the provisional agenda of its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the recommendation of the Sixth Committee contained in paragraph 4 of its report (A/32/468) (see decision 32/439¹).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee, 69th meeting; ibid., Sixth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 105th meeting*.

** This question was also on the agenda of the General Assembly at the thirtieth session (agenda item 118) and at the thirty-first (item 114).

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 121:* Consolidation and progressive evolution of the norms and principles
of international economic development law**

DOCUMENT A/32/469

Report of the Sixth Committee

[Original: English]
[15 December 1977]

1. This item was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to its decision 31/409 of 13 December 1976.

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee had before it a draft resolution (A/C.6/32/L.16) submitted by the Philippines.

4. At its 69th meeting, on 12 December, the Sixth Committee agreed that, because of the lack of time, consideration of the item should be deferred until the thirty-third session of the General Assembly.

Recommendation of the Sixth Committee

5. The Sixth Committee recommends to the General Assembly that the item entitled "Consolidation and progressive evolution of the norms and principles of international economic development law" should be included in the provisional agenda of its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the recommendation of the Sixth Committee contained in paragraph 5 of its report (A/32/469) (see decision 32/440¹).

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 121 which are not reproduced in the present fascicle.

Document No.	Title or description	Observations and references
A/31/172	Note by the Secretary-General	Mimeographed
A/32/133	Letter dated 6 July 1977 from the Chargé d'affaires, a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General	Ditto
A/32/235	Letter dated 23 September 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General	Ditto
A/C.6/32/L.16	Philippines: draft resolution	Ditto

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee, 69th meeting; ibid., Sixth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 105th meeting.*

** This question was previously discussed by the General Assembly at its thirtieth session (under agenda item 12) and at its thirty-first session (agenda item 115).

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 122:* Recommendation adopted by the United Nations Conference on Succession of States in Respect of Treaties**

CONTENTS

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee*, 12th, 13th, 18th and 43rd meetings: *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 57th meeting; and *ibid.*, *Plenary Meetings*, 97th meeting.

** Since 1972, the General Assembly has discussed the question of the succession of States in respect to treaties at the following sessions: twenty-seventh (agenda item 85), twenty-eighth (item 89), twenty-ninth (item 87 relating to the annual reports of the International Law Commission), thirtieth (item 109) and thirty-first (item 107).

DOCUMENTS A/32/141 AND ADD.1

Secretary-General: request for the inclusion of an item in the provisional agenda of the thirty-second session

Note by the Secretary-General

DOCUMENT A/32/141

PART I

[Original: English]
[8 June 1977]

Pursuant to rule 13 (g) of the rules of procedure of the General Assembly, the Secretary-General has the honour to propose the inclusion in the agenda of the thirty-second session of the General Assembly of an item entitled: "Recommendation adopted by the United Nations Conference on Succession of States in Respect of Treaties".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is attached.

ANNEX

EXPLANATORY MEMORANDUM

1. By resolution 3496 (XXX) of 15 December 1975, the General Assembly decided to convene a conference of plenipotentiaries in 1977 to consider the draft articles on succession of States in respect of treaties, adopted by the International Law Commission at its twenty-sixth session,¹ and to embody the results of its work in an international convention and such other instruments as it might deem appropriate. Subse-

quently, by resolution 31/18 of 24 November 1976, the General Assembly, after noting that an invitation had been extended by the Government of Austria to hold the Conference at Vienna, decided that the Conference would be held from 4 April to 6 May 1977 at that city.

2. The United Nations Conference on Succession of States in Respect of Treaties met at Vienna during the above-mentioned period. It elected Mr. Karl Zemanek (Austria) as President of the Conference.

3. The Conference decided that the basic proposal before it, namely, the draft articles on succession of States in respect of treaties prepared by the International Law Commission as well as the amendments and the additional articles proposed by participating delegations, would be first considered by a Committee of the Whole established by the Conference. The texts adopted by the Committee of the Whole were referred to a Drafting Committee which was responsible for preparing drafts and giving advice on drafting as requested.

4. At the conclusion of the session, the Conference in plenary meeting adopted 25 of the 39 articles of the basic proposal, namely, all the articles whose examination had been completed by the Committee of the Whole. The articles already adopted by the Conference in plenary meeting are articles 1, 3 to 5, 8 to 11 and 13 to 29. These articles relate to part I (General provisions), part II (Succession in respect of part of territory) and part III (Newly independent States) of the basic proposal. In addition, the Committee of the Whole initially considered the four remaining draft articles of those three parts of the basic proposal as well as the amendments and the additional articles proposed by participating delegations relating thereto. Three of these draft articles (articles 6,

¹ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 10*, chap. II, sect. D.

7 and 12) were referred by the Committee of the Whole to an informal consultation group and a proposed new article (article 22 *bis*), on notifications by the depositary, to the Drafting Committee. After an initial debate, the Committee of the Whole left to a later stage its consideration of draft article 2 (Use of terms), in accordance with the practice followed in codification conferences. The draft articles contained in part IV (Uniting and separation of States) and part V (Miscellaneous provisions) of the basic proposal, namely, draft articles 30 to 39, and related amendments and new articles proposed by participating delegations have not yet been considered by the Committee of the Whole. The Drafting Committee has been entrusted with the task of preparing drafts, for submission directly to the Conference in plenary meeting concerning the preamble and the final clauses of the future convention.

5. At its 7th plenary meeting, on 6 May 1977, the Conference adopted a recommendation requiring consideration by the General Assembly. The recommendation reads as follows:

"The United Nations Conference on Succession of States in Respect of Treaties,

"Bearing in mind General Assembly resolution 3496 (XXX) of 15 December 1975, by which the Assembly decided to convene a conference of plenipotentiaries in 1977 to consider the draft articles on succession of States in respect of treaties, adopted by the International Law Commission at its twenty-sixth session, and to embody the results of its work in an international convention and such other instruments as it might deem appropriate,

"Having met at Vienna from 4 April to 6 May 1977, in accordance with General Assembly resolution 31/18 of 24 November 1976,

"Expressing its deep appreciation and gratitude to the Government of Austria for making possible the holding of the Conference in the capital of Austria,

"Noting that owing to the intrinsic complexity of the subject-matter it has not been possible for the Conference in the time available to conclude its work and to adopt an international convention and other appropriate instruments, as requested by the General Assembly in resolution 3496 (XXX),

"Taking note of the statement of the representative of Austria that the invitation of the Government of Austria referred to in General Assembly resolution 31/18 would extend to a resumed session of the Conference, which would make it possible for the Conference to continue its work at Vienna in 1978,

"Convinced that one more session would enable it to conclude its work as envisaged by the General Assembly,

"1. Adopts the report on its work for the period from 4 April to 6 May 1977;

"2. Requests the Secretary-General to transmit that report to the General Assembly at its thirty-second session;

"3. Recommends that the General Assembly should decide to reconvene the United Nations Conference on Succession of States in Respect of Treaties in the first half of 1978, preferably in April at Vienna, for a final session of four weeks."

6. The recommendation quoted above was included in the report of the United Nations Conference on Succession of States in Respect of Treaties (A/CONF.80/15) approved by

the Conference. The text of the articles already adopted by the Conference in plenary meeting, the report of the Committee of the Whole (A/CONF.80/14) and a check list of documents of the Conference were annexed to the report of the Conference.

DOCUMENT A/32/141/Add.1

PART II

[Original: English]
[20 July 1977]

Subsequent to the circulation of his request for the inclusion in the provisional agenda of the item entitled "Recommendation adopted by the United Nations Conference on Succession of States in Respect of Treaties" (A/32/141), the Secretary-General has received from the Acting Permanent Representative of Austria to the United Nations a communication dated 30 June 1977, the substance of which reads as follows:

"It will be recalled that on 24 November 1976 the General Assembly adopted resolution 31/18, accepting the invitation of the Government of Austria to hold the United Nations Conference on Succession of States in Respect of Treaties in Vienna, capital of Austria. Accordingly, when towards the end of its session the Conference discussed the issue of how to conclude its work and unanimously agreed to recommend to the General Assembly that it should decide to reconvene the Conference for a final session in 1978, it was only natural for the representative of Austria to remind the Conference that as a matter of course the original invitation of the Government of Austria, accepted by the General Assembly in resolution 31/18, extended to a resumed session as well. In the preamble of its recommendation the Conference took note of the relevant statement of the representative of Austria and consequently, in operative paragraph 3 of the same recommendation, expressed the view that preferably the resumed (final) session should be convened in Vienna (*ibid.*, annex, para. 5).

"In view of this, the Acting Permanent Representative of Austria wishes to state again that the Government of Austria sincerely hopes that the General Assembly will decide to reconvene the United Nations Conference on Succession of States in Respect of Treaties in Vienna, as recommended by the Conference itself. In reiterating the Austrian invitation, reference is also made to Austria's long-standing tradition of hosting United Nations codification conferences, a tradition which was established as early as 1961. Holding the resumed session of the United Nations Conference on Succession of States in Respect of Treaties in the capital of Austria would be in line not only with the just mentioned tradition of the Austrian Government; it would also be consistent with the policy the United Nations has followed in the matter so far."

DOCUMENT A/32/366

Report of the Sixth Committee

[Original: English]
[28 November 1977]

1. Pursuant to rule 13 (g) of the rules of procedure of the General Assembly, the Secretary-General proposed the inclusion in the provisional agenda of the thirty-second session of the General Assembly of an item entitled "Recommendation adopted by the United Nations Conference on Succession of States in respect of Treaties" (A/32/141 and Add.1).

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 12th, 13th, 18th and 43rd meetings on 7, 11 and 14 October and 11 November 1977.

4. At the 43rd meeting, on 11 November 1977, the representative of Austria introduced a draft resolution (A/C.6/32/L.4), sponsored by Austria, Bulgaria, Canada, Egypt, Finland, India, Italy, Jamaica, the Niger, Norway, the Philippines, Spain, Sweden, Tunisia, the United Arab Emirates and the United Republic of Tanzania, later joined by Argentina, Morocco and the Sudan. [For the text, see para. 7 below.]

5. The Sixth Committee had before it a note by the Secretary-General (A/C.6/32/L.7) on the administrative and financial implications of the draft resolution. The note was orally corrected at the 43rd meeting by the Secretary of the Committee.

6. At the same meeting, the Committee adopted the draft resolution by consensus. The representative of Israel made a statement in that connexion.

Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

UNITED NATIONS CONFERENCE ON SUCCESSION OF STATES IN RESPECT OF TREATIES

The General Assembly,

Recalling its resolution 3496 (XXX) of 15 December 1975, by which it decided to convene a conference of plenipotentiaries in 1977 to consider the draft ar-

ticles on succession of States in respect of treaties, adopted by the International Law Commission at its twenty-sixth session,² and to embody the results of its work in an international convention and such other instruments as it might deem appropriate,

Recalling further its resolution 31/18 of 24 November 1976, by which, after noting that an invitation had been extended by the Government of Austria to hold the United Nations Conference on Succession of States in Respect of Treaties at Vienna, it had decided that the Conference would be held in that city,

Noting that the Conference met at Vienna from 4 April to 6 May 1977, in accordance with the above-mentioned resolutions, but that it was not possible in the time available for the Conference to conclude its work and to adopt an international convention and other appropriate instruments, as requested by the General Assembly,

Noting further the view of the Conference that one more session would enable it to conclude its work as envisaged by the General Assembly,

Bearing in mind the recommendation unanimously adopted by the Conference that it should be reconvened at Vienna for a final session of four weeks,

Taking into account the invitation of the Government of Austria, accepted by the General Assembly in resolution 31/18, which extends also to a resumed session of the Conference (A/32/141/Add.1),

1. *Takes note* of the report of the United Nations Conference on Succession of States in Respect of Treaties (A/CONF.80/15);

2. *Approves* the convening of a resumed session of the United Nations Conference on Succession of States in Respect of Treaties at Vienna for a period of three weeks, from 31 July to 18 August 1978, with a possible extension of up to one further week should this prove necessary in the view of the Conference;

3. *Requests* the Secretary-General to make the necessary arrangements, as provided under General Assembly resolution 31/18, for the efficient servicing of the Conference;

4. *Expresses its firm conviction* that the Conference will thus conclude its work and adopt an international convention and other appropriate instruments as requested by the General Assembly.

² *Ibid.*

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 8 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/366, para. 7). For the final text, see resolution 32/47.³

³ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 122 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/C.6/32/L.4	Draft resolution	For the sponsors and the text, see A/32/366, paras. 4 and 7
A/C.6/32/L.7	Administrative and financial implications of the draft resolution contained in document A/C.6/32/L.4; note by the Secretary-General	Mimeographed
A/CONF.80/14	Report of the Committee of the Whole of the United Nations Conference on Succession of States in Respect of Treaties	Ditto
A/CONF.80/15	Report of the United Nations Conference on Succession of States in Respect of Treaties <i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/32/366</i>	Ditto
A/C.5/32/40 and Rev.1 and Rev.1/Corr.1	Note by the Secretary-General	Mimeographed
A/32/8/Add.15	Report of the Advisory Committee on Administrative and Budgetary Questions	See <i>Official Records of the General Assembly, Thirty-second Session, Supplement No. 8</i>
A/32/417	Report of the Fifth Committee	<i>Ibid.</i> , <i>Thirty-second Session, Annexes</i> , agenda item 100

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 123:* Establishment of an agency or a department of the United Nations for undertaking, co-ordinating and disseminating the results of research into unidentified flying objects and related phenomena

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Special Political Committee*, 35th, 37th and 40th meetings, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 101st meeting.

DOCUMENTS A/32/142 AND ADD.1

Grenada: request for the inclusion of an item in the provisional agenda of the thirty-second session

DOCUMENT A/32/142

LETTER DATED 14 JULY 1977 FROM THE PRIME MINISTER AND MINISTER FOR EXTERNAL AFFAIRS OF GRENADA TO THE SECRETARY-GENERAL

[Original: English]
[20 July 1977]

I have the honour to request, under rule 13 (e) of the rules of procedure of the General Assembly, the inclusion in the provisional agenda of the thirty-second session of an item entitled "Establishment of an agency or a department of the United Nations for undertaking, co-ordinating and disseminating the results of research into unidentified flying objects and related phenomena".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum and a draft resolution are attached.

(Signed) Eric M. GAIRY
Prime Minister
and Minister for External Affairs
of Grenada

ANNEX I

EXPLANATORY MEMORANDUM

1. In his address to the General Assembly at its thirtieth session, on 7 October 1975,^a the Prime Minister of Grenada, the Right Honourable Sir Eric Matthew Gairy, made reference to man's untapped potential for personal development in a

^a *Official Records of the General Assembly, Thirtieth Session, Plenary Meetings*, 2378th meeting.

world of tremendous unsolved and baffling mysteries and called upon the United Nations to establish an appropriate department or agency devoted to psychic research. In that address the Prime Minister cited the Bermuda Triangle as one such phenomenon which continues to baffle man.

