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New York

SUMMARY RECORD OF THE 32nd MEETING

Chairman: Mr. AL-MASRI (Syrian Arab Republic)

later: Mr. DANKWA (Ghana)

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

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The meeting was called to order at 10.25 a.m.

AGENDA ITEMS 123 AND 124: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991 AND PROGRAMME PLANNING (continued) (A/44/3, A/44/6/Rev.1, A/44/7 and Corr.1 and 2 and A/44/16 and Add.1)

First reading

Section 23. Human rights (continued)

1. Mr. KINCHEN (United Kingdom) said that his delegation's position on the substance of section 23 was unchanged. In its view, the relevance of the United Nations programme of activities in the field of human rights was attested to by the importance attached to it by the individuals who looked to the Organization to protect and defend their rights. Regarding the reduction recommended in paragraph 23.6 of the Advisory Committee's report, his delegation agreed that the objective should be that United Nations bodies should meet wherever and whenever it was most economical for them to do so. The recommended reduction related solely to the cost of travel of staff from Geneva to New York. However, the figures given for conference-servicing costs in New York and Geneva showed that, on a full-cost basis, Geneva was more economical. The paragraph also referred to exploring the possibility of adjusting the meeting schedule of the Human Rights Committee. It was the Committee's practice to meet once in New York, in March-April, and twice in Geneva, in July and in October-November of each year. In its informal consultations on another item the Fifth Committee was currently discussing the role and competence of the Committee on Conferences in ensuring the optimal use of resources. However, it appeared to be out of the question for the Human Rights Committee to change the pattern of its meetings, at least for the coming year and probably for the next biennium. That raised the question of the calendar of conferences in Geneva as it stood. His delegation's understanding was that March-April was a time of peak conference-servicing demand in Geneva. In the circumstances, it was the overall cost, and not simply the cost chargeable to section 23, that should be used in determining whether, and where and when, the Human Rights Committee should meet. The question was linked to issues of general temporary assistance which would be considered at a later stage under section 29.

2. Ms. GOICOCHEA ESTENOZ (Cuba) said that section 23 was one of the few sections of the proposed programme budget to show real growth. She noted that paragraph 23.12 of the proposed programme budget, on general temporary assistance, referred to a requirement of \$795,200 for mandates of the Economic and Social Council, including an additional \$40,000 to replace or supplement the regular staff of the Centre for Human Rights. She would like information from the Secretariat on the legislative mandates for that appropriation. Paragraph 23.31, on established posts, referred to the redeployment of staff to strengthen the Centre for Human Rights "in the light of the expanding scope of its mandates". She would like information on that widening of the Centre's scope and the legislative justification for it.

(Ms. Goicochea Estenez, Cuba)

3. Paragraph 23.8 of the Advisory Committee's report noted that table 23.6 of the Budget included \$1,685,300 for Economic and Social Council mandates and went on to recall that, prior to the biennium 1986-1987, no provision had been made for those activities. Instead, the resources necessary to implement the mandates had been sought annually, principally under the terms of the resolution on unforeseen and extraordinary expenses for the biennium concerned. In the light of General Assembly resolution 42/213, she wondered whether the 1990-1991 appropriation should not be made from the contingency fund. She would also like information identifying other sections of the budget that incorporated similar provisions.

4. There was a reference in output (vii) of subprogramme 3.2, Advisory services and technical co-operation, to technical assistance to 10 country or regional projects at the request of Governments and regional organizations concerned for the translation of the International Bill of Human Rights into local or regional languages. Her delegation maintained, as it had in the Committee for Programme and Co-ordination (CPC), that the project should include the translation of the Covenant on Economic, Social and Cultural Rights. She emphasized that in paragraph 231 of its report, CPC recommended that the Secretary-General should ensure the balanced implementation of international instruments in the field of human rights.

5. In respect of subprogramme 3.3, on external relations, she asked for an assurance that all the non-governmental organizations referred to under the various outputs enjoyed consultative status with the Economic and Social Council.

