

chapter, which had been prepared in accordance with the Council's normal practice. Since it had not been possible for a representative of the Division to be present at all times during the drafting, a mistake had occurred and a sentence which reflected a suggestion made by one representative had wrongly been interpreted as a recommendation of the entire Sub-Committee. Sub-paragraph (d) was not a recommendation of the Sub-Committee.

10. Mr. KHALEF (Iraq) said that subparagraph (d) was not a mistake. One delegation—his own—had indeed suggested that the Committee on the Exercise of the Inalienable Rights of the Palestinian People should be invited to participate in the Conference in order to ensure the broadest representation. The Secretariat had reflected that quite correctly.

11. Mr. PETROV (Bulgaria) asked whether, if the Council approved the recommendations of the Sub-Committee, the

Secretary-General would legally be in a position to appoint a Secretary-General of the Conference prior to the thirty-second session of the General Assembly. That was an important point, because it would affect the manner in which the draft resolution on the Conference was prepared.

12. Mr. SANON (Deputy Director of the Division of Human Rights) said that the matter should be decided by the Council. However, if a Secretary-General of the Conference was not appointed until the thirty-second session of the General Assembly, he would have less than one year in which to prepare for the World Conference.

13. The PRESIDENT suggested that the Council should adjourn to enable delegations to continue their work on the draft resolution.

The meeting rose at 11.45 a.m.

2053rd meeting

Tuesday, 26 April 1977, at 3.55 p.m.

President: Mr. Ladislav ŠMÍD (Czechoslovakia).

E/SR.2053

AGENDA ITEM 4

Restructuring of the economic and social sectors of the United Nations system (E/5453/Rev.1/Amend.1, E/5453/Rev.1/Add.1 and 2, E/5476 and Add.1-3, Add.3/Corr.1, Add.4-13, E/5524 and Add.1-4, Add.4/Corr.1 and Add.5, E/5633, E/5899, E/5923)

1. Mr. CORDOVEZ (Secretary of the Council) said that, in connexion with the item under consideration, the Council had decided to review the following four questions: (a) the agreements between the United Nations and the specialized agencies and IAEA; (b) the terms of reference of the Council's subsidiary bodies; (c) the rules of procedure of the functional commissions; and (d) the methods in use for the confirmation of representatives on functional commissions. In addition, at the beginning of the current session, it had also been agreed that, under that item, the Council would consider the question of documentation for its sixty-third session. With regard to subitems (a) and (b), the Council might wish to take a decision at the current session as to when they should be considered since the item had been on the Council's agenda for four years and had caused a large number of technical problems.

2. With regard to subitem (c), the Council had before it a document prepared by the Secretariat (E/5899) which contained the draft revised rules of procedure of the functional commissions, based on the revised rules of procedure of the Council. The observer for Switzerland had quite rightly drawn the Secretariat's attention to a discrepancy between the text proposed in the document prepared by the Secretariat and the rules of procedure of the Council. Rule 69 of the proposed text did not coincide with rule 72 of the Council's current rules of procedure. In

order to avoid that discrepancy, it was proposed that the words "which the commission considers to be" in rule 69, paragraph 1, of the proposed text should be deleted since they did not appear in rule 72 of the Council's rules of procedure. Accordingly, in rule 69, paragraph 2, the words "which it considers to be" should also be deleted.

3. Secondly, he pointed out that, since the Council had agreed that the rules of procedure of the functional commissions should be brought into line with those of the Council, in rule 55 of the proposed text the words "by a two-thirds majority of the members present and voting", which were in square brackets, should be deleted. Thus, rule 55 would be brought into line with rule 57 of the Council's rules of procedure, which in turn reflected Article 67 of the United Nations Charter. In accordance with the foregoing, the corresponding change should be made to rule 58 of the proposed text, in which the reference to rule 55 appearing in square brackets should be deleted.

4. Subitem (d) stemmed from a proposal put forward by the delegation of France at the organizational session; in compliance with a request made at that time by the Council, the Secretariat had prepared a review of the background to the problem (E/5923) and its possible solutions. In paragraph 8 (a) and (b) of that document, the Secretariat suggested two possible solutions. If the Council accepted one of them, it would be necessary to make a few changes in rules 12 and 13 of the draft rules of procedure of the functional commissions.