2. At the thirty-first session of the General Assembly the Prime Minister, on 7 October 1976, again called upon the United Nations to establish a department or an agency devoted, not only to psychic research, but also to conduct research into the phenomenon of unidentified flying objects. At that time, the Prime Minister also called upon the nations of the world to make more readily available and accessible information and other data relating to unidentified flying objects. The exact words of the Prime Minister were as follows:

"In my last address to the General Assembly at its thirtieth session, I referred to the Bermuda Triangle as but one example of the phenomena that continue to baffle man, and I appealed to the United Nations to establish a department or an agency devoted to psychic research. It is with humility that I state that this subject evoked considerable interest, but, regrettably, no positive action has yet been taken. However, I am confident that the idea has not died and that some positive action will emanate from this world body, which, I am sure, will get the full support and co-operation of universities and scientific institutions which are in a smaller measure conducting some research and experiments in the area of psychic knowledge. I feel that it is obligatory on this world Organization to give impetus and direction to those already involved in that particular field and to take positive steps in co-ordinating these efforts. We believe that the importance of psychic research lies not only in the purely scientific point of view, for in this area of human knowledge lie some of the answers to problems that have confronted mankind since time immemorial.

"In the same way as this planet is the accepted inheritance of all humanity, knowledge is also to be shared for the benefit of all mankind, and, in this light, one wonders why the existence of unidentified flying objects, or 'flying saucers', as they are sometimes called, continues to remain

a secret to those in whose archives repose useful information and other data. While we appreciate that some countries consider this to be in the interest of military expedience, I now urge that a different view be taken because it is my firm conviction that the world is ready, willing and ripe to accept these phenomena relating to man and his existence on the planet earth and to the planet earth and life in outer space.”^b

3. The Prime Minister's comments and recommendations on unidentified flying objects and related research aroused very favourable world-wide reaction resulting in an invitation to him to attend the First International Congress on the Unidentified Flying Object Phenomenon held at Acapulco, Mexico, from 17 to 24 April 1977, organized by the Centre for Information and Investigation of Unidentified Flying Objects and Parapsychological Phenomena, and to deliver the feature address at the opening function. That Congress, attended by well-known and respected scientists and writers in the field, representatives of the major organizations of the world concerned with unidentified flying objects, unanimously passed a resolution acknowledging the great interest taken by the Prime Minister of Grenada in unidentified flying objects and related phenomena, supporting him in the courageous stand he took during two consecutive years (1975 and 1976) in bringing this matter to the attention of the General Assembly and urging him to continue in his effort for the establishment by the United Nations of an agency or a department for research into unidentified flying objects and related phenomena. A copy of the resolution, signed by the panelists at the First International Congress held at Acapulco, is attached to this memorandum (see annex II below, appendix).

4. The Prime Minister of Grenada regards his current effort to intervene at the thirty-second session of the General Assembly as constituting the carrying-out of a mandate emanating from the First International Congress and as expressing a new dynamic thrust to which his Government is deeply committed.

5. The Government of Grenada is aware that several efforts have already been made by individuals and organizations to have the matter of unidentified flying objects raised in and discussed either by the General Assembly itself or by one of the existing agencies of the United Nations. These efforts have met with no success mainly because, so far as is known, no Member State had ever raised it as a matter for discussion. By requesting to have this matter placed on the agenda for discussion at the thirty-second session of the General Assembly, the Government of Grenada is seeking to bring about open discussions on this very important subject of research into unidentified flying objects, a matter of great significance at this time for all mankind.

6. In order to initiate a concentrated and co-ordinated study on unidentified flying objects and related phenomena and to focus world attention on such an important activity, the Government of Grenada is further seeking to have 1978 declared by the United Nations International Year of Unidentified Flying Objects, during which period the following action would be undertaken by the United Nations:

(a) Establishment of an agency or a department of the United Nations to conduct and co-ordinate research into unidentified flying objects and related phenomena;

(b) Holding of the Second International Congress on the Unidentified Flying Object Phenomenon in Grenada, which was unanimously approved by the First International Congress held at Acapulco;

(c) Issue of a special commemorative stamp series by Grenada and the United Nations illustrating, in their values, the milestone events of international research into unidentified flying objects. Issue of this stamp series is to coincide with the holding of the Second International Congress on unidentified flying objects and related phenomena.

^b *Ibid.*, *Thirty-first Session, Plenary Meetings*, 22nd meeting, paras. 9 and 10.

ANNEX II

DRAFT RESOLUTION

The General Assembly,

Mindful of its commitment to promote international co-operation in solving international problems,

Aware of the renewed interest taken by peoples of the world in unidentified flying objects and related phenomena which continue to baffle mankind,

Noting the statements made by the Prime Minister of Grenada at the thirtieth^a and thirty-first^b sessions of the General Assembly, regarding these baffling phenomena,

Noting further the appeal made by the Prime Minister of Grenada at the thirtieth and thirty-first sessions of the General Assembly to have the United Nations establish an agency or department to conduct and co-ordinate research into unidentified flying objects and related phenomena and to disseminate more widely among the nations of the world information and other data accumulated on unidentified flying objects,

Recognizing the interest and commitment to research into unidentified flying objects demonstrated by the scientists and other persons participating in the First International Congress on the Unidentified Flying Object Phenomenon, held at Acapulco, Mexico, from 17 to 24 April 1977, and the strong support given by all of them to the initiatives already taken by the Prime Minister and people of Grenada,

1. *Considers* it desirable to establish, as a matter of priority, an agency or department to conduct and co-ordinate research into unidentified flying objects and related phenomena;

2. *Requests* the Secretary-General to examine this matter with a view to recommending to the General Assembly at its present session an organizational structure within the United Nations through which the objectives set out above could be most effectively achieved;

3. *Declares* 1978 International Year of Unidentified Flying Objects, during which the following action would be undertaken:

(a) Establishment of an agency or a department of the United Nations to conduct and co-ordinate research into unidentified flying objects and related phenomena;

(b) Holding of the Second International Congress on the Unidentified Flying Object Phenomenon in Grenada, which was unanimously approved by the First International Congress, held at Acapulco;

(c) Issue of a special commemorative stamp series by Grenada and the United Nations—to coincide with the holding of the Second International Congress on unidentified flying objects and related phenomena—illustrating, in their values, the milestone events of international research into unidentified flying objects.

APPENDIX

RESOLUTION ADOPTED BY THE FIRST INTERNATIONAL CONGRESS ON THE UNIDENTIFIED FLYING OBJECT PHENOMENON

Whereas the Prime Minister of Grenada, the Right Honourable Sir Eric Matthew Gairy, has already raised the question of unidentified flying objects and related phenomena at the United Nations during the thirtieth and thirty-first sessions of the General Assembly, urged that body to establish an agency or a department for research into those matters and requested the more widespread release of accumulated data on unidentified flying objects;

Whereas there has been world-wide acclaim for the initiative that Prime Minister Gairy has taken in a matter which many nations of the world consider highly sensitive;

Whereas the Prime Minister, at the First International Congress on the Unidentified Flying Object Phenomenon held

^a *Official Records of the General Assembly, Thirtieth Session, Plenary Meetings*, 2378th meeting.

^b *Ibid.*, *Thirty-first Session, Plenary Meetings*, 22nd meeting.

at Acapulco, Mexico, has declared that it is his irrevocable intention relentlessly to pursue this matter and to secure and harness the support of all Member Governments of the United Nations some of which have already expressed deep interest in and support for the initiative already taken;

Be it resolved that all participants attending the First International Congress on the Unidentified Flying Object Phenomenon at the Convention Centre, Acapulco, Mexico, from 17 to 24 April 1977, organized by the Centre for Information and Investigation of Unidentified Flying Objects and Parapsychological Phenomena, unanimously recognize the initiative already taken by the Honourable Prime Minister of Grenada on the phenomenon of unidentified flying objects, congratulate him for his forthright stand on the matter of research into unidentified flying objects, stand behind him in his effort to foster United Nations participation in this important matter, and urge him to pursue his diplomatic thrust in seeking co-operation from other nations of the world to bring about the establishment of a United Nations agency or department for research into unidentified flying objects and other related phenomena;

Be it further resolved that this First International Congress put on record its acceptance of the Prime Minister's kind invitation for the holding of the Second International Congress in Grenada before the end of the next two years under the sponsorship of the United Nations.

DOCUMENT A/32/142/ADD.1

LETTER DATED 25 AUGUST 1977 FROM THE REPRESENTATIVE OF GRENADA TO THE SECRETARY-GENERAL

[Original: English]
[31 August 1977]

Further to my Prime Minister's letter of 14 July 1977, regarding inclusion of an item in the provisional agenda of the thirty-second session of the General Assembly (A/32/142), I now have the honour to forward, in accordance with rule 20 of the rules of procedure, for circulation to Member States, a copy of an address delivered by the Prime Minister and Minister for External Affairs at the First International Congress on the Unidentified Flying Object Phenomenon, held at Acapulco, Mexico, from 17 to 24 April 1977, which was referred to in paragraph 3 of the explanatory memorandum already circulated by the Secretariat on 20 July 1977 (A/32/142, annex I). My Prime Minister regards this address as an important supplement to the documents already distributed in this connexion.

(Signed) Franklin O. DOLLAND
Permanent Representative of Grenada
to the United Nations

ANNEX

ADDRESS BY THE RIGHT HONOURABLE SIR ERIC MATTHEW GAIKY, PRIME MINISTER OF GRENADA, TO THE FIRST INTERNATIONAL CONGRESS ON THE UNIDENTIFIED FLYING OBJECT PHENOMENON, HELD AT ACAPULCO, MEXICO, FROM 17 TO 24 APRIL 1977

Mr. Chairman, even at the pain of duplicating myself and boring the distinguished gathering at this conference with repetitions of what to them might already be abundantly clear, I crave your indulgence to restate a position which I made forcefully to the thirtieth session of the General Assembly of the United Nations on 7 October 1975:

"...it is my firm conviction that the whole world and, more specifically, the leaders of world affairs, need a greater

measure of recognition and acceptance of the universality of a supreme being—whether known as God, Allah or Jehovah, or by any other name. Yes, we need to recognize that power, that supreme power; we need to accept God as the universal source of all existence, the centre of all creation. We need to feel and to sense God within and without, around and above us, in us and all around us, not only for a few hours on the day of worship, but at all times—in every second, every minute, every hour throughout our entire life on this planet earth. We, here, need to sense the Supreme Being filling this entire magnificent building, and indeed all space in the universe with His presence.

"I submit in humility and with respect that it is only with this concept, the recognition and acceptance of the universal God and the sensing of His presence as the universal power that is eternally holding and binding all things together, that a new 'world order' based on peace and love can properly be established on a permanent basis; and I now engage the hearts and minds of all here to join in invoking and beseeching our universal and supreme Master to refill us with an abundant measure of His divine, cosmic and universal spirit, to revitalize us with His universal energy. May our minds be all imbued with that divine and cosmic mind; may He quicken our intelligence with His cosmic, divine and universal light; and may He inspire us with a love that is unselfish, a love that does not seek reward, a love that will hold and bind all people of our globe together with a new understanding and with lasting peace."^a

As a political leader of long standing (some 26 years more or less) and with a vast array of experiences in both private and public life, I have come to believe deeply and sincerely that all men on this earth plane share a common spiritual origin with each other and with other men and forms dwelling elsewhere within the universe, in extraterrestrial planes, and that perhaps without knowing it or being able to explain it, we all share a common striving towards a universal intelligence. I have come to believe that man is surrounded everywhere by superior forces of which he himself forms a part, and that by developing and lifting himself to higher dimensions he can more easily identify with such forces and be guided and controlled by them to such an extent that he becomes an integral and dynamic part of that energizing whole.

In other words, an underlying principle of my life has always been that I should continuously strive to understand more clearly those forces and intelligences that lie around and within me, not only that I might establish a more intimate linkage with them, but also that I might apply the resulting "knowingness" to the greater glory of my fellow men. It is on these premises that I based my appeal to the United Nations General Assembly at its thirtieth session on 7 October 1975, requesting that world body to establish some department or agency to advance the cause of psychic research, as an aid to complete self-mastery and world peace. I urged the General Assembly as follows:

"...there is definitely justification for doing something about psychic research, particularly when one reflects on the bountiful human talents that go to waste because of man's ignorance of certain aspects of his immediate environs and, most certainly, of his esoteric or inner self, and on the various inexplicable phenomena which continue to baffle even the most advanced branches of science."^a

At that time I particularly singled out the Bermuda Triangle for mention, but when again I raised the matter of psychic research and urged the establishment of the United Nations department or agency for that purpose, at the thirty-first session of the General Assembly, on 7 October 1976,^b I raised then the question of unidentified flying objects [UFOs]. My concern, therefore, had become even deeper when I had come to realize that, although much research had been done on these extraterrestrial phenomena, a good deal of the informa-

^a See *Official Records of the General Assembly, Thirtieth Session, Plenary Meetings, 2378th meeting.*

^b *Ibid., Thirty-first Session, Plenary Meetings, 22nd meeting.*

tion was being deliberately held back and stifled by certain important national agencies in the name of national defence and security. The report of the CIA-established Robertson Panel in 1953 testifies adequately to that attitude which, notwithstanding the heartening statements for greater international collaboration made by President Jimmy Carter, continues to this day as a foreboding overhang to official policy throughout the world. By 1976, it was my humble belief, based on the many writings which came to my attention, that the world was ready, willing and ripe enough to accept those extraterrestrial phenomena (UFOs, etc.) in relation to man and his existence on the earth planet and life in outer space.

World reaction to my second address at the General Assembly was immediate, abundant, gratifying and symptomatic of growing awareness among scientists and other researchers of the need for some positive action to be taken by the United Nations. Not only was my appeal for a United Nations agency for psychic research carried in several UFO magazines as well as in other journals and periodicals throughout the world; but in addition several personal congratulatory letters and telephone calls were received from persons well known in the field of UFO research and investigation, many of them locked for years in controversy with the United Nations over the overhang of secrecy which lay over the entire question of UFOs and extraterrestrial interference by what is regarded as "alien intelligence". One such letter from the UFO Centre in Ontario, Canada, reads in part:

"As a concerned Canadian may I express my warmest appreciation for your interest in such matters."

Another from the Canadian Academy of Psychotronics, Toronto, Canada, a body supported by the Canadian Prime Minister reads in part:

"I was very glad to read the text of your remarks in your address to the General Assembly of the United Nations of 7 October 1975 which called for support by the United Nations of psychical research."

