



OFFICIAL RECORDS OF THE GENERAL ASSEMBLY
THIRTY-FIRST SESSION

ANNEXES

21 SEPTEMBER-22 DECEMBER 1976
AND 13-19 SEPTEMBER 1977

UNITED NATIONS

New York, 1977

INTRODUCTORY NOTE

The *Official Records of the General Assembly* for a given session consist of records of meetings, annexes to those records, supplements, the *List of Delegations* and the *Check List of Documents*. The annexes are printed in fascicles by agenda item. The present volume contains the annex fascicles of the thirty-first 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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119. Observer status for the Commonwealth Secretariat at the United Nations.
120. Co-operation and assistance in the application and improvement of mass communications for social progress and development.
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Agenda item 3:* Credentials of representatives to the thirty-first session of the General Assembly:

- (a) Appointment of the Credentials Committee;
(b) Report of the Credentials Committee

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 1st, 76th and 105th meetings.

DOCUMENT A/31/308

First report of the Credentials Committee

*[Original: English]
[4 November 1976]*

1. At its 1st plenary meeting, on 21 September 1976, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed for its thirty-first session a Credentials Committee consisting of the following Member States: China, Ecuador, El Salvador, Ivory Coast, Malaysia, Netherlands, Union of Soviet Socialist Republics, United States of America and Zambia.

2. The Credentials Committee held its 1st meeting on 2 November, it being understood that a further meeting would be convened at an appropriate time in order to consider remaining credentials.

3. Mr. Siméon Aké (Ivory Coast) was elected Chairman unanimously.

4. The Committee had before it a memorandum by the Secretary-General, dated 22 October 1976, indicating that as of that date communications had been received from 144 Member States participating in the session. Credentials issued by the Head of State or Government or by the Minister for Foreign Affairs, as provided for by rule 27 of the rules of procedure of the General Assembly, had been submitted by 117 Member States. The appointment of the representative of Sao Tome and Principe had been communicated to the Secretary-General by cable from the Minister for Foreign Affairs. The appointment of representatives of 26 Member States (Algeria, Bangladesh, Colombia, Congo, Egypt, Gabon, Gambia, Grenada, Guinea-Bissau, Italy, Lebanon, Mauritania, Mauritius, Pakistan, Panama, Peru, Philippines, Sierra Leone, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia,

Turkey, Uganda, United Arab Emirates and Zaire) had been communicated to the Secretary-General by letter or note verbale from the permanent representative or permanent mission concerned. However, of these, the Permanent Representatives of 16 Member States (Algeria, Bangladesh, Congo, Egypt, Gabon, Grenada, Italy, Lebanon, Mauritius, Pakistan, Philippines, Sweden, Trinidad and Tobago, Tunisia, Turkey and Uganda) had been empowered to represent their Governments without limitation as to session in all organs of the United Nations. No communication had been received from South Africa.

5. The Legal Counsel informed the Committee that, since the preparation of the memorandum of the Secretary-General, credentials in the form provided for by rule 27 of the rules of procedure had been received from Trinidad and Tobago and Uganda. The Legal Counsel also informed the Committee that it would be in accordance with past practice to permit the representatives of Member States participating in the session for whom formal credentials had yet to be submitted, to be provisionally seated with the same rights as other representatives pending the receipt of formal credentials. A further memorandum by the Secretary-General would be issued in due course concerning these remaining credentials.

6. The representative of the Union of Soviet Socialist Republics, referring to paragraph 2 of the memorandum of the Secretary-General, stated that his delegation did not recognize the credentials of Chile and requested that this view be reflected in the report of the Committee to the General Assembly.