5. With regard to the documentation that the Council would have before it at its sixty-third session, he said that, in the light of the decision taken by the Council at the beginning of the current session, the draft provisional

agenda for the sixty-third session (E/L.1757) had been distributed much earlier than usual so that the Council could form an idea of the documentation that would be submitted at that session. The agenda itself might have to be amended in the light of any decisions by the Council that might affect the agenda for the sixty-third session. Those changes would be drawn to the Council's attention when the provisional agenda was considered. In addition, at the request of the delegation of Canada, the Secretariat had prepared Conference Room Paper No. 1, which contained a breakdown of that documentation. Each of the documents which the Council would have before it was being prepared in accordance with a specific request by the General Assembly or by the Council itself. The second part of the document indicated the dates of the sessions of the subsidiary or related bodies that would submit reports to the Council at its sixty-third session. From that list it appeared that at its summer session the Council would encounter the same problems regarding documentation as it had encountered at the current session.

6. Mrs. DERRE (France) said that her delegation withdrew the request that had led to the preparation of document E/5923.

7. The PRESIDENT said that, if he heard no objection, he would take it that the Council adopted the revised rules of procedure of its functional commissions proposed by the Secretariat (E/5899), with the oral revisions suggested by the Secretary.

It was so decided (decision 216 (LXII)).

8. Mr. KUYAMA (Japan) said that his delegation would have preferred the decision relating to the draft rules of procedure of the functional commissions to be postponed until the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System had concluded its work, so as to take account of any amendments to the rules of procedure which the *Ad Hoc* Committee might put forward.

9. Mrs. DERRE (France) said that her delegation's position with regard to the participation of the liberation movements was well known and it merely wished to state its reservations concerning rule 70 of the draft rules of procedure of the functional commissions.

10. Mr. CORDOVEZ (Secretary of the Council) suggested that the Council should indicate when it proposed to consider subitems (a) and (b). Since several delegations had expressed the view that the Council should consider them as soon as the *Ad Hoc* Committee on Restructuring had adopted its report, perhaps it would be appropriate for the Council to take a decision at its next organizational session, as to when it would consider those questions.

11. Mr. S. SMIRNOV (Union of Soviet Socialist Republics) said that his position as to when the Council should consider subitems (a) and (b) had been very clearly stated when document E/L.1757 had been adopted. In his delegation's view, the agenda for the Council's sixty-third session was already heavily overloaded and it was not

possible to add an item which entailed such a large volume of documentation. He therefore supported the Secretary's suggestion that the decision as to when the Council should consider those questions should be taken at the next organizational session.

12. The PRESIDENT said that, if he heard no objection, he would take it that the Council decided to postpone the decision as to when it should consider subitems (a) and (b) until its organizational session for 1978.

It was so decided (decision 217 (LXII)).

13. Mr. MARSHALL (United Kingdom) welcomed the fact that the provisional agenda for the sixty-third session (E/L.1757) had already been distributed and felt that Conference Room Paper No. 1 was extremely useful. It would be necessary to decide whether any question raised by that document would be considered at the current session under the item on restructuring or under item 16, entitled "Consideration of the provisional agenda for the sixty-third session".

14. Furthermore, it was his understanding that the Council was faced with a dilemma: on the one hand, in taking note of the preliminary report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System, the General Assembly had requested the Council to continue its work; on the other hand, the Council would clearly have great difficulty in taking any action at that stage without running the risk of interfering with the work of that Committee, which was to reconvene the following week.

15. His delegation took the view that no action could be taken with regard to subitems 4 (a) and (b) before the submission of the final report of the *Ad Hoc* Committee on Restructuring, which the Council was to consider at its sixty-third session. Consequently, he understood that consideration of the item would be resumed at that session and that the Council would determine at that time its obligations vis-à-vis the General Assembly under the resolution relating to restructuring.

16. Mr. CORDOVEZ (Secretary of the Council) said he understood that the representative of the United Kingdom was referring both to the General Assembly's request to the Council to continue its own process of rationalization and reform, partly on the basis of the report of the *Ad Hoc* Committee on Restructuring, and to the consideration of the question of the report which the Council was to submit to the General Assembly on that matter. That would be reflected under item 8 in the annotated agenda for the Council's sixty-third session.

17. The PRESIDENT, replying to the question raised by the representative of the United Kingdom concerning the documentation of the Council, said that the information in Conference Room Paper No. 1 could be considered under item 16 of the agenda for the current session (E/5917).

The meeting rose at 4.30 p.m.