6. Mr. GUPTA (India) said that his Government believed that human rights activities were important and, in general, the Organization's work in that field had its support. A number of delegations had spoken in favour of increasing the resources allocated to section 23. However, the estimates of the Secretary-General already represented a positive real growth rate of 1 per cent, while the real growth rate of the budget overall was negative. It was somewhat ironic that certain delegations which advocated a zero rate of growth overall should be pressing for more in respect of specific sections despite the real growth already provided for. Many other sectors calling for priority attention were neglected in the proposed programme budget, as they had been on many past occasions. Section 23 had also received exceptional treatment in respect of post reductions. The rate of 9.9 per cent was much below the average. The Advisory Committee had drawn attention in paragraph 23.5 of its report to the additional costs under the regular budget that would ensue from the meeting of the Human Rights Committee in New York. His delegation considered that, since the Centre for Human Rights was located in Geneva, human rights activities should be concentrated there.

7. In paragraph 23.10, the Advisory Committee expressed concern at the apparent overlapping among publications prepared by the Centre for Human Rights. In paragraph 233 of its report, CPC recommended that the Secretary-General should strengthen co-ordination between the Department of Public Information and the

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(Mr. Gupta, India)

Centre for Human Rights in the area of information activities. Two concrete cases of overlapping were thus identified, and his delegation would like to know what the Secretary-General intended to do to reduce such instances.

8. On a point of procedure, he noted that a letter to the Chairman of the Fifth Committee from the Chairman of the Human Rights Committee arguing against the Advisory Committee's recommendation on the holding of meetings in New York had been circulated to the Committee. The Fifth Committee should consider whether such a procedure was correct and whether it might not have set an unfortunate precedent. He noted that no letter had been addressed to the Chairman of CPC or to the Chairman of the Advisory Committee and felt that it was not conducive to budgetary discipline for the Chairman of the Fifth Committee to entertain such communications.

9. Mr. NASSER (Egypt) said that his Government attached great importance to human rights matters, both nationally and internationally, and regarded the right to self-determination, together with the right to freedom from racial discrimination, as foremost among human rights. In his delegation's view, the overall work of the United Nations had a political and moral dimension that could not be subjected to financial assessment alone. He noted that his delegation had already warned the Fifth Committee against questioning the mandates of other committees. The Human Rights Committee was an expert body and he felt that its wishes should be taken into account. As stated in the letter addressed to the Chairman of the Fifth Committee by the Chairman of the Human Rights Committee, the purpose of convening a meeting in New York was to reach a wider audience. That aim should be weighed against the possibility of making savings through the adoption of the Advisory Committee's recommendation.

10. Mr. GALGAU (Romania) said that, as compared with other sections of the proposed programme budget in the political, economic and social areas, where expenditure showed a decline, section 23 showed a significant increase in real terms. In view of that fact, his delegation would support the reduction recommended by the Advisory Committee, although it believed that larger reductions in other programme elements of the section would be more appropriate. His delegation had noted the observation in paragraph 23.8 of the Advisory Committee's report that a large sum had been allocated for economic and social mandates, although prior to the biennium 1986-1987 no provision had been made for such activities. His delegation strongly objected, as it had in CPC, to the Centre's use of fact-finding missions and special rapporteurs, which it regarded as direct interference in matters which were within the exclusive jurisdiction of Member States. Such activities had proved very costly and of little benefit to United Nations efforts to strengthen international co-operation in regard to human rights. A reduction in such activities would contribute to respect for the purposes and principles of the Charter. His delegation would be unable to support any decision by the Fifth Committee which did not take into account the Advisory Committee's recommendation.

11. Mr. BEELAERTS VAN BLOKLAND (Netherlands) said that his Government's attachment to the human rights activities of the United Nations could not be overstated. Those activities derived from the Charter and were a corner-stone of the Organization's work. The resources requested by the Secretary-General under section 23 of the programme budget represented only 0.9 per cent of the budget as a whole and did less than justice to the importance of the human rights programme. His delegation welcomed the real rate of growth of 1 per cent as an indication of the priority to be given to those activities. He asked what activities the non-recurrent items referred to in paragraph 23.1 of the Advisory Committee's report were related to, and wondered how the section's share of overall expenditure could have diminished when it had a positive rate of real growth while the overall rate was negative.

12. There was some logic to the Advisory Committee's recommendation regarding the Human Rights Committee and Geneva, but his delegation was not in favour of any reduction of resources for the section as a whole. The work-load of the Human Rights Committee was on the point of outstripping its resources, as the Committee's most recent report to the General Assembly (A/44/40) made plain. His delegation was therefore prepared to examine the Advisory Committee's recommendation on its merits but would oppose any decrease in the overall resources requested by the Secretary-General under section 23.