Another from the Peace Through Unity Foundation in Sweden reads:

"Only recently did an abbreviated report come into our hands concerning your forthright and inspiring address at the thirty-first session of the General Assembly of the United Nations, and we should be most grateful if you would airmail us the full text of your timely and important address. While it is to be regretted that so little worthwhile publicity was given an address of such outstanding significance, we may perhaps feel encouraged by the thought that the President of the United States has given an undertaking to disclose all information on the subject of UFOs which have hitherto been filed as top secret material. We therefore have hopes that the subject dealt with in your address will be taken up with increasing vigour not only by governmental bodies but also by non-governmental movements, associations and foundations such as ours, which share the deep concern you so rightly expressed and would feel equally concerned to see these matters aired and the peoples of the world participating to play their part, in co-operation with their Governments to see appropriate action taken with regard to them."

Another letter from Major (retired) Colman S. von Keviczky, Director of the Inter-Continental UFO Galactic Spacecraft-Research and Analytic Network (ICUFON) says in part:

"It was the most significant and surprising statement for us that your present address to the General Assembly of the United Nations as Prime Minister of Grenada was already the second and accentuated warning to the member nations to establish within the United Nations an authorized department for international survey and research of the supernatural phenomena (e.g. Bermuda Triangle, etc.) and the activity of UFOs which we identified and verified by the space exploring powers as spacecrafts of extraterrestrial origin, representing task forces of galactic powers, assigned for earthbound operations. May the Almighty God bless you and assist you to be the first nation of the world which solved for the benefit and prosperity of all the nations the

humanity's most burning existential problem in history of the twentieth century—the galactic powers earthbound exploration."

And finally a most interesting letter from Mrs. Righetti from France gives strong support as follows:

"I have just read in a French newspaper (*Nice-Matin*) the report of your intervention at the United Nations, and in particular your remarks relating to psychic research, flying saucers and the Bermuda Triangle—an intervention which apparently has astonished many people. Permit me to tell you that I find these problems important, and like you, I think they deserve priority, so that we can better understand our future and our role in this world. Besides, many people are showing a keen interest in these spheres, and leaders choose to be unaware of it. Allow me also to express my joy on seeing that someone finally had the courage to speak about it, defying the mockery of powerful spirits. I thank you for it and hope that you have opened a way which will not be closed up too soon."

You will therefore understand my abounding pleasure when I received the invitation from the Centre for the Information and Investigation of UFOs and Parapsychological Phenomena to be a guest speaker. I came here in response to this invitation not as a research scientist in the generally accepted meaning of the term but rather as one who has always taken a deep interest in psychic matters and also as the Prime Minister of a small independent country in the West Indies who has the foresight to see and understand the tremendous good for all the people of the world which could derive from a thorough investigation of the astonishing extraterrestrial phenomena which have been showing themselves to our earth planet so vividly since 1947, and as one who during the past two years has had the courage to prod the United Nations to taking appropriate research and collaborative action for the benefit of all mankind.

Based on the foregoing, and with a deep sense of humility, I feel that I can, with some justification, speak for the entire West Indies when I report on UFO activity in that part of the world. In this regard, I wish to refer to a report which appeared in *The Evening Post* in Guyana on 21 July 1965 describing, with appropriate photographs, the appearance of two UFOs to Mr. Walter Cameron at Rose Hill Estate, Berbice, Guyana. The newspaper story with photographs of the UFOs are available for inspection. Another report by Mrs. Kay Howard highlights the appearance of a UFO in Birchgrove, St. Andrew's, Grenada. A signed statement by Mrs. Howard is available, also, for inspection.

Other UFO landings in the West Indies are not generally known about, but it is clear that there is an awakening interest in UFOs in the West Indies as evidenced by a news item in *The Nation* in Barbados, Sunday, 13 February 1977, which advertised a four-lecture course in Barbados on the UFO by the Vice-President of the Barbados Astronomical Society. The course was to include: historical background of the UFO phenomena; nature of the UFO data; plausible and unplausible interpretations; applying a scientific methodology; methods for reporting UFOs; and arguments for and against the extraterrestrial hypothesis.

It is clear, therefore, that the West Indies has a deep interest in the outcome of these deliberations here in Mexico.

And now, more specifically, I can speak as the Prime Minister of Grenada, a member of the United Nations. In this regard, I speak as a world leader with a voice and a concern that hopefully might penetrate the four corners of the earth and draw the attention of other world leaders to a matter of deep and urgent interest to all the peoples of the earth planet. It is in this role I think I can best serve the interests of this conference and it is here that, with your support, I intend to make a contribution in the cause of world peace, progress and prosperity through an insistence on psychic and related UFO research by the United Nations.

The literature is replete with reports and descriptions of UFO activity which came in flaps since 1947. Some 30 years ago, Dr. Allen Hynek, a well-known and respected authority

on extraterrestrial activity, estimated that at least 15 per cent of the reports can be accepted as authentic. This is substantial if we appreciate that between 1947 and 1969 more than 2,500 cases were studied in the United States alone by the air force project "Blue Book". There is still much that is questioned about UFOs: what they are, where they come from, what is the purpose of their appearances on the earth planet, what contact their inhabitants are trying to make with earthlings, what benefits we might derive as a result of direct contact and communication with the super-intelligent aliens who guide them to our planet.

It is now fairly well accepted world wide that UFOs are space vehicles used by highly-intelligent aliens of extraterrestrial origin who seem to have a definite purpose for these; perhaps with hostile intent, although we hope not, or perhaps in an effort to share with us the wealth of technological expertise with which they seem endowed, and so avoid our self-destruction; or perhaps to share with us their universal intelligence and so bring us in closer oneness with the brotherhood of man and the universe of the divine spirit.

These thoughts are not as far-fetched as they may have seemed in 1947, and indeed the literature now seems to indicate that man is gradually beginning to recognize the tremendous advantages that could accrue to him by learning to harmonize with this extraterrestrial intelligence gradually invading his consciousness. We are told, for example, that scientists are certain that, out of a given number of habitable worlds in space, at least half of them will be far ahead of us in science and technology. Thus any direct contact with the aliens would open a cornucopia of scientific wonders for us all. The record of UFO-related healing either through beams of light, actual appearance of humanoids or through psychic surgery is impressive, and when one reads the story of Uri Geller, the psychic from Israel, who claims that UFOs are behind his tremendous telepathic powers and that he depends on their intelligence for sustenance, one cannot but accept, however, grudgingly, the claim that there is tremendous potential for man in understanding and establishing a co-operative relationship with those forces that lie around us.

Indeed, we are told that the major world Powers are currently locked in a new "space race", not unlike what happened in the post-Sputnik era, except that this time the objective seems to be to read accurately the signals which are supposed to be coming from extraterrestrial alien satellites and to establish direct communication with the aliens themselves. The flow of technological information that could conceivably come from such contact is enough to sustain a space war for years between world Powers that seek dominion over others. We are told that, already, limited success has been achieved in communicating with spacemen by telepathy, a development which opens up an entirely new field that is both exciting and foreboding for mankind.

The role of the United Nations in keeping a watchful eye on UFO activity and other psychic phenomena could also be regarded as being protective of our planetary resources. It is highly significant that UFO activity as recorded bears a direct relationship to the location of highly sensitive global facilities, activities and resources. It is reported for instance, that the southern United States, with its heavy concentration of military installations, missile bases and defence industries, seems to be a special "hunting ground" for aliens from space who are reconnoitering earth from UFOs (Dr. Allen Hynek reports that out of a total number of 2,500 sightings in the United States studied by the United States Air Force between 1947 and 1969, more than 1,300 were in the south alone). Similarly in Europe and the Middle East, during five years of surveillance (1970-1975) recorded by ICUFON, it appeared that the galactic task forces highest control and most accurate surveillance weighed heavily upon navigational keypoints, major seaports and the military hardware deluge and concentration from all over the nations. Obviously, the United Nations ought to have a legitimate interest in co-ordinating the analysis of this surveillance and in disseminating the information for the better guidance of the nations of our planet. But to revert to the theme which I struck at the very beginning of this

paper, I believe, sincerely and deeply, in the universality of God and the brotherhood of man and believe also that man has an inherent striving towards establishing a oneness with this higher intelligence which lives around us and which communicates in "strange" ways (e.g., by telepathy), I believe, with the foundation for peace through unity, that somehow there is a delicate balance and order established in our galaxy and among all galaxies, and that this balance is maintained and monitored very carefully by highly evolved beings from the spiritual realms whose high purpose is to establish a universal brotherhood of life, dwelling, throughout the universe in peace and the spirit of mutual service and co-operation under the one supreme universal power. Enhancement of this high objective should, if anything, constitute the higher purpose of the United Nations and it is in this context that I strongly and firmly call upon the United Nations to take the sort of initiative I have been proposing since October 1975.

In the struggle to stimulate a United Nations action, it is interesting to note that others interested in this field have been making some worthwhile contribution. I refer particularly to Major (retired) Colman S. von Keviczky of ICUFON and the tremendous effort he has put into seeking United Nations support from 1966 for research into and control of galactic task forces. These efforts were either suppressed or rejected and many of the pioneers suffered much humiliation and frustration as a result. The United Nations insisted that the matter of UFO research was one to be raised by individual members of the Organization.

And this was where Grenada came in in 1975, at the thirtieth session of the United Nations General Assembly. I raised this very important issue at that session. Regrettably, not much concrete action by that body has yet flowed from my recommendation, although much support and encouragement for it has been expressed by individuals and groups the world over. Today, here in Mexico, almost 30 years after the spate of UFOs began to appear on this planet, it could not be more opportune for me again to call upon the nations of the world to lend support to this appeal to the United Nations for the establishment of a department or agency for psychic research as well as for monitoring the work of the extraterrestrial aliens and establishing communication with them. Many bigger countries whose support for the United Nations action has been sought by ICUFON continuously from 1966 seem to have shied away from touching this apparently "hot potato". The small size of my country with its relatively limited economy does not prevent me from walking where angels fear to tread. Here and now I pledge to this conference that I shall, myself, continue to appeal to the nations of the world through the United Nations forum, to take the necessary positive action. It appears that we are beginning to have powerful friends in court at the United Nations to help give momentum to our presentations, and, today, we call on them publicly to join hands with us in this enterprise for world peace and progress through psychic and extraterrestrial (UFO) research.

The recommendations made by Mr. George Kocher of the Rand Corporation in Document No. 18154-PR, dated 27 November 1968, as well as the proposals for joint international control, supervision and research, advanced to the Secretary-General of the United Nations on 27 November 1973, by Major (retired) Colman S. von Keviczky, could quite easily be accommodated within the terms of my proposal for a United Nations agency.

My other recommendation is that those of us attending this conference here today should selflessly attempt to identify some of the persons (scientists and others) who have made significant contributions to developing an awareness of the intense activities in the psychic and extraterrestrial world, particularly UFOs, and of what these might mean for our planetary citizens now and in the future, recognize them for their contribution and honour them for their sacrifice in the interest of humanity. I have in mind persons like Dr. Allen Hynek, outstanding astrophysicist and famous astronomer from Northwestern University; Major Colman von Keviczky, Director of ICUFON; the Lorenzens of Aerial Phenomena Re-

search Organization (APRO); Major Donald Keyhoe of the National Investigations Committee on Aerial Phenomena (NICAP); Mr. Karl Veit, Executive Director of DUIST; Señor Guillermo Bravo, General Manager of the Centre for Information and Investigation of UFOs and Parapsychological Phenomena (CIIFOP); President Jimmy Carter of the United States of America, who has reportedly given promise of a new and more open attitude to sharing of the mass of accumulated information available on UFO phenomena. You will, obviously, know of others whom I have not mentioned here. The whole point is that we should all make a concentrated effort to treat daring pioneers in a way they so richly deserve. I suggest that a special committee of experts be set up to look into this matter so that appropriate action might be taken before the end of this congress.

Mr. Chairman, may I suggest that the second international congress on UFO phenomena be called within the next two years and held under the auspices of the United Nations agency, which I have proposed, and here I offer my country, Grenada, small but beautiful, as the next venue. I suspect that there would be a continuous intensification of psychic and extraterrestrial activity as we move on, gathering momentum with greater speed than hitherto obtained.

Mr. Chairman, as one of the world's heads of government, and as the one who officially raised the issue of psychic and other related phenomena at two successive meetings of the General Assembly of the United Nations within the last two years, I think it is somewhat incumbent upon me, and I hereby crave your kind indulgence, to place on record, on behalf of all leaders and peoples of the world who believe and accept the existence of UFOs and related phenomena, our most, sincere and grateful thanks and appreciation to a young man, a modest man, but a great man, Mr. Guillermo Bravo. I also wish to place on record, as a non-scientist, our sincere thanks and appreciation to all these great and famous scientists who are here with us today from various parts of our globe and whose brilliance and scientific luminosity have been motivat-

ing us and have given us the inspiration, the knowledge and hope for a fuller, a deeper and a more meaningful life, within our own consciousness, within our immediate environs and, indeed, have given us a greater interest in matters of an extraterrestrial nature. May I, also, place on record our grateful thanks and appreciation to the illustrious President of Mexico and his dynamic Government and to the very charming and lovely people of Mexico for the help and co-operation given to make this conference the success it promises to be. I bring from my Government and people warm and sincere greetings and felicitations to the Government and people of Mexico. Grenada looks forward with eager anticipation to some type of positive action to strengthen the relationship already established between our two countries, and in this context we are particularly looking forward to greater co-operation with the Mexican Government in the field of UFO investigation.

Mr. Chairman, finally, and I do not consider this out of context, I wish to crave the indulgence of all who are present here to join hearts and minds together in recognizing the presence of the divine and universal spirit of God within this magnificent building and certainly, within and without, around and above us all, and to pray in full consciousness that He may imbue us with His divine health, strength and intelligence so that our deliberations during the entire conference may bear fruits, and that He may enlighten us with His cosmic and divine light so that this conference may not only end here as a successful conference, but also, and more importantly, that an appropriate plan of action would be reached among all concerned so that our ideas and ideals, our aims and objectives, may be better understood, appreciated and accepted by the leaders and nations of the world, and that this conference may go down in the annals of our planet as the nucleus and as the motivating force that will have brought us into closer contact and dialogue with, and in better knowledge and understanding of, extraterrestrial crafts and beings for the benefit and advantage of humanity, and to the greater satisfaction and glory of God, the supreme and universal being.

DOCUMENT A/32/430

Report of the Special Political Committee

[Original: English]
[9 December 1977]

1. In a letter dated 14 July 1977 (A/32/142), the Prime Minister of Grenada requested the inclusion in the agenda of the thirty-second session of an item entitled "Establishment of an agency or a department of the United Nations for undertaking, co-ordinating and disseminating the results of research into unidentified flying objects and related phenomena".

2. With his letter the Prime Minister of Grenada transmitted an explanatory memorandum (annex I), a draft resolution (annex II) and an appendix to annex II containing a resolution adopted by the First International Congress on the Unidentified Flying Object Phenomenon. The draft resolution read as follows:

[Same text as the resolution contained in document A/32/142, annex II, appendix, above.]