7. The Chairman proposed that in the light of the remarks of the Legal Counsel, and taking into account the statement made by the representative of the USSR, the Committee should decide to accept the formal credentials already received and allow all other representatives of Member States participating in the session to sit provisionally with the same rights as other representatives pending the receipt of formal credentials. Accordingly he proposed the following draft resolution for adoption by the Committee:

"The Credentials Committee,

"Taking into account the views expressed during the debate,

"1. Accepts the formal credentials of the representatives that have already been received;

"2. Proposes that, pending the receipt of formal credentials as provided for by rule 27 of the rules of procedure of the General Assembly, the representatives for whom formal credentials have not yet been submitted

be provisionally seated with the same rights as other representatives."

The draft resolution was adopted without a vote.

8. The Chairman then proposed that the Committee should recommend to the General Assembly the adoption of a draft resolution (see para. 10 below). The proposal was approved by the Committee without a vote.

9. In the light of the foregoing the present report is submitted to the General Assembly.

Recommendation of the Credentials Committee

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

Credentials of representatives to the thirty-first session of the General Assembly

The General Assembly

Approves the first report of the Credentials Committee.

DOCUMENT A/31/308/ADD.1

Second report of the Credentials Committee

*[Original: English]
[18 December 1976]*

1. The Credentials Committee held its 2nd meeting on 16 December 1976.

2. The Chairman recalled the decision taken by the Committee at its 1st meeting, on 2 November 1976, that it would reconvene for a further meeting at an appropriate time in order to consider outstanding credentials.

3. The Committee had before it a memorandum by the Secretary-General dated 14 December 1976, paragraphs 3, 4 and 5 of which stated that, further to his earlier memorandum of 22 October 1976, credentials in the form provided for by rule 27 of the rules of procedure of the General Assembly had been received from a further nine Member States, that the designation of the representatives of 16 Member States had been communicated by letter or note verbale from the permanent representative or permanent mission concerned (however, the permanent representatives of 11 of these Member States were in possession of standing full powers (see A/INF/31/8)) and that the Permanent Representative of Angola was empowered to represent his Government without limitation as to session in all organs of the United Nations. Paragraph 6 of the Secretary-General's memorandum stated that no communication had been received from one Member State.

4. The Legal Counsel informed the Committee that, since the preparation of the Secretary-General's memorandum, Samoa had been admitted to membership in the

United Nations and that information had been received to the effect that the Permanent Representative of the Syrian Arab Republic was in possession of standing full powers and that that country should, therefore, be added to the list of Member States referred to at the end of paragraph 4 of the Secretary-General's memorandum. With regard to the four remaining Member States whose credentials had not been communicated in the form provided for by the rules of procedure and whose permanent representatives were not in possession of standing full powers, the Legal Counsel stated that he had been informed by the permanent missions concerned that the formal credentials were *en route* from their respective capitals and that they would be promptly communicated to the Secretary-General.

5. The Chairman proposed that the Committee accept the credentials of all Member States referred to in paragraphs 3, 4 and 5 of the Secretary-General's memorandum and that the delegation of Samoa be provisionally seated, pending the receipt by the Secretary-General of formal credentials. Accordingly, he proposed the following draft resolution for adoption by the Committee:

"The Credentials Committee,

"Having examined the case of those representatives for whom credentials in the form required by rule 27 of the rules of procedure had not been received at the time of its first report,

"Accepts the credentials of all representatives of the remaining Member States participating in the thirty-first session of the General Assembly which have been received since the date of the first report of the Committee."

The draft resolution was adopted without a vote.

6. The Chairman then proposed that the Committee should recommend to the General Assembly the adoption of a draft resolution (see para. 8 below). The proposal was approved by the Committee unanimously.

7. In the light of the foregoing, the present report is submitted to the General Assembly.

Recommendation of the Credentials Committee

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

Credentials of representatives to the thirty-first session of the General Assembly

The General Assembly

Approves the second report of the Credentials Committee.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At the 1st plenary meeting, on 21 September 1976, the General Assembly appointed the Credentials Committee for the thirty-first session (see decision 31/301¹).