13. Ms. FRIESSNIGG (Austria) stressed the importance attached by her delegation to section 23 and its concern about the level of the resources allocated to human rights activities. It was disappointed to find that only 0.9 per cent of the regular budget was assigned to human rights, particularly as two new legislative instruments were on the point of being adopted. With respect to information activities and publications in the field of human rights, she noted that the figures reflecting those activities were dispersed over various sections of the budget document. It would be useful if the Secretariat could provide an overview of all the costs relating to information activities in that area that were reflected in the different sections of the budget, if not immediately perhaps at a later stage. Regarding the recommendation in paragraph 23.6 of the Advisory Committee's report, she believed that article 37 of the International Covenant on Civil and Political Rights empowered the Human Rights Committee itself to decide where it would meet.

14. Mr. HILL (United States of America) said that his delegation objected strongly to the work programmes and resources allocated to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and to the Second Decade to Combat Racism and Racial Discrimination. His delegation's position, that the activities in both those respects were biased and purely political, remained unchanged. His delegation supported the Advisory Committee's recommendation regarding the meetings of the Human Rights Committee.

15. Mr. KAKOURIS (Cyprus) said that, in paragraph 23.7 of its report, the Advisory Committee recommended the exploration of less costly arrangements with respect to the Committee on Missing Persons in Cyprus. It was important that any alternative

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arrangements should not reduce that Committee's operational capacity to pursue its purely humanitarian task. He was sure that the Fifth Committee would reaffirm the importance that should be attributed to the work of the Committee on Missing Persons in Cyprus.

16. Mr. MAJOLI (Italy) said that his delegation had already recommended that the Human Rights Committee should not be obliged to depart from its long-standing practice of holding one session a year at Headquarters. Meeting in New York enabled the members of the Committee to meet representatives of the many States Parties to the Covenant which had no delegations in Geneva, to contact members of permanent missions who were in New York to consider the Committee's annual report to the General Assembly and to make its work known to a wider audience. A number of delegations had emphasized that the total estimate for the section was very small when compared with the importance of the task and the sums allocated to other sectors. It should also be borne in mind that the time when the Human Rights Committee would meet in New York was the time of the peak work-load in Geneva. In his delegation's view, the Fifth Committee should not deprive the Human Rights Committee of the opportunity to meet at least once a year in New York.

17. Mr. SHEK (Israel) said that his delegation had consistently opposed the activities of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. It rejected the practice of singling out his country for discriminatory treatment on every issue and noted that the composition of the Special Committee was devoid of any semblance of impartiality. Israel, as one of the most open societies in the world, was prepared to co-operate with delegations and missions from properly motivated bodies: the Special Committee could not be included under that heading. Since there was no need for such a committee, his delegation objected to the proposed appropriation for it and felt that the resources in question could be put to better use elsewhere.

18. Mr. ABDULLAH (Iraq) strongly affirmed his delegation's support for the activities of the Special Committee in the light of the continued sufferings of the population of the occupied territories.

19. Ms. ALMAO (New Zealand) said that her delegation was pleased to note the 1 per cent rate of real growth in resources for the Organization's important work in the field of human rights, as well as the change in programme content to reflect a new phase of activities, and endorsed the Secretary-General's assignment of priorities. It was, however, concerned that human rights activities accounted for less than 1 per cent of the total regular budget and felt that the delivery of outputs was suffering. Both Member States and the Secretary-General should consider an appropriate level of funding for human rights activities and adjust the apportionment of resources in future budgets, if necessary.

20. With regard to the Advisory Committee's proposed reduction in the amount of \$223,300, her delegation believed that the Chairman of the Human Rights Committee had raised some valid points in his letter to the Chairman of the Fifth Committee and that informal consultations should be held on that subject.

21. Mr. VAHER (Canada) said that his delegation could not endorse any reduction in the resources allocated to important activities in the field of human rights. A reduction of 8 out of 81 posts, although lower in percentage terms than the average reduction across the Organization, could have a serious impact on the programmes of a unit so small as the Centre for Human Rights. The paucity of posts at senior levels was also a cause for concern. While the real growth in resources of 1 per cent and the increase in projected extrabudgetary resources from \$5.8 million to \$7.9 million reflected the importance accorded to section 23, the fact that it accounted for only 0.9 per cent of the total regular budget was not satisfactory.