3. By a letter dated 25 August 1977 (A/32/142/Add.1), the representative of Grenada transmitted the text of an address delivered by the Prime Minister of Grenada at the First International Congress on the Unidentified Flying Object Phenomenon.

4. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the

item in its agenda and to allocate it to the Special Political Committee.

5. The Special Political Committee considered the item at its 35th, 37th and 40th meetings, on 28 and 30 November and 6 December.

6. At the 35th meeting, the Special Political Committee heard an introductory statement by Sir Eric M. Gairy, Prime Minister and Minister for External Affairs of Grenada.

7. At the 37th meeting, the representative of Grenada introduced a draft resolution on the subject (A/SPC/32/L.20) and announced that the previous draft resolution (A/32/142, annex II), had been withdrawn. The draft resolution read as follows:

"The General Assembly,

"Having considered the item entitled 'Establishment of an agency or department of the United Nations for undertaking, co-ordinating and disseminating the results of research into unidentified flying objects and related phenomena',

"Desiring to foster greater international co-operation in the co-ordination, evaluation and dissemina-

tion of data on all aspects of the unidentified flying object phenomenon for the benefit of all mankind,

"Noting that the unidentified flying object phenomenon is not related just to one country or one part of the earth, but is a world-wide phenomenon with significant interest for all mankind,

"Mindful that there is a growing awareness of the unidentified flying object phenomenon by peoples throughout the world,

"Recognizing that individual countries are undertaking on their own or are taking individual interest in research into this phenomenon and its implications for mankind,

"Conscious that the efforts to investigate and understand this phenomenon could have a profound effect on man,

"Taking note of the statement on this item made by the representative of Grenada on 28 November 1977, at the 35th meeting of the Special Political Committee during the thirty-second session of the General Assembly (A/SPC/32/SR.35, paras. 2-20),

"1. Requests the Secretary-General to consider the scope and various aspects of this item and to undertake, for consideration by the General Assembly at its thirty-third session, a survey of the unidentified flying object phenomenon which should include:

"(a) The recent history and current status of the phenomenon;

"(b) The results of studies and such documentation and other data pertinent to this item as may be provided from records of Member States, the Committee on the Peaceful Uses of Outer Space, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the International Atomic Energy Agency, the United Nations Environment Programme, the Committee on Science and Technology for Development and other intergovernmental bodies;

"(c) Past and current activities of the United Nations, the specialized agencies and other intergovernmental bodies with regard to this item, and existing international agreements concerning possible contact and communication with extraterrestrial beings;

"(d) An account of the scientific, technological, economic, legal, political and other aspects of this item;

"(e) An analysis of the benefits, problems and dangers which might be faced by mankind should contact in any form be made with extraterrestrial life;

"(f) An indication regarding practical means of promoting international co-operation in the furtherance of research into unidentified flying objects

and possible contact with alien intelligent life as contemplated in the title of the item;

"2. Further requests the Secretary-General to transmit the text of the present resolution to the Governments of all Member States;

"3. Decides to include in the agenda of the thirty-third session of the General Assembly the item entitled 'Report of the Secretary-General on the current status of research into unidentified flying objects and related phenomena'."

8 At the 40th meeting, the Chairman announced that, as a result of consultations with representatives of the various regional groups, it appeared that agreement might be reached on the terms of the draft recommendation to the General Assembly, which had been circulated to the members of the Committee in the form of a working paper. He stated that, with the concurrence of the Committee, he would consider the draft recommendation contained in the working paper as adopted by consensus.

9. The draft recommendation was then adopted by consensus (see para. 11 below).

10. At the same meeting, the representative of Grenada made a statement and indicated that draft resolution A/SPC/32/L.20 would not be pressed to the vote.

Recommendation of the Special Political Committee

11. The Special Political Committee recommends to the General Assembly adoption of the following draft consensus:

1. The General Assembly has taken note of the statements made in the Special Political Committee by the Prime Minister of Grenada on 28 November 1977 (A/SPC/32/PV.35), and by the Minister of Education of Grenada on 28 and 30 November and 6 December 1977 (A/SPC/32/SR.35, paras. 2-20; A/SPC/32/SR.37, paras. 44 and 45; A/SPC/32/SR.40, paras. 3-8).

2. The General Assembly has also studied the text of the draft resolution submitted by Grenada (A/SPC/32/L.20).

3. The General Assembly requests the Secretary-General to transmit the text of the draft resolution, together with the above-mentioned statements, to Member States and to interested specialized agencies, so that they may communicate their views to the Secretary-General.

4. The General Assembly also requests the Secretary-General to bring their replies to the attention of all Member States and interested specialized agencies.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meetings, on 13 December 1977, the General Assembly adopted the draft consensus submitted by the Special Political Committee in its report (A/32/430, para. 11). For the final text, see decision 32/424.¹

¹ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 123 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/SPC/32/L.15	Letter dated 10 November 1977 from the representative of Grenada to the Chairman of the Special Political Committee transmitting copies of <i>Project Blue Book</i>	Mimeographed
A/SPC/32/L.20	Grenada: draft resolution	For the text, see A/32/430, para. 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 124:* Review of the multilateral treaty-making process

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee*, 46th to 50th meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 97th meeting.

DOCUMENT A/32/143*

Australia, Egypt, Indonesia, Kenya, Mexico, Netherlands and Sri Lanka: request for the inclusion of an item in the provisional agenda of the thirty-second session

[Original: English]
[19 July 1977]

LETTER DATED 19 JULY 1977 FROM THE REPRESENTATIVES OF AUSTRALIA, EGYPT, INDONESIA, KENYA, MEXICO, THE NETHERLANDS AND SRI LANKA TO THE SECRETARY-GENERAL

We have the honour to request, under rule 13 of the rules of procedure of the General Assembly, the inclusion in the agenda of the thirty-second session of an item entitled "Review of the multilateral treaty-making process".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is attached.

(Signed) R. L. HARRY
*Permanent Representative of Australia
to the United Nations*

(Signed) Abdel Halim BADAWI
*Chargé d'affaires
Deputy Permanent Representative
of the Arab Republic of Egypt
to the United Nations*

(Signed) Ch. ANWAR SANI
*Permanent Representative of Indonesia
to the United Nations*

(Signed) Francis M. KASINA
*Chargé d'affaires
Permanent Mission of the Republic of Kenya
to the United Nations*

(Signed) Roberto de ROSENZWEIG DÍAZ
*Permanent Representative of Mexico
to the United Nations*

(Signed) Baron J. K. P. SPEYART van WOERDEN
*Acting Permanent Representative
of the Kingdom of the Netherlands
to the United Nations*

(Signed) H. Shirley AMERASINGHE
*Permanent Representative
of the Republic of Sri Lanka
to the United Nations*

ANNEX

Explanatory memorandum

1. The Foreign Minister of Australia, in his speech to the General Assembly at its thirty-first session, referred to the suggestion which had been made by Australia in the Sixth Committee in 1975^a that the time was ripe for the United Nations to review the process by which the international community makes multilateral treaties. He said:

"The ways in which we approach multilateral treaty-making are varied, chancy, frequently experimental and often inefficient. They place great burdens upon the Governments of Member States, especially upon the developing countries, and it is open to question whether the community could not find more economical and efficient methods of drafting conventions."^b

A. Purpose of the initiative

2. The purpose of the present initiative is to occasion examination of the methods of multilateral treaty-making

^a *Official Records of the General Assembly, Thirtieth Session, Sixth Committee*, 1541st meeting, para. 16.

^b *Ibid.*, *Thirty-first Session, Plenary Meetings*, 9th meeting, para. 191.

* Incorporating document A/32/143/Corr.1, of 2 August 1977.

employed in the United Nations and under its auspices. This consideration should be directed towards an assessment of whether the methods employed are as efficient and economical as the needs of the community require or circumstances permit. If the assessment indicates—as seems likely—that there is room for improvement in the methods employed, then the General Assembly should consider the steps which may be taken to achieve this.

3. It must be emphasized that the proposal relates exclusively to the methods by which the texts of multilateral treaties are prepared within the United Nations. The initiative looks forward, not backward. Though it must necessarily start from the procedures which have been followed in the past, its intention is to secure an improvement in the techniques which will be used in the future. The initiative is in no way concerned with the substantive content of treaties, except to the extent that the subject-matter of a treaty may be relevant to the identification of the best procedure to follow in preparing it. Nor is it intended that the present initiative should extend beyond the process of multilateral treaty preparation. The dimensions of the exercise are sufficiently great, and the effort in itself sufficiently worth while, to justify emphasis at the present time on its limitation to the treaty-making process alone.

B. *Extent of United Nations treaty-making activity*

4. The United Nations seeks to fulfil the purposes stated in Article 1 of its Charter by both proposing courses of political conduct and preparing for international acceptance a wide variety of multilateral conventions. The agenda of every session of the General Assembly contains a significant number of items which relate to various stages in the United Nations treaty-making process. Of the 124 items on the agenda of the thirty-first session of the General Assembly, no less than 17 involved multilateral treaties under preparation or review covering a wide range of subjects.^c

5. During the 32 years of the existence of the United Nations, some 80 substantive conventions have been concluded under its aegis, not to mention half as many again in the form of protocols amending or extending earlier instruments. These are listed in the Secretariat's publication entitled *Multilateral Treaties in Respect of which the Secretary-General Performs Depositary Functions*. In addition, there are those treaties which, though originating in United Nations organs, are not deposited with the Secretary-General. Thus treaty-making activity within the United Nations can be seen to be striking in its extent—as to numbers of treaties concluded and especially as to range and complexity of subjects covered.

6. As a glance at the calendar of United Nations conferences will show, the pace of international legislative activity is intense. In the course of any single year, Members of the United Nations will be expected to participate in the preparation of one stage or another of at least a score of treaties. In addition to involvement in the meetings at which the texts are discussed, Members are obliged to consider in their capitals the policies to be adopted towards drafts, as well as the ratification and often the legislative implementation of texts which have been completed and are found to be acceptable. The burden which these processes place upon the administrative machinery of all States, and especially upon new or small States, requires no elaboration.

^c The topics included: the principles governing the use by States of artificial earth satellites for direct television broadcasting; incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons; a comprehensive ban on nuclear and thermonuclear tests; the prohibition of military or any other hostile use of environmental modification techniques; prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons; human rights and scientific and technological developments; torture and other cruel, inhuman or degrading treatment or punishment; elimination of all forms of religious intolerance; adoption law; succession of States in respect of treaties; the non-use of force; hostages; the norms and principles of international economic development law; and the law of the sea.

7. The extent of multilateral treaty-making cannot be measured exclusively in terms of the United Nations as such. States also have a heavy commitment to treaty-making in the specialized agencies of the United Nations system, in the regional organizations outside the United Nations system and in independent conferences, such as that on humanitarian law. While it is not suggested that the present initiative should be directly focused upon multilateral treaty-making practices in these other bodies, it is evident that they cannot be ignored when identifying the extent to which activity in the United Nations poses a problem for Members.

C. *Variety of methods used*

8. The methods used for the initial preparation and subsequent development of draft conventions in the United Nations vary widely according to the organ within which the subject-matter is being handled—and sometimes even within the same organ. The technique used in one organ is not necessarily influenced by the experience of other organs or even by its own past practice. Moreover, there is no manual of treaty-making techniques which records the methods used and which can serve as a guide to the best methods to be employed in the future.

9. As the list of treaties under consideration at the thirty-first session of the General Assembly shows, at any given moment treaty-making activity tends to be concentrated in certain fields. There is nothing fixed about this distribution, which is bound to alter as times and political conditions change. But for the moment it is evident that the most active areas are: nuclear testing and weapons limitations; controls in the use of other weapons; outer space; human rights; the law of the sea; and international legal matters generally.

10. The process of producing a treaty differs in each of these fields. Treaties of a technical legal character are initially prepared mainly by the International Law Commission. The carefully ordered work of this organ provides a helpful standard of comparison and may therefore be referred to more fully. The main elements in the International Law Commission process (though the pattern is not a rigid one) are: appointment of a special rapporteur; the preparation of a special report or series of reports containing analyses, draft articles and commentary; consideration by the Commission at several readings; opportunities for governmental comment on the emerging texts through observations addressed to the Commission or through debate in the Sixth Committee on the annual reports of the Commission; eventually the adoption by the Commission of final draft articles with commentary; consideration in the Sixth Committee of the General Assembly; and, lastly, a diplomatic conference using the final draft articles as a basis of discussion. Thus, we have here a process marked by the initial application of one expert mind to the basic preparatory work, followed by subsequent detailed scrutiny by a relatively small group of additional experts, gradual elaboration of texts bearing in mind governmental reactions and, only when the subject has been thoroughly prepared, the holding of a diplomatic conference. At all stages, the preparatory work is adequately, if not fully, recorded. The method, though open to some improvement, has had a notable measure of success in producing some widely accepted conventions.

11. By contrast with this highly ordered method, one may refer to the experimental and not always satisfactory way in which the treatment of the law of the sea has developed over the last decade. From the decision in 1967 to consider the utilization of the resources of the sea-bed beyond the limits of national jurisdiction, the United Nations has moved on to an expanded agenda covering the whole of the law of the sea; and this has been examined first in an *ad hoc* committee, then in a special committee and now in no less than six main sessions of a diplomatic conference, supplemented by numerous intersessional meetings. The process of negotiation has been far from simple and has been marked by a degree of improvisation (some of it imaginative and possibly of long-term value, but some of it not), which has been time-consuming and has led only slowly to results which are as yet incomplete. And much of what has gone on has taken place in work-

ing groups and sub-committees whose deliberations are not recorded. The result is a striking absence of records in an area of debate where records would normally be of major importance as an aid to interpretation.

12. It is, of course, possible to suggest a number of explanations of the differences in method between the law of the sea negotiations, which concluded in 1958, and those now in progress: the present exercise is more "political" than the one which concluded in 1958; it is more creative of new law and less a restatement of existing law; it covers a wider number and range of topics; the international community has grown considerably in size in the intervening period and the process of achieving consensus has become correspondingly more difficult. But, while all these "explanations" are true as statements of fact, they do not, either individually or collectively, explain in functional terms why the Members of the United Nations chose, or acquiesced in, this particular legislative technique for pursuing its objectives from 1967 onwards; and, having regard to the pace at which the conference has moved and the difficulties which it has experienced, there is certainly room for consideration of whether the adoption of different methods might have led to better results.

D. *Inquiry not to extend to the work of specialized agencies*

13. The two examples just cited serve to illustrate the variety and limitations of treaty-making methods at present employed in the United Nations. This is not the place to multiply them. By contrast, the practice of some specialized agencies is more settled. In the International Labour Organisation, the procedure for the drafting and consideration of a convention is contained in section E of the Standing Orders of the Conference. It is clear and precise in its indication of the steps to be followed, as well as of the respective roles of the Conference, of members and of the International Labour Office, and it gives ample time and opportunity for extensive but orderly consideration by, and consultation of, all the interests concerned. To some extent the same is true in the International Civil Aviation Organization, which performs a comparably specialized task in the preparation of international standards and recommended practices applicable to its field of activity. However, because the conditions prevailing in the specialized agencies are so markedly different from those in the United Nations, it is contemplated that the treaty-making activities of the specialized agencies should be the subject of consideration only in so far as their practices can provide useful indications of possible improvements in United Nations techniques.