At its 76th plenary meeting, on 23 November 1976, the General Assembly adopted the draft resolution submitted by the Credentials Committee in its first report (A/31/308, para. 10). For the final text, see resolution 31/16 A.¹

At its 105th plenary meeting, on 20 December 1976, the General Assembly adopted the draft resolution submitted by the Credentials Committee in its second report (A/31/308/Add.1, para. 8). For the final text, see resolution 31/16 B.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.



**Agenda item 7:* Notification by the Secretary-General under Article 12, paragraph 2,
of the Charter of the United Nations**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 4th meeting.

DOCUMENT A/31/214

Note by the Secretary-General

*[Original: Arabic/Chinese/English/
French/Russian/Spanish]
[21 September 1976]*

In accordance with the provisions of Article 12, paragraph 2, of the Charter of the United Nations and with the consent of the Security Council, the Secretary-General has the honour to notify the General Assembly of matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and also of matters with which the Council has ceased to deal.

The matters relative to the maintenance of international peace and security which have been discussed during the period since the notification to the thirtieth session of the General Assembly¹ are as follows:

1. The situation concerning Western Sahara.
2. The situation in the Middle East.
3. The situation in Cyprus.
4. The situation in Timor.
5. Letter dated 12 December 1975 from the Permanent Representative of Iceland to the United Nations addressed to the President of the Security Council.
6. The Middle East problem including the Palestinian question.
7. The situation in Namibia.
8. The situation in the Comoros.
9. Communications from France and Somalia concerning the incident of 4 February 1976.
10. Request by Mozambique under Article 50 of the Charter of the United Nations in relation to the situation which has arisen as a result of its decision to impose sanctions against Southern Rhodesia in full implementation of the relevant decisions of the Security Council.

¹ See *Official Records of the General Assembly, Thirtieth Session, Annexes*, agenda item 7, document A/10230.

11. Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories.
12. Complaint by Kenya, on behalf of the African group of States at the United Nations, concerning the act of aggression committed by South Africa against the People's Republic of Angola.
13. Question concerning the situation in Southern Rhodesia.
14. The situation in the occupied Arab territories.
15. The question of the exercise by the Palestinian people of its inalienable rights.
16. Situation in South Africa: killings and violence by the *apartheid* régime in South Africa in Soweto and other areas.
17. Complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity, of the "act of aggression" by Israel against the Republic of Uganda.
18. Complaint by Zambia against South Africa.
19. Complaint by Greece against Turkey.

During the same period the Security Council has not discussed the following matters of which it remains seized:

1. The Iranian question.
2. Special agreements under Article 43 of the Charter and the organization of the armed forces to be made available to the Security Council.
3. The general regulation and reduction of armaments and information on the armed forces of the United Nations.
4. Appointment of a Governor for the Free Territory of Trieste.
5. The Egyptian question.
6. The Palestine question.
7. The India-Pakistan question.