22. While endorsing the principle recommended by the Advisory Committee, whereby the possibilities of formulating the meeting schedule of the Human Rights Committee in the most cost-effective manner should be explored, his delegation believed that account should be taken not just of basic conference-servicing costs but also of the marginal costs involved if meetings were to be scheduled at a time when the work-load was particularly heavy at a given duty station. It was necessary to take a broader view of the real costs and savings involved, and it would be interesting to hear further comments from both representatives of the Secretariat and the Advisory Committee concerning the relative cost-effectiveness of holding meetings in New York or at Geneva.

23. In conclusion, his delegation shared the concerns expressed by the Advisory Committee in paragraph 23.10 of its report and endorsed the related recommendation of CPC, contained in paragraph 233 of its report.

24. Mr. ZAHID (Morocco), noting the positive rate of growth in resources under section 23, felt that other priority areas should also have enjoyed positive growth. He reaffirmed his delegation's position that human rights activities must be approached in a balanced manner, in accordance with the recommendation of CPC in paragraph 231 of its report.

25. The Advisory Committee was right to recommend, in paragraph 23.6 of its report, that the meeting schedule of the Human Rights Committee be formulated in the most cost-effective manner. However, money was not the only consideration, and the General Assembly had called for flexibility in application of the rule whereby bodies should meet at their established headquarters. The well-established practice of the Human Rights Committee was based on both economic and political considerations, as was the practice of certain other bodies which scheduled meetings alternately at different locations. His delegation, accordingly, believed that the current practice of the Human Rights Committee should be maintained.

26. Mr. NASSER (Egypt) regretted the fact that certain delegations employed double standards, constantly stressing the importance of United Nations human rights activities but adopting a different position when the subject under discussion concerned the human rights of the Palestinian people. His delegation was pleased to support the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

27. Mr. OLDFELT HJERTONSSON (Sweden) said that it was most important to ensure that sufficient resources were allocated to so small a unit as the Centre for Human Rights, particularly in light of the possibility that two new legal instruments in that field might be adopted in the near future.

28. Mr. LADJOUZI (Algeria) endorsed the statements made by the representatives of India and Iraq, as well as the second statement made by the representative of Egypt. It was his hope that the determination to ensure positive growth under section 23 would also be applied to other important sections, including, for example, sections 13 and 15.

29. The recommendations of CPC in paragraphs 231 and 233 of its report were of great importance. His delegation wished to know how the Centre for Human Rights, and the Secretariat in general, planned to implement the recommendation contained in paragraph 231.

30. If the reduction in resources proposed by the Advisory Committee in paragraph 23.6 of its report was to be questioned, then reductions under other sections should likewise be questioned. The Advisory Committee had based its recommendation on a principle laid down by the General Assembly, in response to a departure by the Human Rights Committee from established rules. If it proved necessary to review the Advisory Committee's proposal, it was the suggestion of his delegation that the resources released might perhaps be reallocated to important substantive activities in the area of human rights, such as those of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and those relating to the struggle against apartheid and the situation of migrant workers.

31. Mr. LOPEZ (Venezuela) said that the general principle whereby bodies held meetings at their established headquarters should be applied with a certain degree of flexibility. The implications of holding a session in New York as opposed to Geneva required more detailed consideration - which would be facilitated by further information from the Secretariat - before a decision was adopted on the Advisory Committee's proposal.

32. His delegation was pleased that the Secretariat had been able to take account of additional requirements, as indicated in paragraph 23.8 of the Advisory Committee's report, and would like to see the same practice followed under other sections, including, for example, section 18. His delegation also agreed with the Advisory Committee's remarks concerning the apparent overlapping among publications.

33. Mr. KARBUCZKY (Hungary) said that his delegation shared the concerns expressed by the representatives of the Netherlands, Austria, New Zealand and Canada with respect to the low level of resources allocated to section 23 and opposed any further reduction in those resources.