E. *Nature of the inquiry*

14. Into what kind of matters might the proposed inquiry enter? It is necessary to probe closely questions which do not appear previously to have been examined in any detail. For example, what is the best first approach to a new topic for treaty-making—an inquiry by a single expert, by the Secretariat or by a committee? If by a committee, then should it be a committee comprising all Members or only some? Should it consist of government representatives or of experts? Is it right to assume that these are the only alternatives? Should there perhaps be supplementary machinery whose responsibility it would be to co-ordinate the activities of all elements interested in a particular subject and ensure that an appropriate report is prepared which seeks to reflect all points of view? What should be the form of reports—whether of such a body or of any other person or entity? Should they be standardized? How should they present the relevant facts, the legal considerations, the proposals and the comments? Should there be a requirement that an attempt be made to assess the extent and nature of the impact of proposals upon the domestic law of the Member States? Is there a need or scope for an indication of uniform methods of State implementation of treaty commitments? What is the best stage at which to inject the views of States into the treaty-making process? How may such views best be conveyed—by answers to questionnaires, by comments on drafts or by discussion in committees? And when should a proposal be deemed ripe for consideration by a diplomatic conference? Is the present general practice of diplomatic conferences satisfactory? Ought there to be some method of iden-

tifying and representing the various groups of interested States so as to reduce the scale of participation in debate? Is the search for consensus, and the width of expression of views which that necessitates, a more efficient method of reaching a collective conclusion than a vote taken after the expression of fewer views? Is it sufficient that when the conference concludes its work it should do so only with a convention? Or should the conference prepare a report containing an explanation or a commentary upon the convention—in a manner comparable to the explanatory memoranda which in some States accompany legislation?

15. The above-mentioned questions are given only as examples of the many that can be posed in this connexion. But they should not be taken as implying that the sponsoring States have a particular view of the answers which should be given or that they consider that these questions are necessarily the most important. The questions are intended only to indicate the kind of detail into which it is desirable now to enter in order that the United Nations may be satisfied that it has at least performed its duty of self-examination in this respect. Moreover, it should be borne in mind that the inquiry could well conclude that, although there is scope for a uniform approach to certain classes of subject, the approach cannot be the same for all classes.

F. *Possible course of the initiative*

16. As to the question of how to proceed in the proposed exercise, it is suggested that the item should be referred to the Sixth Committee for debate, with a view, in the first place, to the adoption of a resolution seeking a detailed study of the subject. This report, which would need to take into account the views expressed and suggestions made in the Sixth Committee debate, should examine in deep detail the treaty-making methods which have actually been used in the United Nations since its inception. It would need to look also at comparable techniques used in specialized agencies and the methods of legislation employed in States. It is to be hoped that this study, which could be sought from the Secretariat, possibly in co-operation with the United Nations Institute for Training and Research, would be available in time for circulation by early 1979. In addition, Governments, specialized agencies, the International Law Commission and other interested intergovernmental organizations experienced in the preparation of multilateral treaties might be invited to submit by 31 July 1979 their observations on the question. These could also be circulated. The matter could then be further discussed at the thirty-fourth session of the General Assembly in 1979.

17. It would be premature now to suggest with any exactness what steps might then follow. But, if there were sufficient agreement amongst Members, it might then be appropriate to refer the question to a small *ad hoc* committee to consider the matter and perhaps to draft a manual of recommended practices to aid the organs of the United Nations in the selection of the most suitable techniques of treaty-making for use in the prevailing circumstances. The contents of this manual would serve as guidelines. They would not in any way be mandatory; and they would be bound to recognize that no single procedural pattern could be applied to every kind of treaty-making effort. An important objective in this examination would be concern to simplify for States their participation in the treaty-making process and thereby to facilitate so far as possible the ratification by States of concluded treaties and the domestic implementation of the obligations assumed under such treaties. After the conclusion of the work of the *ad hoc* committee, the matter could once again be considered in the Sixth Committee so that the appropriate conclusions might be drawn.

18. The United Nations is the world's principal instrument of international co-operation. On any view of the matter, it seems inconsistent with the standard of efficient operation which the international community is bound to set itself that, after virtually a third of a century of intense treaty-making activity, it should not have begun to assess the adequacy of its treaty-making methods; and it is time that it should start now.

DOCUMENT A/32/363

Report of the Sixth Committee

[Original: English]
[28 November 1977]

1. By a letter dated 19 July 1977, the representatives of Australia, Egypt, Indonesia, Kenya, Mexico, the Netherlands and Sri Lanka requested the inclusion in the provisional agenda of the thirty-second session of the General Assembly of an item entitled "Review of the multilateral treaty-making process" (A/32/143 and Corr.1).

2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 46th to 50th meetings, between 15 and 18 November 1977. The summary records of those meetings contain the views of representatives who spoke during the consideration of the item.

4. At the 46th meeting, the representative of Australia introduced a draft resolution (A/C.6/32/L.9) on behalf of Australia, Belgium, Canada, Costa Rica, Denmark, Egypt, Fiji, Finland, France, Ghana, Honduras, Indonesia, Iran, Ireland, Jordan, Kenya, Malaysia, Mexico, the Netherlands, Nigeria, Norway, Oman, Panama, Papua New Guinea, the Philippines, Poland, Portugal, Romania, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sweden, Thailand and Turkey, later joined by Algeria, Burundi, Colombia, Ethiopia, the Federal Republic of Germany, Guinea, Italy, Lesotho, the Libyan Arab Jamahiriya, Madagascar, Paraguay and the Sudan (for the text see para. 6 below).

5. At its 50th meeting, the Sixth Committee adopted the draft resolution by consensus.

Recommendation of the Sixth Committee

6. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

REVIEW OF THE MULTILATERAL TREATY-MAKING PROCESS

The General Assembly,

Recalling its duty under Article 13, paragraph 1 (a), of the Charter of the United Nations to initiate studies and to make recommendations for the purpose, *inter alia*, of encouraging the progressive development of international law and its codification,

Observing that, in the period since the inception of the United Nations, many important multilateral

treaties have been prepared by a number of different United Nations organs,

Bearing in mind also the important contribution of the International Law Commission to the preparation of multilateral treaties during the past twenty-nine years,

Aware of the heavy burdens which active involvement in the process of multilateral treaty-making places upon Governments,

Conscious of the desirability of assessing the efficiency and adequacy of the procedures followed by the United Nations in the formulation of the texts of multilateral treaties with a view to the improvement of such procedures,

Bearing in mind the need for the United Nations to exercise economy in the use of its resources,

Taking into account that in certain important and specialized areas the interested parties have developed methods of negotiation of proved and continuing value,

Recalling the publication by the United Nations Institute for Training and Research of a study on the wider acceptance of multilateral treaties,¹

Recalling those resolutions of the General Assembly urging the greater participation of States in multilateral conventions concluded under the auspices of the United Nations,

Observing that the United Nations has not hitherto given comprehensive consideration to the techniques and procedures used in the preparation of multilateral treaties,

1. *Requests* the Secretary-General to prepare a report on the techniques and procedures used in the elaboration of multilateral treaties, taking also into consideration the debates in the General Assembly at the current session and the observations referred to in paragraph 2 below, with a view to its submission to the Assembly at its thirty-fourth session;

2. *Invites* Governments and the International Law Commission to submit by 31 July 1979, for inclusion in the report referred to above, their observations on this subject;

3. *Requests* those specialized agencies and other interested organizations which are active in the preparation and study of multilateral treaties, and the United Nations Institute for Training and Research, upon request, to lend any necessary assistance;

4. *Decides* to include in the provisional agenda of its thirty-fourth session the item entitled "Review of the multilateral treaty-making process".

¹ UNITAR/ST/2.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 8 December 1977, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/32/363, para. 6). For the final text, see resolution 32/48.²

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45.*

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 125:* Question of the Comorian island of Mayotte**

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
A/32/191	Swaziland: request for the inclusion of a supplementary item in the agenda of the thirty-second session	1
A/32/L.12 and Add.1 and 2	Algeria, Angola, Bahrain, Benin, Bolivia, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Zaire and Zambia: draft resolution	2
Action taken by the General Assembly		2
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Plenary Meetings, 53rd to 55th meetings.*

** This question was previously discussed by the General Assembly at the thirty-first session (agenda item 122).

DOCUMENT A/32/191

Swaziland: request for the inclusion of a supplementary item in the agenda of the thirty-second session

[Original: English]
[17 August 1977]

*Letter dated 16 August 1977 from the representative
of Swaziland to the Secretary-General*

On behalf of the group of African States and in compliance with resolution CM/Res.497 (XXVII) and CM/Res.555 (XXIX) adopted at the thirteenth and fourteenth ordinary sessions of the Assembly of Heads of State and Government of the Organization of African Unity, I have the honour to request, in conformity with rule 14 of the rules of procedure, the inclusion in the agenda of the thirty-second session of the General Assembly of a supplementary item entitled "Question of the Comorian island of Mayotte".

In compliance with rule 20 of the rules of procedure, I am enclosing an explanatory memorandum on the question.

(Signed) Philemon B. DLAMINI
Chargé d'affaires a.i.
Chairman of the African group
for the month of August

EXPLANATORY MEMORANDUM

1. During its fourteenth ordinary session, held in Libreville, Gabon, from 2 to 5 July 1977, the Assembly of Heads of State and Government of the Organization of African Unity considered the report submitted by the Secretary-General on the implementation of its resolution CM/Res.497 (XXVII) relating to the question of the Comorian island of Mayotte.

2. The Heads of State and Government of the OAU noted with regret that after one year there was no positive development and that the French Government was continuing its illegal occupation of the Comorian island of Mayotte, which was an aggression against the unity, territorial integrity and sovereignty of the independent Republic of the Comoros.

3. The Heads of State and Government therefore decided that this matter be brought to the attention of the international community and put on all agendas of the General Assembly of the United Nations until a satisfactory solution to the problem is found.

DOCUMENT A/32/L.12* AND ADD.1** AND 2***

Algeria, Angola, Bahrain, Benin, Bolivia, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Zaire and Zambia: draft resolution

[Original: English/French]

[28 October 1977]

QUESTION OF THE COMORIAN ISLAND OF MAYOTTE

The General Assembly,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and its resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

Recalling resolution 3161 (XXVII) of 14 December 1973, in which the General Assembly affirmed the unity and territorial integrity of the Comoros and through which the representative of France affirmed the intention of the Government of France to respond faithfully to the aspirations of the Comorian people,

Recalling that those aspirations were clearly expressed by the overwhelming vote of 22 December 1974 in favour of independence in political unity and territorial integrity in accordance with the provisions of General Assembly resolution 3291 (XXIX) of 13 December 1974,

Considering that in its communication of 17 October 1975¹ the Security Council recommended the admission of the Comoros to membership in the United Nations and that on that occasion France raised no objection,

Recalling that by General resolution 3385 (XXX) of 12 November 1975 the Comoros was admitted to

* Incorporating document A/32/L.12/Corr.1, dated 1 November 1977.

** Document A/32/L.12/Add.1 of 31 October 1977 was issued to add Bahrain, Bolivia, Democratic Yemen, Ethiopia, Ghana, Indonesia, Iraq, Jordan, Kuwait, Lesotho, Liberia, Oman, Philippines, Qatar, Sao Tome and Principe, Saudi Arabia, Swaziland, Togo, United Arab Emirates, Viet Nam and Yemen to the list of sponsors of the draft resolution.

*** Document A/32/L.12/Add.2 of 1 November 1977 was issued to add Guyana, Jamaica, Malaysia, Maldives, Pakistan, Syrian Arab Republic and Trinidad and Tobago to the list of sponsors of the draft resolution.

¹ See *Official Records of the General Assembly, Thirtieth Session, Annexes*, agenda item 22, document A/10302.

membership in the United Nations as an entity composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli, as emphasized in resolution 3291 (XXIX) and other resolutions,

Recalling the provisions of resolution 31/4 of 21 October 1976, mainly its paragraph 6, in which the General Assembly called upon the Government of France to enter into negotiations with the Government of the Comoros,

Bearing in mind the efforts of the Organization of African Unity, especially those of its Committee of Seven on the Comorian Island of Mayotte, which met at Moroni on 5 and 6 September 1977 and recommended that individual and collective efforts should be exerted in order to bring about a just and urgent solution by the Government of France to this problem which preoccupies the whole of Africa (see A/32/305, annex II),

1. *Calls upon* the Government of the Comoros and the Government of France to work out a just and equitable settlement for the problem of the Comorian island of Mayotte which respects the political unity and territorial integrity of the Comoros, in accordance with the relevant resolutions of the General Assembly on this issue;

2. *Mandates* the Secretary-General to take, in close consultation with the Government of the Comoros and the Government of France, any initiative in favour of negotiations between the two Governments;

3. *Further requests* the Secretary-General of the United Nations to contact the Administrative Secretary-General of the Organization of African Unity with a view to obtaining any assistance which may help him to discharge his mission;

4. *Decides* to keep the item entitled "Question of the Comorian island of Mayotte" on its agenda and requests the Secretary-General to report to the General Assembly at its thirty-third session on the implementation of the present resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 55th plenary meeting, on 1 November 1977, the General Assembly adopted, by 121 votes to none, with 17 abstentions, draft resolution A/32/L.12 and Add.1 and 2. For the final text, see resolution 32/7.²

² *Ibid.*, *Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 125 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/305	Letter dated 25 October 1977 from the representative of Tunisia to the Secretary-General, transmitting two resolutions adopted by the Council of Ministers of the Organization of African Unity at its twenty-seventh session and the Programme of Action recommended by the Committee of Seven of that Organization	Mimeographed

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 126:* Recent illegal Israeli measures in the occupied Arab territories designed to change the legal status, geographical nature and demographic composition of those territories in contravention of the principles of the Charter of the United Nations, of Israel's international obligations under the fourth Geneva Convention of 1949 and of United Nations resolutions, and obstruction of efforts aimed at achieving a just and lasting peace in the Middle East

CONTENTS

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A/32/241	Egypt: request for the inclusion of an additional item in the agenda of the thirty-second session	1
A/32/L.3/Rev.1 and Add.1 and 2	Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Botswana, Burundi, Cape Verde, Central African Empire, Chad, Comoros, Congo, Cyprus, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: revised draft resolution	2
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Plenary Meetings*, 47th to 52nd meetings.