8. The Czechoslovak question.
9. The question of the Free Territory of Trieste.
10. The Hyderabad question.
11. Identical notifications dated 29 September 1948 from the Governments of the French Republic, the United Kingdom and the United States of America to the Secretary-General.
12. International control of atomic energy.
13. Complaint of armed invasions of Taiwan (Formosa).
14. Complaint of bombing by air forces of the territory of China.
15. Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company Case.
16. Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons.
17. Question of a request for investigation of alleged bacterial warfare.
18. Letter dated 29 May 1954 from the acting representative of Thailand to the United Nations addressed to the President of the Security Council.
19. Cablegram dated 19 June 1954 from the Minister of External Relations of Guatemala addressed to the President of the Security Council.
20. Letter dated 8 September 1954 from the representative of the United States of America addressed to the President of the Security Council.
21. Letter dated 28 January 1955 from the representative of New Zealand addressed to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China; letter dated 30 January 1955 from the representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council concerning the question of acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan (Formosa) and other islands of China.
22. Situation created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal, which was confirmed and completed by the Suez Canal Convention of 1888.
23. Actions against Egypt by some Powers, particularly France and the United Kingdom, which constitute a danger to international peace and security and are serious violations of the Charter of the United Nations.
24. The situation in Hungary.
25. Military assistance rendered by the Egyptian Government to the rebels in Algeria.
26. Letter dated 30 October 1956 from the representative of Egypt addressed to the President of the Security Council.
27. Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General.
28. Complaint of the representative of the Union of Soviet Socialist Republics in a letter to the President of the Security Council dated 18 April 1958 entitled: "Urgent measures to put an end to flights by United States military aircraft with atomic and hydrogen bombs in the direction of the frontiers of the Soviet Union".
29. Report by the Secretary-General on the letter received from the Minister of Foreign Affairs of the Royal Government of Laos, transmitted by a note from the Permanent Mission of Laos to the United Nations, 4 September 1959.
30. Letter dated 25 March 1960 from the representatives of Afghanistan, Burma, Cambodia, Ceylon, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Thailand, Tunisia, Turkey, United Arab Republic and Yemen addressed to the President of the Security Council.
31. Cable dated 18 May 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
32. Letter dated 23 May 1960 from the representatives of Argentina, Ceylon, Ecuador and Tunisia addressed to the President of the Security Council.
33. Letter dated 13 July 1960 from the Secretary-General of the United Nations addressed to the President of the Security Council.
34. Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council.
35. Letter dated 31 December 1960 from the Minister for External Affairs of Cuba to the President of the Security Council.
36. Letter dated 20 February 1961 from the representative of Liberia addressed to the President of the Security Council.
37. Letter dated 26 May 1961 addressed to the President of the Security Council by the representatives of Afghanistan, Burma, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, United Arab Republic, Upper Volta, Yemen and Yugoslavia.
38. Complaint by Kuwait in respect of the situation arising from the threat by Iraq to the territorial independence of Kuwait, which is likely to endanger the maintenance of international peace and security. Complaint by the Government of the Republic of Iraq in respect of the situation arising out of the armed threat by the United Kingdom to the independence and security of Iraq, which is likely to endanger the maintenance of international peace and security.
39. Letter dated 21 November 1961 from the Permanent Representative of Cuba addressed to the President of the Security Council.
40. Letter dated 22 October 1962 from the Permanent Representative of the United States of America addressed to the President of the Security Council; letter dated 22 October 1962 from the Permanent Representative of Cuba addressed to the President of the Security Council; letter dated 23 October 1962 from the Deputy Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
41. Complaints by Senegal.
42. Telegram dated 5 May 1963 from the Minister for Foreign Affairs of the Republic of Haiti to the President of the Security Council.
43. Reports by the Secretary-General to the Security Council concerning developments relating to Yemen.
44. Question concerning the situation in Territories under Portuguese administration.
45. The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa.
46. Letter dated 10 January 1964 from the Permanent Representative of Panama addressed to the President of the Security Council.
47. Letter dated 1 April 1964 from the Deputy Permanent Representative of Yemen, Chargé d'affaires, *a.i.*, addressed to the President of the Security Council.
48. Complaint concerning acts of aggression against the territory and civilian population of Cambodia.
49. Letter dated 4 August 1964 from the Permanent Representative of the United States of America addressed to the President of the Security Council.