34. Mr. BAUDOT (Director, Programme Planning and Budget Division) confirmed that it was the current practice of the Human Rights Committee to hold two sessions each year at Geneva and one in New York. To his knowledge, the Committee never met at

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any other location. Without wishing to address the political reasons why the Committee should wish to meet at both locations, he could confirm that it was the exclusive prerogative of the General Assembly to decide where such meetings took place, while the Advisory Committee was competent to make recommendations in that regard. He had nothing to add to the figures, contained in the Advisory Committee's report, which compared the costs of holding sessions at Geneva or in New York. It was also correct that the session in New York was normally held in the months of March and April, at a time when the meetings schedule was particularly heavy at Geneva. However, the Secretariat had never stated that the session, if transferred to Geneva, could not be accommodated within existing resources. One of the reasons why the Secretary-General had proposed, under section 29, that part of the resources for temporary assistance should be administered directly by the Department of Conference Services in New York was precisely the need to respond to eventualities of that sort. The Fifth Committee might wish to consider the subject further when it received the recommendations of the Advisory Committee concerning the report of the Secretary-General on resources for temporary assistance. As for procedural matters, he noted that various bodies had in the past submitted letters to the Fifth Committee.

35. The fact that section 23, despite a real growth in resources of 1 per cent, now accounted for 0.9 per cent of the total regular budget, as opposed to 1 per cent in 1988-1989, was due simply to the considerable increase in resources requested for non-recurrent items. The fact that non-recurrent items were not included in the analysis of real growth would give rise to an apparent decline in the weight of certain budget sections. The actual amount of non-recurrent items under section 23 was very low by comparison with other sections and related entirely to equipment and data-processing costs.

36. An overview of costs relating to publications and information activities, as requested by the representative of Austria, would be made available in due course.

37. In reply to the question of the representative of Cuba concerning the estimated requirements for general temporary assistance in connection with mandates of the Economic and Social Council, he said that, since the biennium 1986-1987, the Secretary-General had proposed a specific amount for such activities. That practice had been adopted so that the Secretariat would not need to come back to the Fifth Committee with further requests whenever a fresh mandate was given. A similar practice was followed for section 29. In the case of paragraph 23.12 the estimate had been based on past experience and on an assumption about the likely increase in activities, including those of special rapporteurs. Those requirements could clearly not be met from the contingency fund, as they reflected the Secretary-General's proposal on the basis of past experience. If, however, the estimate proved to be insufficient, the Secretary-General would then have to look to the contingency fund.

38. The representative of Cuba had also asked about the redeployment of posts mentioned in paragraph 23.31. It was, of course, the Secretary-General's prerogative to redeploy posts within a budget section. The purpose of the proposed

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redeployment was to reinforce substantive activities as compared with executive direction and management. The proposed redeployment of staff under section 15 was substantial but would not entail a reorganization of the office.

39. The representative of Algeria had raised a question regarding the recommendation of CPC in paragraph 231 of its report, to the effect that the Secretary-General should ensure balance in the implementation of international instruments in the field of human rights. A list of bodies dealing with human rights in general or with certain specific rights was set out in the budget and an indication was given of the servicing which the Secretariat proposed to provide to each, on the basis of decisions taken when the individual bodies had been established. Any perceived imbalance in the list should not be taken as reflecting a policy decision by the Secretariat. In that connection, it might be of interest to the Fifth Committee to learn what the situation was regarding the right to development.

40. He could confirm that the study recommended by the Advisory Committee with respect to the Committee on Missing Persons in Cyprus, would be carried out. It was out of the question to suggest that the activities of the Committee would be diminished in any way.

41. Ms. GOICOHEA ESTENOZ (Cuba) said that her purpose in asking a question about the proposed redeployment of posts mentioned in paragraph 23.31 had been to find out on what intergovernmental decision the proposal was based. In connection with subprogramme 3.2 on advisory services and technical co-operation she sought clarification regarding output (vii), which proposed that 10 country or regional projects should be afforded technical assistance for the translation of the International Bill of Human Rights into national/local or regional languages.

42. In subprogramme 3.3, regarding the world human rights campaign and external relations, there was a reference to non-governmental organizations. She asked whether only non-governmental organizations in consultative status with the Economic and Social Council would be involved.

43. Mr. GUPTA (India) asked whether the Chairman of the Fifth Committee had been approached before by the chairmen of other intergovernmental bodies in connection with financial matters or recommendations of the Advisory Committee.

44. Mr. LADJOUZI (Algeria) expressed the view that it was improper for the chairman of another body to address a letter to the Fifth Committee in order to compel the latter to consider itself seized of an issue. For his delegation, the letter from the Chairman of the Human Rights Committee was for information only.