DOCUMENT A/32/241

Egypt: request for the inclusion of an additional item in the agenda of the thirty-second session

[Original: Arabic/English]
[25 August 1977]

LETTER DATED 25 AUGUST 1977 FROM THE REPRESENTATIVE OF EGYPT TO THE SECRETARY-GENERAL

I have the honour to request, in accordance with rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda of the thirty-second session of the Assembly of an additional item entitled "Recent illegal Israeli measures in the occupied Arab territories designed to change the legal status, geographical nature and demographic composition of those territories in contravention of the principles of the Charter of the United Nations, of Israel's international obligations under the fourth Geneva Convention of 1949 and of United Nations resolutions, and obstruction of efforts aimed at achieving a just and lasting peace in the Middle East".

The Egyptian Government, in asking to inscribe this additional item on account of its important and urgent nature, requests that the General Assembly consider it as an important and urgent matter in plenary meetings.

(Signed) Ismail FAHMY
Deputy Prime Minister and
Minister for Foreign Affairs
of Egypt

Explanatory memorandum

The Israeli Government has recently begun to escalate its policy of changing the geographical nature, demographic composition and legal status of the Arab territories occupied since 5 June 1967. One manifestation of such escalation has been the announcement by the Israeli authorities of their approval of the creation of additional settlements in the West Bank of Jordan, namely Hal Odmim near Jericho, Ofra near Ramallah and Elon Souria on the road to Nablus; another is their authorization of the establishment of more settlements in the Arab territories under Israeli occupation and their decision to extend the application of Israeli laws and regulations to Arab areas in the occupied territories.

In the view of the Egyptian Government, these measures constitute a dangerous escalation of Israel's violation of its international obligations, an aggression against the rights of the Palestinian people and an insistence on placing further obstacles on the road to peace, while undermining the international efforts now under way to reach a peaceful and just solution. Consequently these measures represent a flagrant defiance of the will of the international community and a serious violation of the laws, regulations and principles generally accepted by that community.

Israeli measures such as those referred to above also constitute a serious contravention of those principles of the United Nations Charter that protect the sovereign rights and territorial integrity of all States, establish the non-admissibility of the acquisition of territories by force and provide for the right to self-determination and freedom for all peoples.

These measures also represent a direct violation of the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, all of which affirm—in letter and spirit—that occupation is a situation of a temporary character which prohibits the occupying Power from effecting any radical changes in prevailing conditions and which in no way permits the alienation of any occupied lands. Furthermore, such actions are in complete contravention of United Nations resolutions, whether adopted by the Security Council, the General Assembly or other bodies, affirming the applicability of the fourth Geneva Convention to the Arab territories occupied since June 1967 and considering all Israeli actions and practices in these territories as void, illegal and constituting an obstacle to the achievement of a just and lasting peace in the Middle East.

Israel has rejected all those resolutions and refused to respect the provisions or even the very applicability of the fourth Geneva Convention, despite its accession to that Convention and regardless of the resolutions of the international community unanimously confirming its applicability and the need to respect it. As a result, the situation has become so dangerous as to have direct repercussions on the international scene, especially on the situation in the Middle East.

Undoubtedly, the members of the General Assembly recognize that these Israeli measures, particularly at this delicate stage in the peace efforts, are a serious development revealing Israeli intentions to obstruct and reject peace.

Since these measures are in flagrant defiance of the will of the international community and unquestionably obstruct the steps it has taken to achieve a just and permanent peace in the Middle East, the Government of the Arab Republic of Egypt requests that this question be discussed as an urgent additional item because of the dangerous situation threatening peace in the region and that the required action be taken to preserve international legality and opportunities for establishing a just and lasting peace in the Middle East.

DOCUMENT A/32/L.3/REV.1 AND ADD.1* AND 2**

Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Botswana, Burundi, Cape Verde, Central African Empire, Chad, Comoros, Congo, Cyprus, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia: revised draft resolution

[Original: English]
[26 October 1977]

The General Assembly,

Stressing the urgent need to achieve a just and lasting peace in the Middle East,

Expressing grave anxiety and concern over the present serious situation in the occupied Arab territories as a result of the continued Israeli occupation and the measures and actions taken by the Government of Israel, as the occupying Power, and designed to change the legal status, geographical nature and demographic composition of those territories,

Considering that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ is applicable to all the Arab territories occupied since 5 June 1967,

1. *Determines* that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967 have no legal validity

* Document A/32/L.3/Rev.1/Add.1 of 27 October 1977 was issued to add the Congo, Mongolia, the Philippines and the United Republic of Cameroon to the list of sponsors of the draft resolution.

** Document A/32/L.3/Rev.1/Add.2 of 28 October 1977 was issued to add Sao Tome and Principe to the list of sponsors of the draft resolution.

¹ United Nations, *Treaty Series*, vol. 75 (No. 973), p. 287.

and constitute a serious obstruction of efforts aimed at achieving a just and lasting peace in the Middle East;

2. *Strongly deplores* the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the occupied Arab territories;

3. *Calls upon* Israel to comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

4. *Calls once more upon* the Government of Israel, as the occupying Power, to desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Arab territories occupied since 1967, including Jerusalem;

5. *Urges* all States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to ensure respect for and compliance with its provisions in all the Arab territories occupied by Israel since 1967, including Jerusalem;

6. *Requests* the Secretary-General:
- (a) To undertake urgent contacts with the Government of Israel to ensure the prompt implementation of the present resolution;
- (b) To submit a report to the General Assembly

and the Security Council, not later than 31 December 1977, on the results of his contacts;

7. *Requests* the Security Council to review the situation in the light of the present resolution and of the report of the Secretary-General.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 52nd plenary meeting, on 28 October 1977, the General Assembly, by a roll-call vote of 131 to 1, with 7 abstentions, adopted draft resolution A/32/L.3/Rev.1 and Add.1 and 2. For the final text, see resolution 32/5.²

² See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 126 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/32/261	Letter dated 5 October 1977 from the representative of the Libyan Arab Jamahiriya to the Secretary-General	Mimeographed
A/32/311-S/12428	Note verbale dated 20 October 1977 from the representative of the Syrian Arab Republic to the Secretary-General	See <i>Official Records of the Security Council, Thirty-second year, Supplement for October, November and December 1977</i>
A/32/498-S/12512	Report of the Secretary-General	<i>Ibid.</i>
A/32/L.3 and Add.1 and 2	Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Benin, Botswana, Burundi, Central African Empire, Chad, Comoros, Cyprus, Democratic Yemen, Djibouti, Egypt, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morecco, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution	Replaced by A/32/L.3/Rev.1 and Add.1 and 2

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 128:* Question of the composition of the relevant organs of the United Nations

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A/32/243	Afghanistan, Bahrain, Bangladesh, Bhutan, Cyprus, Democratic Yemen, Fiji, India, Indonesia, Iran, Iraq, Japan, Jordan, Kuwait, Malaysia, Maldives, Nepal, Oman, Pakistan, Philippines, Qatar, Samoa, Saudi Arabia, Singapore, Sri Lanka, Syrian Arab Republic, Thailand, United Arab Emirates and Yemen: request for the inclusion of an additional item in the agenda of the thirty-second session	1
A/32/465	Report of the Special Political Committee	2
Action taken by the General Assembly		3
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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Special Political Committee*, 39th, 40th and 46th meetings, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 103rd meeting.

DOCUMENT A/32/243

Afghanistan, Bahrain, Bangladesh, Bhutan, Cyprus, Democratic Yemen, Fiji, India, Indonesia, Iran, Iraq, Japan, Jordan, Kuwait, Malaysia, Maldives, Nepal, Oman, Pakistan, Philippines, Qatar, Samoa, Saudi Arabia, Singapore, Sri Lanka, Syrian Arab Republic, Thailand, United Arab Emirates and Yemen: request for the inclusion of an additional item in the agenda of the thirty-second session

[Original: English]
[28 September 1977]

LETTER DATED 28 SEPTEMBER 1977 TO THE
SECRETARY-GENERAL

We have the honour to request, in conformity with rule 15 of the rules of procedure of the General Assembly, the inclusion of an additional item entitled "Question of the composition of the relevant organs of the United Nations" in the agenda of the thirty-second session of the General Assembly.

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is attached.

(Signed)

A. R. GHAFORZAI (Afghanistan)
A. S. KAMAL (Bahrain)
K. M. KAISER (Bangladesh)
Dago TSHERING (Bhutan)
Zenon ROSSIDES (Cyprus)
H. M. OBADI (Democratic Yemen)
R. NAIR (Fiji)
Salman HAIDAR (India)
A. MARPAUNG (Indonesia)
J. SHEMIRANI (Iran)
G. F. KHALEF (Iraq)
T. ONDA (Japan)
U. S. TUKAN (Jordan)
D. A. R. RAZZOQI (Kuwait)
ZAITON Ibrahim (Malaysia)
Fathulla JAMEEL (Maldives)
S. K. UPADHYAY (Nepal)
M. ABOUL-NASR (Oman)

I. A. AKHUND (Pakistan)
N. G. VALDERRAMA (Philippines)
J. Y. JAMAL (Qatar)
I. TOMA (Samoa)
J. M. BAROODY (Saudi Arabia)
R. WONG (Singapore)
H. S. AMERASINGHE (Sri Lanka)
Z. SIBAHİ (Syrian Arab Republic)
P. GUNA-KASEM (Thailand)
B. W. HAMMAD (United Arab Emirates)
A. M. MUBAREZ (Yemen)

ANNEX

Explanatory memorandum

1. It is generally acknowledged that the composition of the various organs of the United Nations shall be such as to ensure their representative character. In view of the fact that a large increase has taken place in the membership of the United Nations, the representation of regional groups no longer accurately reflects the principle of equitable geographical distribution. It is found that in the various United Nations bodies the present level of Asian representation is not in line with its present numerical strength.

2. Furthermore, there is no longer any valid reason for providing representation for the Asian and African groups together. The time has come for these two groups to be represented separately.

3. Having regard to the above-mentioned considerations, it is proposed to revise the composition of the relevant organs of the United Nations.

DOCUMENT A/32/465

Report of the Special Political Committee

[Original: English]
[14 December 1977]

1. By a letter dated 28 September 1977 (A/32/243), the representatives of Afghanistan, Bahrain, Bangladesh, Bhutan, Cyprus, Democratic Yemen, Fiji, India, Indonesia, Iran, Iraq, Japan, Jordan, Kuwait, Malaysia, Maldives, Nepal, Oman, Pakistan, the Philippines, Qatar, Samoa, Saudi Arabia, Singapore, Sri Lanka, the Syrian Arab Republic, Thailand, the United Arab Emirates and Yemen requested the inclusion in the agenda of the thirty-second session of the General Assembly of an item entitled "Question of the composition of the relevant organs of the United Nations". An explanatory memorandum accompanied the request.

2. At its 15th plenary meeting, on 30 September, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.

3. The Committee considered the item at its 39th, 40th and 46th meetings, between 5 and 13 December.

4. At the 40th meeting, the representative of Papua New Guinea introduced a draft resolution (A/SPC/32/L.21), sponsored by Afghanistan, Bahrain, Bangladesh, Bhutan, Fiji, India, Indonesia, Iran, Iraq, Japan, Kuwait, Malaysia, Maldives, Nepal, Papua New Guinea, the Philippines, Qatar, Singapore, Sri Lanka, the Syrian Arab Republic, Thailand and the United Arab Emirates, which read as follows:

"The General Assembly,

"Recognizing that the composition of the various organs of the United Nations should be so constituted as to ensure their representative character,

"Taking into account the considerable increase in the membership of the United Nations,

"Recalling its resolution 1990 (XVIII) of 17 December 1963,

"Taking also into account that the General Committee of the General Assembly should be enlarged with a view to providing for a more adequate geographical representation,

"Believing also that it is desirable to distribute the vice-presidencies of the General Assembly and chairmanships of the Main Committees separately between the African and Asian States,

"Noting that the General Committee is composed of the President of the General Assembly, the Vice-Presidents of the Assembly and the Chairmen of the Main Committees,

"1. Decides to amend rules 31 and 38 of its rules of procedure as follows:

'Rule 31

"The General Assembly shall elect a President and nineteen Vice-Presidents, who shall hold office until the close of the session at which they are elected. The Vice-Presidents shall be elected,

after the election of the Chairmen of the seven Main Committees referred to in rule 98, in such a way as to ensure the representative character of the General Committee.

'Rule 38

'The General Committee shall comprise the President of the General Assembly, who shall preside, the nineteen Vice-Presidents and the Chairmen of the seven Main Committees. No two members of the General Committee shall be members of the same delegation, and it shall be so constituted as to ensure its representative character. Chairmen of other committees upon which all Members have the right to be represented and which are established by the General Assembly to meet during the session shall be entitled to attend meetings of the General Committee and may participate without vote in the discussions.'

"2. Decides to replace the annex to resolution 1990 (XVIII) by the annex to the present resolution concerning the election of the President of the General Assembly, the nineteen Vice-Presidents of the General Assembly and the seven Chairmen of the Main Committees;

"3. Decides to include in the agenda of the thirty-third session of the General Assembly the item entitled 'Question of the composition of the relevant organs of the United Nations'.

"ANNEX

"1. In the election of the President of the General Assembly, regard shall be had for equitable geographical rotation of this office among the regions mentioned in paragraphs 2 and 4 below.

"2. The nineteen Vice-Presidents of the General Assembly shall be elected according to the following pattern:

"(a) Five representatives from African States;

"(b) Four representatives from Asian States;

"(c) One representative from an Eastern European State;

"(d) Three representatives from Latin American States;

"(e) Two representatives from Western European and other States;

"(f) Five representatives from the permanent members of the Security Council.

"3. The election of the President of the General Assembly will, however, have the effect of reducing by one the number of vice-presidencies allocated to the region from which the President is elected.

"4. The seven Chairmen of the Main Committees shall be elected according to the following pattern:

"(a) One representative from an African State;

"(b) One representative from an Asian State;

"(c) One representative from an Eastern European State;

"(d) One representative from a Latin American State;

“(e) One representative from a Western European or other State;

“(f) The sixth Chairmanship shall rotate among representatives of States mentioned in subparagraphs (b), (d) and (e) every three years;

“(g) The seventh Chairmanship shall rotate between representatives of States mentioned in subparagraphs (a) twice every three years, and (b) once every three years.”

5. At the 46th meeting, the Chairman announced that, as a result of consultations with the Chairmen of the regional groups, it seemed that agreement could be reached on the text of a statement, which he read out, which the Committee might recommend for adoption by the General Assembly. He stated that, with the concurrence of the Committee, he would consider the draft recommendation adopted by consensus.