50. Letter dated 3 September 1964 from the Permanent Representative of Malaysia addressed to the President of the Security Council.
51. Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council, and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council.
52. Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council.
53. Letter dated 1 December 1964 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Central African Republic, Congo (Brazzaville), Dahomey, Ethiopia, Ghana, Guinea, Indonesia, Kenya, Malawi, Mali, Mauritania, Somalia, Sudan, Uganda, United Arab Republic, United Republic of Tanzania, Yugoslavia and Zambia.
54. Letter dated 9 December 1964 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council.
55. Letter dated 1 May 1965 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council.
56. Letter dated 31 January 1966 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
57. Letter dated 2 August 1966 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland addressed to the President of the Security Council.
58. Complaints by the Democratic Republic of the Congo.
59. Letter dated 25 January 1968 from the Permanent Representative of the United States of America addressed to the President of the Security Council.
60. Letter dated 21 May 1968 from the Permanent Representative *ad interim* of Haiti addressed to the President of the Security Council.
61. Letter dated 12 June 1968 from the Permanent Representatives of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the Security Council.
62. Letter dated 21 August 1968 from the representatives of Canada, Denmark, France, Paraguay, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the Security Council.
63. Complaints by Zambia.
64. Complaints by Guinea.
65. The situation created by increasing incidents involving the hijacking of commercial aircraft.
66. The situation in the India Pakistan subcontinent.
67. Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council.
68. Consideration of questions relating to Africa with which the Security Council is currently seized and implementation of its relevant resolutions.
69. Consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter.
70. Complaint by Cuba.
71. Complaint by Iraq concerning incidents on its frontier with Iran.
72. Relationship between the United Nations and South Africa.

Also during this period, the following five items were deleted from the list of matters of which the Security Council is seized, pursuant to the request contained in a letter dated 19 December 1975 addressed to the Secretary-General by the Permanent Representatives of France and Tunisia to the United Nations:

(a) Letter dated 13 February 1958 from the representative of Tunisia to the President of the Security Council concerning: "Complaint by Tunisia in respect of an act of aggression committed against it by France on 8 February 1958 at Sakiet-Sidi-Youssef";

(b) Letter dated 14 February 1958 from the representative of France to the President of the Security Council concerning: "Situation resulting from the aid furnished by Tunisia to rebels enabling them to conduct operations from Tunisian territory directed against the integrity of French territory and the safety of persons and property of French nationals";

(c) Letter dated 29 May 1958 from the representative of Tunisia to the President of the Security Council concerning: "Complaint by Tunisia in respect of acts of armed aggression committed against it since 19 May 1958 by the French military forces stationed in its territory and in Algeria";

(d) Letter dated 29 May 1958 from the representative of France to the President of the Security Council concerning: (a) "The complaint brought by France against Tunisia on 14 February 1958"; and (b) "The situation arising out of the disruption, by Tunisia, of the *modus vivendi* which had been established since February 1958 with regard to the stationing of French troops at certain points in Tunisian territory";

(e) Telegram dated 20 July 1961 addressed to the President of the Security Council by the Secretary of State for Foreign Affairs of the Republic of Tunisia. Letter dated 20 July 1961 from the Permanent Representative of Tunisia addressed to the President of the Security Council.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 4th plenary meeting, on 24 September 1976, the General Assembly took note of the communication from the Secretary-General (A/31/214) (see decision 31/401²).

² *Ibid.*, Thirty-first Session, Supplement No. 39.



Agenda item 8: * Adoption of the agenda

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* For the discussion of this item, see: *Official Records of the General Assembly, Thirty-first Session, General Committee*, 1st and 2nd meetings, and *ibid.*, *General Committee, Sessional Fascicle*, corrigendum, and *ibid.*, *Plenary Meetings*, 4th and 16th meetings.

DOCUMENT A/31/150

Provisional agenda of the thirty-first session

*[Original: English/French]
[23 July 1976]*

1. Opening of the session by the Chairman of the delegation of Luxembourg.
2. Minute of silent prayer or meditation.
3. Credentials of representatives to the thirty-first session of the General Assembly:
 - (a) Appointment of the Credentials Committee,
 - (b) Report of the Credentials Committee.
4. Election of the President.
5. Constitution of the Main Committees and election of officers.
6. Election of the Vice-Presidents.
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations.
8. Adoption of the agenda.
9. General debate.
10. Report of the Secretary-General on the work of the Organization.
11. Report of the Security Council.
12. Report of the Economic and Social Council.
13. Report of the International Court of Justice.
14. Report of the International Atomic Energy Agency.