45. Mr. BAUDOT (Director, Programme Planning and Budget Division) said that he did not believe that the redeployment mentioned in paragraph 23.31 had been mandated by any intergovernmental body but rather resulted from a managerial decision.

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46. In regard to the question relating to non-governmental organizations, he believed that only those in consultative status with the Economic and Social Council were involved, but would look into the matter further and report back to the Committee.
47. In reply to the representative of India, he could not recollect that letters relating directly to the allocation of resources had ever been sent to the Chairman of the Fifth Committee. The representative of Algeria was correct.
48. Ms. GOICOCHEA ESTENOZ (Cuba) asked what specific decision had stimulated the expanding scope of the mandate of the Centre for Human Rights referred to in paragraph 23.31.
49. The CHAIRMAN said that, if there were no objections, he would take it that the Fifth Committee wished to approve the conclusions and recommendations of CPC regarding section 23 as contained in paragraphs 231 to 234 of its report (A/44/16).
50. It was so decided.
51. The recommendation of the Advisory Committee for an appropriation in the amount of \$17,164,400 under section 23 of the proposed programme budget for the biennium 1990-1991 was approved in the first reading, on the understanding that the matters raised in paragraphs 23.5 and 23.6 of the report of the Advisory Committee would be dealt with in informal consultations before the second reading.
52. Ms. GOICOCHEA ESTENOZ (Cuba) said that her delegation wished to reserve its position regarding output (vii) of subprogramme 3.2.

Section 24. Regular programme of technical co-operation

53. Mr. HALBWACHS (Programme Planning and Budget Division) said that there were three main types of technical co-operation activities, namely, short-term advisory services, field projects and training. Sectoral advisory services covered development issues and policies, energy, human settlements, international trade and development finance, natural resources, public administration and finance, social development and humanitarian affairs, statistics and transnational corporations. The purpose of the regional and subregional advisory services was to assist developing countries, members of the regional commissions in problems that they might encounter in their national efforts in development. The various subprogrammes were consistent with the medium-term plan.
54. Mr. MONTHE (Chairman of the Committee for Programme and Co-ordination) said that CPC had made two recommendations, namely, that further efforts should be made to diversify the recruitment of consultants, with increased use of local expertise (A/44/16, para. 236), and that the General Assembly should approve the programme narrative of section 24 (para. 237).

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55. Mr. LADJOUZI (Algeria) said that his delegation regretted the absence of real growth in the regular programme of technical co-operation. He noted that a number of difficulties had arisen because of limited resources. In the view of his delegation the estimates did not take those constraints and difficulties sufficiently into account.

56. His delegation supported the recommendation of CPC regarding the need to diversify the recruitment of consultants, with increased use of local expertise. He recalled that those recommendations were not new and had been made in the past by the Committee. Nevertheless the problem persisted. His delegation would like to have information on how such diversification was taken into account and what recourse was being made to local expertise.

57. Mr. MICHALSKI (United States of America) asked why programme element 4.2 under programme 3 which concerned development issues and policies in Africa (ECA) had been included under section 24 and not under section 13. The output of programme element 4.2 related to support to multinational programming and operational centres and represented purely administrative support for the MULPOCs.

58. Mr. Dankwa (Ghana) took the Chair.

59. Mr. ZAHID (Morocco) supported the representative of Algeria. His delegation would like to know the venues of the seminars, training courses and advisory missions provided for under programme element 1.1 and how the participants were chosen.

60. With reference to paragraph 24.30, he asked the Secretariat to clarify the nature of the operational activities of the MULPOCs. He agreed with the representative of Algeria that the issue of diversifying recruitment of consultants and increased use of local expertise was a matter of constant concern to the General Assembly. It would be helpful if, before the second reading, the Secretariat would indicate the extent to which the recommendation of CPC contained in paragraph 236 of its report had been implemented.

61. Mr. HALBWACHS (Programme Planning and Budget Division), replying to the representative of the United States, said that the MULPOCs were programme centres that also had an operational character and the type of activity specified in section 24 for the MULPOCs had been included in the budget for the last six or seven bienniums. He could, if necessary, provide exact details of the legislative authority for the programme element. He would also endeavour to obtain a reply to the question posed by the representative of Morocco from the Centre for Human Rights.