6. The Committee adopted the draft recommendation by consensus (see para. 7 below).

Recommendation of the Special Political Committee

7. The Special Political Committee recommends to the General Assembly the adoption of the following draft consensus:

Consideration of the draft resolution entitled “Question of the composition of the relevant organs of the United Nations” (A/SPC/32/L.21) is deferred until the thirty-third session of the General Assembly and a contact group, consisting of two or three representatives from each of the regional groups, will meet between the thirty-second and thirty-third sessions of the Assembly, under the chairmanship of a representative of the Asian group, to study the question, on the understanding that its deliberations will serve as a basis for the consideration of this item by the Assembly at its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 103rd plenary meeting, on 15 December 1977, the General Assembly adopted the recommendation made by the Special Political Committee in paragraph 7 of its report (A/32/465) (see decision 32/427¹).

¹See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 128 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/SPC/32/1/Add.1	Letter dated 30 September 1977 from the President of the General Assembly to the Chairman of the Special Political Committee	Mimeographed
A/SPC/32/L.21	Draft resolution	For the sponsors and the text, see A/32/465, para. 4

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 129:* Safety of international civil aviation

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A/32/245	Argentina, Australia, Austria, Belgium, Canada, Chile, Colombia, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Guatemala, India, Iran, Ireland, Italy, Japan, Lesotho, Luxembourg, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Spain, Surinam, Sweden, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: request for the inclusion of an additional item in the agenda of the thirty-second session	1
A/32/320	Report of the Special Political Committee	2
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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-second Session, Special Political Committee, 7th, 9th, 11th and 13th to 15th meetings, and ibid., Special Political Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 56th meeting.*

DOCUMENT A/32/245

Argentina, Australia, Austria, Belgium, Canada, Chile, Colombia, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Guatemala, India, Iran, Ireland, Italy, Japan, Lesotho, Luxembourg, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Spain, Surinam, Sweden, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: request for the inclusion of an additional item in the agenda of the thirty-second session

[Original: English]
[22 October 1977]

LETTER DATED 22 OCTOBER 1977 TO THE SECRETARY-GENERAL

We have the honour to request hereby the inclusion in the agenda of the thirty-second session of the General Assembly of an item entitled "Safety of international civil aviation". This request is made pursuant to rule 15 of the rules of procedure of the General Assembly, in view of the important and urgent character of the subject-matter.

In this connexion we would also request that the item be accorded due priority.

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is attached.

(Signed)

Enrique Jorge ROS (Argentina)
Ralph L. HARRY (Australia)
Peter JANKOWITSCH (Austria)
Eric DUCHÊNE (Belgium)
William H. BARTON (Canada)
Sergio DIEZ (Chile)
Germán ZEA (Colombia)
Wilhelm ULRICHSEN (Denmark)
Alfonso MORENO MARTÍNEZ (Dominican Republic)
Miguel A. ALBORNOZ (Ecuador)
Berenado VUNIBOBO (Fiji)

Ilkka Olavi PASTINEN (Finland)
Jacques LEPRETTE (France)
Rüdiger von WECHMAR (Germany, Federal Republic of)
George PAPOULIAS (Greece)
Julio ASENSIO-WUNDERLICH (Guatemala)
Rikhi JAIPAL (India)
Davoud BAVAND (Iran)
Eamonn KENNEDY (Ireland)
Luigi FERRARI BRAVO (Italy)
Isao ABE (Japan)
Mooki V. MOLAPO (Lesotho)
Paul PETERS (Luxembourg)
Johan KAUFMANN (Netherlands)
Malcolm J. C. TEMPLETON (New Zealand)
José A. ALVARADO CORREA (Nicaragua)
Leslie O. HARRIMAN (Nigeria)
Tom VRAALSEN (Norway)
Qadeeruddin AHMED (Pakistan)
Léon ABADI ABADI (Panama)
Paulias N. MATANE (Papua New Guinea)
Carlos ALZAMORA (Peru)
P. A. CASTRO (Philippines)
Vasco FUTSCHER PEREIRA (Portugal)
Antonio PEDAUYÉ (Spain)
H. A. F. HEIDWEILLER (Surinam)

Anders THUNBORG (Sweden)
 Frank O. ABDULAH (Trinidad and Tobago)
 Solmaz UNAYDIN (Turkey)
 Ivor RICHARD (United Kingdom of Great Britain
 and Northern Ireland)
 Andrew YOUNG (United States of America)
 Carlos GIAMBRUNO (Uruguay)

ANNEX

Explanatory memorandum

1. It will be recalled that the General Assembly at its twenty-fifth session, when dealing with the issue of aerial hijacking or interference with civil air travel, recognized, in resolution 2645 (XXV) of 25 November 1970, that international civil aviation is a vital link in the promotion and pres-

ervation of friendly relations among States and that its safe and orderly functioning is in the interests of all peoples. Indeed international civil aviation is a very important element of co-operation among States, the furtherance of which is one of the main goals of the United Nations under its Charter. Clearly international civil aviation can only function properly in conditions guaranteeing safety of its operations and the due exercise of the freedom of air travel.

2. The recent escalation of unlawful interference with civil air travel and its consequences for the safety of international civil aviation have caused serious concern and convinced our Governments of the urgent necessity for the General Assembly of the United Nations to take appropriate action.

3. We therefore believe that immediate consideration of this matter would be in the interest of the international community.

DOCUMENT A/32/320*

Report of the Special Political Committee

[Original: English]
 [2 November 1977]

Introduction

1. By a letter dated 22 October 1977 (A/32/245), the representatives of Argentina, Australia, Austria, Belgium, Canada, Chile, Colombia, Denmark, the Dominican Republic, Ecuador, Fiji, Finland, France, the Federal Republic of Germany, Greece, Guatemala, India, Iran, Ireland, Italy, Japan, Lesotho, Luxembourg, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Peru, the Philippines, Portugal, Spain, Surinam, Sweden, Trinidad and Tobago, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay requested the inclusion in the agenda of the thirty-second session of the General Assembly of an item entitled "Safety of international civil aviation".

2. At its 45th plenary meeting, on 25 October, the General Assembly, on the recommendation of the General Committee, decided that the item should be included in the agenda and allocated to the Special Political Committee, and that it should be accorded due priority by that Committee.

3. At its 6th meeting, on 25 October, the Committee decided that it would begin its examination of the item on 26 October by hearing statements by the President of the Council of the International Civil Aviation Organization and by Mr. Derry F. Pearce (International Federation of Air Line Pilots Associations).

4. The Committee considered the item at its 7th, 9th, 11th and 13th to 15th meetings, held between 26 October and 2 November. At its 7th meeting, on 26 October, the Committee heard statements, in accordance with the decision taken previously, by the President of the Council of the International Civil Aviation Organization and by Mr. Derry F. Pearce (International Federation of Air Line Pilots Associations).

* Incorporating document A/32/320/Corr.1 of 3 November 1977.

Proposals and amendments

5. On 25 October, a draft resolution (A/SPC/32/L.2) was submitted by Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, the Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, the Federal Republic of Germany, Greece, Guatemala, Honduras, Iceland, India, Iran, Ireland, Italy, Japan, Liberia, Luxembourg, the Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Peru, Portugal, Samoa, Spain, Surinam, Sweden, Trinidad and Tobago, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, Venezuela and Zaire, later joined by the Bahamas, Jordan, Nepal and Panama. The draft resolution read as follows:

"The General Assembly,

"... [same text as the preamble of the draft resolution in paragraph 13 below];

"1. *Reiterates and reaffirms* its condemnation of acts of aerial hijacking or other interference with civil air travel through the threat or use of force, and all acts of violence which may be directed against passengers, crew and aircraft;

"2. *Calls upon* all States to take all necessary steps, taking into account the relevant recommendations of the United Nations and the International Civil Aviation Organization, to prevent acts of the nature referred to in paragraph 1 above, including the improvement of security arrangements at airports or by airlines as well as the exchange of relevant information, and to this end to take joint and separate action, in accordance with the Charter, in co-operation with the United Nations and the International Civil Aviation Organization to ensure that passengers, crew and aircraft engaged in civil aviation are not used as a means of extorting advantage of any kind;

"... [same text as operative paragraphs 3 and 4 of the draft resolution in paragraph 13 below]."

6. At the 7th meeting, Saudi Arabia introduced an amendment (A/SPC/32/L.3), whereby the fol-

lowing operative paragraph would be added to the draft resolution:

"5. *Affirms* that saving the lives of innocent hostages should remain the primary concern of the international community, notwithstanding the necessary drastic measures that may have to be taken to curb the international hijacking operations of civilians."

7. On 28 October 1977, Saudi Arabia submitted a draft resolution (A/SPC/32/L.4) which read as follows:

The General Assembly,

Whereas the right to life of the individual is a primordial right enshrined in the Charter of the United Nations and clearly enunciated in the Universal Declaration of Human Rights and the two International Covenants of Human Rights,

Taking into account that freedom and security of the person are adjunct to the life of the individual as spelled out in article 3 of the Universal Declaration of Human Rights which states: 'Everyone has the right to life, liberty and security of person',

Noting that the life of the individual, his freedom and security are endangered not only in war but in peace-time due to certain forces in society in many countries, which forces are driving many people to take the law into their own hands without regard for article 3 of the Universal Declaration of Human Rights,

Inasmuch as those who take the law into their own hands are endangering the safety of individuals by resorting to hijacking airplanes and other means of transportation,

"1. *Affirms* that saving the lives of hostages should remain the primary concern of the international community, notwithstanding the necessary drastic measures that may have to be taken to curb the international hijacking operations against civilians;

"2. *Calls upon* Governments to make serious studies of the abnormal situation related to hijacking and take measures to work out possible solutions."

At the 11th meeting, on 31 October, in the course of introducing the draft resolution, Saudi Arabia withdrew the amendment in document A/SPC/32/L.3.

8. At the 13th meeting, the Chairman announced that consultations between the sponsors and the various regional groups with a view to arriving at a generally agreed consensus had led to the impression that adoption by consensus of a draft resolution based largely on the text contained in document A/SPC/32/L.2 might be possible with the following changes:

(a) The insertion, at the end of paragraph 1, of the words "whether committed by individuals or States";

(b) The replacement of the words "in accordance with the Charter" in paragraph 2 by the following:

"subject to respect for the purposes and principles of the Charter of the United Nations and for the relevant United Nations resolutions and without prejudice to the sovereignty or territorial integrity of any State".

9. At the same meeting, Saudi Arabia proposed two amendments to the text read out by the Chairman which would incorporate the following changes:

(a) The addition of the words "declarations, covenants and" before the word "resolutions" in the amendment to paragraph 2;

(b) The addition of a new operative paragraph reading as follows:

"5. *Appeals* to all Governments to make serious studies of the abnormal situation related to hijacking."

10. The representative of Saudi Arabia further indicated that, should these amendments prove acceptable, he would not ask for the consideration of draft resolution A/SPC/32/L.4, but would be satisfied with the reproduction of its text in the Committee's report and its presentation to the General Assembly by the Rapporteur.

11. As there was no objection to its adoption by consensus, the Chairman declared that draft resolution A/SPC/32/L.2, as orally amended and with the changes proposed by Saudi Arabia, was adopted. (For the text, see para. 13 below.)

12. At the same meeting, the representative of Cuba expressed his delegation's reservations with regard to the consensus. At the 14th and 15th meetings, statements in explanation of their positions were made by several delegations.

Recommendation of the Special Political Committee

13. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recognizing that the orderly functioning of international civil air travel under conditions guaranteeing the safety of its operations is in the interest of all peoples and promotes and preserves friendly relations among States,

Recalling its resolution 2645 (XXV) of 25 November 1970, in which it recognized that acts of aerial hijacking or other wrongful interference with civil air travel jeopardize the lives and safety of passengers and crew and constitute a violation of their human rights,

Recalling also its resolution 2551 (XXIV) of 12 December 1969 as well as Security Council resolution 286 (1970) of 9 September 1970 and the Council's decision of 20 June 1972,¹

1. *Reiterates and reaffirms* its condemnation of acts of aerial hijacking or other interference with civil air travel through the threat or use of force, and all acts of violence which may be directed against passengers, crew and aircraft, whether committed by individuals or States;

2. *Calls upon* all States to take all necessary steps, taking into account the relevant recommendations of

¹ *Official Records of the Security Council, Twenty-seventh Year, Supplement for April, May and June 1972, document S/10705.*

the United Nations and the International Civil Aviation Organization, to prevent acts of the nature referred to in paragraph 1 above, including the improvement of security arrangements at airports or by airlines as well as the exchange of relevant information, and to this end to take joint and separate action, subject to respect for the purposes and principles of the Charter of the United Nations and for the relevant United Nations declarations, covenants and resolutions and without prejudice to the sovereignty or territorial integrity of any State, in co-operation with the United Nations and the International Civil Aviation Organization, to ensure that passengers, crew and aircraft engaged in civil aviation are not used as a means of extorting advantage of any kind;

3. *Appeals* to all States which have not yet become parties to the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963,² the Convention for the Suppression of Unlawful Seizure of Aircraft, signed

² United Nations, *Treaty Series*, vol. 704, No. 10106.

at The Hague on 16 December 1970,³ and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971,⁴ to give urgent consideration to ratifying or acceding to those conventions;

4. *Calls upon* the International Civil Aviation Organization to undertake urgently further efforts with a view to ensuring the security of air travel and preventing the recurrence of acts of the nature referred to in paragraph 1 above, including the reinforcement of annex 17⁵ to the Convention on International Civil Aviation, signed at Chicago on 7 December 1944;⁶

5. *Appeals* to all Governments to make serious studies of the abnormal situation related to hijacking.

³ *United States Treaties and Other International Agreements*, vol. 22, part 2 (1971), p. 1644.

⁴ *Ibid.*, vol. 24, part 1 (1973), p. 568.

⁵ See *International Standards and Recommended Practices: Security-Safeguarding international civil aviation against acts of unlawful interference*, adopted by the Council of the International Civil Aviation Organization on 22 March 1974 (International Civil Aviation Organization, Montreal, August 1974).

⁶ United Nations, *Treaty Series*, vol. 15, No. 102.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 56th plenary meeting, on 3 November 1977, the General Assembly adopted the draft resolution submitted by the Special Political Committee in its report (A/32/320, para. 13). For the final text, see resolution 32/8.⁷

⁷ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 129 that are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title or description</i>	<i>Observations and references</i>
A/SPC/32/1/Add.2	Letter dated 25 October 1977 from the President of the General Assembly to the Chairman of the Special Political Committee	Mimeographed
A/SPC/32/L.2	Draft resolution	For the sponsors and the text, see A/32/320, para. 5
A/SPC/32/L.3	Saudi Arabia: amendment to document A/SPC/32/L.2	See A/32/320, para. 6
A/SPC/32/L.4	Saudi Arabia: draft resolution	<i>Ibid.</i> , para. 7

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 130:* Place of meeting of the thirty-third session of the General Assembly

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Action taken by the General Assembly		3

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Plenary Meetings, 99th meeting.*

DOCUMENT A/32/246

Philippines: request for the inclusion of an additional item in the agenda of the thirty-second session

[Original: English]
[22 October 1977]

LETTER DATED 21 OCTOBER 1977 FROM THE REPRESENTATIVE OF THE PHILIPPINES TO THE SECRETARY-GENERAL

I have the honour, on behalf of the Philippine Government, to request, in accordance with rule 15 of the rules of procedure, the inclusion in the agenda of the thirty-second session of the General Assembly of an additional item entitled "Place of meeting of the thirty-third session of the General Assembly".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum and a draft resolution are attached.