15. Election of five non-permanent members of the Security Council.
16. Election of eighteen members of the Economic and Social Council.
17. Appointment of the Secretary-General of the United Nations.
18. Election of fifteen members of the Industrial Development Board.
19. Election of nineteen members of the Governing Council of the United Nations Environment Programme.
20. Election of twelve members of the World Food Council.
21. Election of twelve members of the Board of Governors of the United Nations Special Fund.
22. Election of seven members of the Committee for Programme and Co-ordination.
23. Election of the members of the International Law Commission.
24. Election of seventeen members of the United Nations Commission on International Trade Law.
25. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 [resolutions 3396 (XXX) to 3398 (XXX) of 21 November 1975, 3399 (XXX) and 3400 (XXX) of 26 November 1975, 3420 (XXX), 3421 (XXX) and 3424 (XXX) to 3433 (XXX) of 8 December 1975, 3458 A and B (XXX) of 10 December 1975, 3480 (XXX) to 3482 (XXX) of 11 December 1975 and 3485 (XXX) of 12 December 1975 and decisions of 8 and 11 December 1975].
26. Admission of new Members to the United Nations.
27. Question of Palestine [resolutions 3375 (XXX) and 3376 (XXX) of 10 November 1975]:
 - (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;
 - (b) Report of the Secretary-General.
28. Co-operation between the United Nations and the Organization of African Unity: report of the Secretary-General [resolution 3412 (XXX) of 28 November 1975].
29. The situation in the Middle East [resolution 3414 (XXX) of 5 December 1975].
30. Third United Nations Conference on the Law of the Sea [resolutions 3067 (XXVIII) of 16 November 1973 and 3483 (XXX) of 12 December 1975].
31. International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space [resolution 3388 (XXX) of 18 November 1975].
32. Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space [resolution 3388 (XXX) of 18 November 1975].
33. Implementation of the Declaration on the Strengthening of International Security: report of the Secretary-General [resolution 3389 (XXX) of 18 November 1975].
34. Reduction of military budgets: report of the Secretary-General [resolution 3463 (XXX) of 11 December 1975].
35. Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons: report of the Secretary-General [resolution 3464 (XXX) of 11 December 1975].
36. Chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament [resolution 3465 (XXX) of 11 December 1975].
37. Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban: report of the Conference of the Committee on Disarmament [resolution 3466 (XXX) of 11 December 1975].
38. Implementation of General Assembly resolution 3467 (XXX) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) [resolution 3467 (XXX) of 11 December 1975].
39. Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean [resolution 3468 (XXX) of 11 December 1975].
40. World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference [resolution 3469 (XXX) of 11 December 1975].
41. Effective measures to implement the purposes and objectives of the Disarmament Decade [resolution 3470 (XXX) of 11 December 1975].
42. Implementation of the Declaration on the Denuclearization of Africa [resolution 3471 (XXX) of 11 December 1975].
43. Comprehensive study of the question of nuclear-weapon-free zones in all its aspects: report of the Secretary-General [resolutions 3472 A and B (XXX) of 11 December 1975].
44. Establishment of a nuclear-weapon-free zone in the region of the Middle East [resolution 3474 (XXX) of 11 December 1975].
45. Convention on the prohibition of military or any other hostile use of environmental modification techniques: report of the Conference of the Committee on Disarmament [resolution 3475 (XXX) of 11 December 1975].