62. Mr. KINCHEN (United Kingdom) said that his delegation's support for development assistance was evident from the fact that the total resources devoted annually to development assistance projects by the United Kingdom comfortably exceeded the level of the United Nations regular budget. His delegation had, however, long-standing difficulties with the charging of operational activities to the regular budget. His delegation did not wish to object or record formal

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reservations regarding a proposal which represented a maintenance level of activities, as its aim was the broadest possible agreement on the budget as a whole at an acceptable level, but if the question of the appropriate apportionment of administrative and operational costs between the regular budget and extrabudgetary resources was to arise in connection with other sections, his delegation would ask that section 24 should be included in the discussion. On that understanding his delegation would go along with the decision in first reading.

63. Mr. GUPTA (India) said that one of the fundamental objectives of the United Nations was to promote international co-operation in the economic, social, cultural and humanitarian spheres and consequently the use of the regular budget for the promotion of such activities was valid. He therefore supported the representative of Algeria. His delegation saw no need for informal consultations on section 24.

64. Mr. LADJOUZI (Algeria) said that if the difficulties of the United Kingdom delegation related only to section 24, his delegation might wish to hear what those difficulties of the United Kingdom were before a decision was taken to deal with the matter in informal consultations.

65. The CHAIRMAN said that with regard to the inclusion of operational projects under the regular budget, the Fifth Committee should continue to follow its own past practice until the General Assembly had taken a specific decision on the issue. With that in mind, and if he heard no objection, he would take it that the Fifth Committee wished to approve the conclusions and recommendations of CPC regarding section 24 as contained in paragraph 235 to 237 of its report (A/44/16).

66. It was so decided.

67. An appropriation in the amount of \$35,812,800 under section 24 of the proposed programme budget for the biennium 1990-1991 was approved in first reading.

Section 25. International Court of Justice

68. Mr. BAUDOT (Director, Programme Planning and Budget Division) said that, under regulation 15.1 of the Financial Regulations, the programme budget proposals of the International Court of Justice were prepared by the Court in consultation with the Secretary-General. Resources under section 25 were not programmed.

69. The Secretary-General's estimates showed a rate of real growth of 2.7 per cent, resulting largely from the proposal to establish three new posts, two of them at the Professional level. The extra resources requested for non-recurrent items were for procurement of equipment.

70. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the three new posts proposed under the section were to accommodate two jurist-linguists, to assist in research, and one General Service staff member to provide secretarial services. After discussion of that and the proposed conversion of 10 temporary posts to established posts with representatives

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of the Secretary-General and the Registrar of the Court, the Advisory Committee had decided to recommend acceptance of the Secretary-General's estimates under section 25.

71. Turning to document A/C.5/44/13, on the publications of the International Court of Justice, he said that the Advisory Committee had noted that the Court maintained its position vis-à-vis the recommendations made by the Joint Inspection Unit in document A/41/591. Paragraph 11 of the note of the Secretary-General indicated that, in the circumstances, the Secretary-General did not intend to implement the JIU recommendations. The Advisory Committee recommended that the General Assembly should take note of that paragraph.

72. Mr. MICHALSKI (United States of America) remarked that the International Court of Justice was the only body funded from the regular budget which had not undergone any staff reductions in response to General Assembly resolution 41/213. For the forthcoming biennium, three new posts were requested for the Court. His delegation would not block a consensus, but did not believe that the permanent establishment of the Court should be increased.

73. In paragraph 11 of document A/C.5/44/13, the Secretary-General indicated that he did not intend to implement the recommendations of JIU on the publications of the International Court. His own delegation had had difficulties with some of the recommendations, but had found the one calling for competitive bidding in the award of printing contracts, and for the use of new printing technology, to be entirely reasonable and enforceable. He doubted the Court's assertion that it was already operating in the most efficient possible manner, and hoped that the Court would take that JIU recommendation into account when preparing future budget estimates relating to printing costs.

74. Mr. KINCHEN (United Kingdom) pointed out that his country was a strong supporter of the International Court of Justice and among the minority of States which had accepted its compulsory jurisdiction. Nevertheless, the question of posts charged to the regular budget and the related workloads would have to be discussed in consultations on the draft resolution concerning agenda item 38. Provided that that understanding was shared by the Fifth Committee, he would not object to a decision on section 25 on the basis of the recommendations of the Advisory Committee.