(Signed) Alejandro D. YANGO
Ambassador

Acting Permanent Representative of the Philippines
to the United Nations

ANNEX I

EXPLANATORY MEMORANDUM

1. Mrs. Imelda Romualdez Marcos, Special Envoy of the President of the Philippines, in the statement which she delivered during the 15th plenary meeting of the current session of the General Assembly on 30 September 1977,¹ extended the offer of the Philippine Government to act as host to the thirty-third session of the General Assembly at Manila next year.

2. The offer was made in accordance with rule 3 of the rules of procedure of the General Assembly, which states:

"The General Assembly shall meet at the Headquarters of the United Nations unless convened elsewhere in pursuance of a decision taken at a previous session or at the

request of a majority of the Members of the United Nations."

3. In her statement, Mrs. Marcos suggested that, in the interest of a deeper understanding of its problems and conditions, the General Assembly meet on occasion in the third world.

4. She pointed out that the Philippines "is a country of the third world, which is a microcosm, an archetype, of its problems..."² and added:

"It is a country where the General Assembly may see for itself what is meant by the third world. Perhaps we may get the feel of its problems at first hand while enjoying the most modern facilities and comforts which the work of the General Assembly and its Secretariat requires for maximum efficiency."³

5. Manila has the facilities to enable the General Assembly, the delegations and the Secretariat to carry out their work effectively.

6. For the proposed holding of the thirty-third session of the General Assembly at Manila, the Philippine Government is prepared to undertake the financial responsibilities involved, including those provided for in paragraph 10 of General Assembly resolution 2609 (XXIV) of 16 December 1969.

7. Since the founding of the United Nations, there has not been a regular session of the General Assembly held in a developing country. The General Assembly has met three times outside of Headquarters in capitals of developed countries. It is timely, therefore, that such a session be convened in one of the countries of the third world.

8. The Philippines trusts that the General Assembly will accept the offer of the Philippine Government to act as host to the thirty-third session in 1978.

² *Ibid.*, para. 184.

³ *Ibid.*, para. 185.

¹ See *Official Records of the General Assembly, Thirty-second Session, Plenary Meetings*, 15th meeting, paras. 150-189.

ANNEX II

DRAFT RESOLUTION

The General Assembly,

Considering that, under the provisions of rule 3 of its rules of procedure, the General Assembly may be convened elsewhere than at the Headquarters of the United Nations, in pursuance of a decision taken at a previous session or at the request of a majority of the Members of the United Nations,

Noting the offer of the Government of the Philippines to act as host to the thirty-third regular session of the General Assembly,

Taking into account its resolution 2609 (XXIV) of 16 December 1969,

1. Decides that the thirty-third regular session of the General Assembly shall be held at Manila;
2. Requests the Secretary-General to take all appropriate steps for the implementation of the present resolution.

DOCUMENT A/32/246/REV.1 AND ADD.1*

Fiji, Indonesia, Malaysia, Philippines, Samoa, Singapore and Thailand: request for the inclusion of an additional item in the agenda of the thirty-second session

[Original: English]
[1 December 1977]

LETTER DATED 1 DECEMBER 1977 FROM THE REPRESENTATIVES OF INDONESIA, MALAYSIA, THE PHILIPPINES, SINGAPORE AND THAILAND ADDRESSED TO THE SECRETARY-GENERAL

Further to the letter dated 21 October 1977 addressed to you by the Acting Permanent Representative of the Philippines to the United Nations (A/32/246), we have the honour to request, in accordance with rule 15 of the rules of procedure, the inclusion in the agenda of the thirty-second session of the General Assembly of an additional item entitled "Place of meeting of the thirty-third session of the General Assembly".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum and a draft resolution are attached.

(Signed) Chaidir ANWAR SANI (Indonesia)
Tan Sri ZAITON Ibrahim (Malaysia)
Alejandro D. YANGO (Philippines)
T. T. B. KOCH (Singapore)
Pracha GUNA KASEM (Thailand)

ANNEX I

EXPLANATORY MEMORANDUM

1. The Philippine Government extended its offer to act as host to the thirty-third session of the General Assembly at Manila next year in a statement by Her Excellency Mrs. Imelda Romualdez Marcos, Special Envoy of the President of the Philippines, delivered during the 15th plenary meeting of the current session of the General Assembly on 30 September 1977.

2. The offer was made in accordance with rule 3 of the rules of procedure of the General Assembly, which states:

"The General Assembly shall meet at the Headquarters of the United Nations unless convened elsewhere in pursuance of a decision taken at a previous session or at the request of a majority of the Members of the United Nations."

3. In her statement, Mrs. Marcos suggested that, in the interest of a deeper understanding of its problems and conditions, the General Assembly should meet on occasion in the third world.

* Document A/32/246/Rev.1/Add.1 of 2 December 1977 was issued to add the following names to the list of signatories: Berenado VUNIBOBO (Fiji) and Iulai TOMA (Samoa).

4. She pointed out that the Philippines "is a country of the third world, which is a microcosm, an archetype, of its problems..." and added:

"It is a country where the General Assembly may see for itself what is meant by the third world. Perhaps we may get the feel of its problems at first hand while enjoying the most modern facilities and comforts which the work of the General Assembly and its Secretariat requires for maximum efficiency."

5. In the course of the current session extensive consultations have been made with respect to the offer of the Philippine Government. It was evident from these consultations that there was opposition to the holding of a full regular session of the General Assembly lasting three months. The Philippine Government therefore, in its desire for harmony and accommodation, has accordingly modified its offer in the sense that, instead of a full regular session, its invitation is now for the first part of the session, which consists of the ceremonial opening, the organization of work and the general debate, which altogether will last approximately four weeks.

6. Manila has the facilities to enable the General Assembly, the delegations and the Secretariat to carry out their work effectively, in connexion with the convening of the first part of the session as above specified.

7. For this purpose, the Philippine Government is prepared to undertake the financial responsibilities involved, including those provided for in General Assembly resolutions 2609 (XXIV) of 16 December 1969 and 31/140 of 17 December 1976.

8. Since the founding of the United Nations, there has not been a regular session of the General Assembly held in a developing country. The General Assembly has met three times outside of Headquarters in capitals of developed countries. It is timely, therefore, that the General Assembly be convened in one of the countries of the third world.

9. It is hoped that the General Assembly would accept the offer of the Philippine Government to act as host to the above described first part of its thirty-third session in 1978.

ANNEX II

DRAFT RESOLUTION

The General Assembly,

Considering that, under the provisions of rule 3 of its rules of procedure, the General Assembly may be convened elsewhere than at the Headquarters of the United Nations, in pursuance of a decision taken at a previous session or at the request of a majority of the Members of the United Nations,

Aware that, since the founding of the United Nations, there has not been a regular session of the General Assembly held in a developing country,

Convinced of the desirability of convening on occasion the regular session of the General Assembly in a developing country, in order that representatives of Governments and international organizations may have a deeper understanding of the conditions and problems of the third world,

Noting the offer of the Government of the Philippines to act as host to the thirty-third regular session of the General Assembly,

Taking into account its resolution 2609 (XXIV) of 16 December 1969 and 31 140 of 17 December 1976,

1. *Decides* that the first part of the thirty-third regular session of the General Assembly, which consists of the ceremonial opening, the organization of work and the general debate and will last for approximately four weeks, shall be held at Manila and that the continuation of the session shall be held at United Nations Headquarters,

2. *Requests* the Secretary-General to take all **appropriate** steps for the implementation of the present resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 9 December 1977, the General Assembly took note of a statement by the President of the Assembly in the course of which he announced that the sponsors of the draft resolution contained in annex II of document A/32/246/Rev.1 and Add.1 would not press their draft resolution to a vote (see decision 32/421⁴).

⁴ See *Official Records of the General Assembly, Thirty-second Session, Supplement No. 45*.

GENERAL ASSEMBLY



ANNEXES

THIRTY-SECOND SESSION

Official Records

NEW YORK, 1977

Agenda item 131:* Draft Code of Offences against the Peace and Security of Mankind

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-second Session, Sixth Committee, 69th meeting; ibid., Sixth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 105th meeting.*

DOCUMENT A/32/247

Barbados, Fiji, Mexico, Nigeria, Panama, Philippines and Syrian Arab Republic: request for the inclusion of an additional item in the agenda of the thirty-second session of the General Assembly

[Original: English]
[17 November 1977]

LETTER DATED 9 NOVEMBER 1977 FROM THE REPRESENTATIVES OF BARBADOS, FIJI, MEXICO, NIGERIA, PANAMA, THE PHILIPPINES AND THE SYRIAN ARAB REPUBLIC TO THE SECRETARY-GENERAL

We have the honour to request hereby the inclusion in the agenda of the thirty-second session of the General Assembly of an item entitled "Draft Code of Offences against the Peace and Security of Mankind". This request is made pursuant to rule 15 of the rules of procedure of the General Assembly, in view of the important and urgent character of the subject matter.

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is attached.

(Signed)

Donald G. BLACKMAN
*Permanent Representative of
Barbados to the United Nations*

Berenado VUNIBOBO
*Permanent Representative of
Fiji to the United Nations*

Roberto de ROSENZWEIG-DIAZ
*Permanent Representative of
Mexico to the United Nations*

Leslie O. HARRIMAN
*Permanent Representative of
Nigeria to the United Nations*

Jorge Enrique ILLUECA
*Permanent Representative of
Panama to the United Nations*

Alejandro D. YANGO
*Acting Permanent Representative
of the Philippines to the United Nations*
Mowaffak ALLAF
*Permanent Representative of
the Syrian Arab Republic to the United Nations*

ANNEX

EXPLANATORY MEMORANDUM

1. By its resolution 177 (II) of 21 November 1947, the General Assembly entrusted the International Law Commission with the task of preparing a draft code of offences against the peace and security of mankind. In 1951, the Commission submitted to the Assembly a draft Code consisting of five articles,¹ together with commentaries thereon for the consideration of Member States.

2. In the light of the observations by Governments, the Commission prepared a revised draft Code and submitted it to the General Assembly in 1954.²

3. In view of the close relation between the problems raised by the draft Code of Offences against the Peace and Security of Mankind and those of the definition of aggression, the General Assembly, in its resolution 897 (IX) of 4 December 1954, decided to postpone further consideration of the draft Code until a special committee, set up to define aggression, had submitted its report.

4. That special committee having failed to reach agreement on a definition of aggression, the General Assembly, at its eleventh session, postponed consideration of the item to

¹ See *Official Records of the General Assembly, Sixth Session, Supplement No. 9*, para. 59.

² *Ibid.*, *Ninth Session, Supplement No. 9*, para. 54.

its twelfth session in 1957.³ It correspondingly postponed consideration of the draft Code.

5. In 1957, the General Assembly, by resolution 1186 (XII) of 11 December 1957, decided to defer temporarily consideration of the question of the draft Code until such time as the Assembly agreed on a definition of aggression.

6. In 1967, the General Assembly included in the agenda of its twenty-second session an item entitled "Need to expedite the drafting of a definition of aggression in the light of the present international situation". The Assembly adopted resolution 2330 (XXII) of 18 December 1967, whereby it established a new Special Committee on the Question of Defining Aggression.

7. The Secretary-General in his memorandum of 24 September 1968 inquired⁴ of the General Committee whether in view of the developments, as described in the preceding paragraphs, it would wish to include in the agenda of the twenty-third session the item on the draft Code.

8. The General Committee decided that it would be desirable to include in the agenda of the General Assembly the item entitled "Draft Code of Offences against the Peace and Security of Mankind" only after a definition of aggression had been adopted by the Assembly.⁵

³ *Ibid.*, *Eleventh Session, Annexes*, agenda item 8, document A/BUR/143, para. 4.

⁴ *Ibid.*, *Twenty-third Session, Annexes*, agenda item 8, document A/BUR/171/Rev.1, para. 4.

⁵ *Ibid.*, document A/7250, para. 10.

9. The Special Committee, set up in 1968, in its determination to achieve a definition of aggression, extended annually—with the approval of the General Assembly—its mandate into the following year, gradually making progress towards achieving the task entrusted to it. In 1974, the Special Committee finally reached agreement on a definition of aggression, adopted a draft and submitted it to the Assembly at its twenty-ninth session. The Definition of Aggression was adopted by the General Assembly in resolution 3314 (XXIX) of 14 December 1974.

10. The International Law Commission, in its report on the work of its twenty-ninth session, referred to the advisability of the General Assembly giving consideration to the draft Code of Offences against the Peace and Security of Mankind, including the possibility of a review by the Commission of the draft Code if the General Assembly so wished, having regard to the fact that the Definition of Aggression had now been approved by the Assembly in resolution 3314 (XXIX).⁶

11. In the light of the above-mentioned developments and in accordance with General Assembly resolution 1186 (XII), it is appropriate and expedient that the General Assembly take up consideration of an item entitled "Code of Offences against the Peace and Security of Mankind".

12. Such a code would be a vital link in the series of legal instruments towards a measure of international legal order and security, so directly needed in our present state of world affairs.

⁶ *Ibid.*, *Thirty-second Session, Supplement No. 10*, para. 111.

DOCUMENT A/32/470

Report of the Sixth Committee

[Original: English]
[15 December 1977]

1. By a letter dated 9 November 1977 (A/32/247), the representatives of Barbados, Fiji, Mexico, Nigeria, Panama, the Philippines and the Syrian Arab Republic requested the inclusion in the agenda of the thirty-second session of the General Assembly of an additional item entitled "Draft Code of Offences against the Peace and Security of Mankind". An explanatory memorandum accompanied the request.

2. At its 93rd plenary meeting, on 6 December 1977, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. At its 69th meeting, on 12 December, the Sixth Committee agreed that, because of the lack of time, consideration of the item should be deferred until the thirty-third session of the General Assembly (see A/C.6/32/6).

Recommendation of the Sixth Committee

4. The Sixth Committee recommends to the General Assembly that the item entitled "Draft Code of Offences against the Peace and Security of Mankind" should be included in the provisional agenda of its thirty-third session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 16 December 1977, the General Assembly adopted the recommendation of the Sixth Committee contained in paragraph 4 of its report (A/32/470) (see decision 32/441⁷).

⁷ *Ibid.*, *Supplement No. 45*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 131 which are not reproduced in the present fascicle.

Document No.	Title or description	Observations and references
A/C.6/32/6	Letter dated 6 December 1977 from the President of the General Assembly to the Chairman of the Sixth Committee	Mimeographed

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