75. Mr. BAUDOT (Director, Programme Planning and Budget Division) pointed out that, in paragraph 8 of document A/C.5/44/13, the Secretary-General indicated those recommendations of JIU which the International Court of Justice opposed. The recommendation which the United States representative had cited was not among them. The question would thus be kept under review.

76. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee endorsed the recommendation contained in paragraph 240 of the report of CPC.

77. It was so decided.

78. An appropriation in the amount of \$13,682,600 under section 25 of the programme budget for the biennium 1990-1991 was approved without objection.

79. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee agreed to recommend to the General Assembly that it should take note of paragraph 11 of document A/C.5/44/13.

80. It was so decided.

Section 26. Legal activities

81. Mr. BAUDOT (Director, Programme Planning and Budget Division) said that the Secretary-General traditionally had difficulties in establishing priorities and identifying low-priority elements under section 26. One new programme element had been introduced, in response to resolution 42/152 (programme 5, subprogramme 1, element 1.6). Extrabudgetary resources available under the section were estimated at \$1.4 million, and came principally from UNDP and UNICEF for services rendered by the Office of Legal Affairs.

82. Comments had been made in both the Advisory Committee and CPC at the continuing backlog in the publication of the Treaty Series. The Secretary-General's proposal for eliminating the backlog had been made in the context of great budget restraint, and made no allowance for the fact that publication of the Treaty Series was a central function of the United Nations. The reduction in the estimates resulted from the decision to request only 12 work-months of temporary assistance for elimination of the backlog, instead of 24. The Secretariat was not satisfied with the situation, and would like to see the backlog disappear.

83. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in paragraph 26.4 of its report, the Advisory Committee noted the extension of the sessions of the United Nations Administrative Tribunal to five weeks each; it had been informed that any additional staff required would have to be paid for from extrabudgetary resources.

84. The Advisory Committee discussed the ten-year plan for the elimination of the backlog in the Treaty Series in paragraphs 26.6 to 26.8. For a variety of reasons it had not been possible to complete implementation of the plan as foreseen by the Secretary-General. The Secretary-General now proposed to extend the plan until 1993, but the Advisory Committee noted that at the forecast rate of production the backlog would not be eliminated until 1995. It had expressed deep regret at the situation, and trusted that there would be no further requests to extend the deadline for the elimination of the backlog; it called on the Secretary-General to submit a progress report to it in 1991.

85. Mr. MONTHE (Chairman of the Committee for Programme and Co-ordination) said that CPC had discussed the Secretary-General's plan for modernizing the Office of Legal Affairs, comparing its progress with the appropriations requested and with activities under other sections of the budget. It recommended, in paragraph 246 of

(Mr. Monthe)

its report, that the Secretary-General should make haste slowly in the acquisition of equipment. It also recommended that the Secretariat should spare no efforts to trim the backlog in the Treaty Series as far as possible by the end of 1991.

86. The recommendation in paragraph 248 followed on from the general recommendation made by CPC in paragraph 69. Specifically, the Secretary-General should try to ensure that the sources of financing selected for activities contributed to enhancing the implementation of programmes as mandated by Member States. Strict compliance with regulations 3.8 and 3.18 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation should assist the Secretariat in that respect.

87. Mr. MICHALSKI (United States of America) said that his delegation was very concerned about the backlog in the publication of the Treaty Series. He noted that under programme 3, subprogramme 4, three volumes of the Juridical Yearbook were scheduled for publication in 1990-1991: the volumes relating to 1985, 1986 and 1987. His delegation did not favour a further appropriation to eliminate the backlog in the Juridical Yearbook. It would like to know the reasons for the apparent delay and whether those volumes, several years late, would really be of any use to the public.

88. Mr. BAUDCZ (Director, Programme Planning and Budget Division) assured the United States representative that the Secretary-General was convinced of the importance of the Juridical Yearbook. Steps were already being taken to alleviate the backlog in its publication; he would supply further details later in writing.

89. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee endorsed the recommendations made in paragraphs 245 to 249 of the report of CPC.

90. It was so decided.

91. An appropriation in the amount of \$18,550,000 under section 26 of the programme budget for the biennium 1990-1991 was approved in first reading without objection.

The meeting rose at 1.20 p.m.