46. Establishment of a nuclear-weapon-free zone in South Asia [resolutions 3476 A and B (XXX) of 11 December 1975].
47. Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests [resolution 3478 (XXX) of 11 December 1975].
48. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament [resolution 3479 (XXX) of 11 December 1975].
49. General and complete disarmament [resolutions 3484 A to E (XXX) of 12 December 1975]:
 - (a) Report of the Conference of the Committee on Disarmament;
 - (b) Report of the International Atomic Energy Agency;
 - (c) Report of the Secretary-General.
50. Strengthening of the role of the United Nations in the field of disarmament: report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament [resolution 3484 B (XXX) of 12 December 1975].
51. Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation [resolution 3410 (XXX) of 28 November 1975].
52. Policies of *apartheid* of the Government of South Africa [resolutions 3411 A to F (XXX) of 28 November 1975 and 3411 G (XXX) of 10 December 1975]:
 - (a) Report of the Special Committee against *Apartheid*;
 - (b) Report of the Secretary-General.
53. United Nations Relief and Works Agency for Palestine Refugees in the Near East [resolutions 3419 A to D (XXX) of 8 December 1975]:
 - (a) Report of the Commissioner-General;
 - (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (c) Report of the United Nations Conciliation Commission for Palestine;
 - (d) Report of the Secretary-General.
54. Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations [resolution 3457 (XXX) of 10 December 1975].
55. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories [resolutions 3525 A to D (XXX) of 15 December 1975].
56. United Nations Conference on Trade and Development [resolution 3459 (XXX) of 11 December 1975]:
 - (a) Report of the Conference on its fourth session;
 - (b) Report of the Trade and Development Board;
 - (c) Report of the Secretary-General of the United Nations Conference on Trade and Development;
 - (d) Confirmation of the appointment of the Secretary-General.
57. United Nations Industrial Development Organization: report of the Industrial Development Board [resolution 3402 (XXX) and decision of 28 November 1975].
58. United Nations Institute for Training and Research: report of the Executive Director [resolution 3403 (XXX) of 28 November 1975].
59. Operational activities for development [resolutions 3404 (XXX) to 3408 (XXX) and decision of 28 November 1975]:
 - (a) United Nations Development Programme;
 - (b) United Nations Capital Development Fund;
 - (c) Technical co-operation activities undertaken by the Secretary-General;
 - (d) United Nations Volunteers programme;
 - (e) United Nations Fund for Population Activities;
 - (f) United Nations Children's Fund;
 - (g) World Food Programme.
60. United Nations Environment Programme [resolutions 3434 (XXX) to 3438 (XXX) and decision of 9 December 1975]:
 - (a) Report of the Governing Council;
 - (b) Report of the Secretary-General;
 - (c) Habitat: United Nations Conference on Human Settlements: report of the Secretary-General;
 - (d) Election of the Executive Director.
61. Food problems: report of the World Food Council [decision of 15 December 1975].
62. United Nations Special Fund [resolution 3460 (XXX) of 11 December 1975]:
 - (a) Report of the Board of Governors;
 - (b) Confirmation of the appointment of the Executive Director.
63. United Nations University [resolution 3439 (XXX) of 9 December 1975]:
 - (a) Report of the Council of the United Nations University;
 - (b) Report of the Secretary-General.
64. Office of the United Nations Disaster Relief Coordinator: reports of the Secretary-General [resolutions 3440 (XXX) and 3441 (XXX) of 9 December 1975].
65. Revision of the International Development Strategy for the Second United Nations Development Decade [resolutions 3487 (XXX) to 3490 (XXX) of 12 December 1975 and 3517 (XXX) of 15 December 1975].
66. Development and international economic co-operation: implementation of the decisions adopted by the General Assembly at its seventh special session [resolutions 3387 (XXX) of 13 November 1975 and

- 3504 (XXX) to 3507 (XXX) and 3515 (XXX) and decisions of 15 December 1975]:
- (a) Report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System;
 - (b) Reports of the Secretary-General.
67. Economic co-operation among developing countries: report of the Secretary-General [resolution 3442 (XXX) of 9 December 1975].
 68. Technical co-operation among developing countries [resolution 3461 (XXX) of 11 December 1975].
 69. Elimination of all forms of racial discrimination [resolutions 3377 (XXX) to 3381 (XXX) of 10 November 1975 and decision of 15 December 1975]:
 - (a) Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;
 - (b) Reports of the Committee on the Elimination of Racial Discrimination;
 - (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
 - (d) Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*.
 70. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa [resolution 3383 (XXX) of 10 November 1975].
 71. Human rights and scientific and technological developments [resolution 3384 (XXX) and decision of 10 November 1975].
 72. World social situation: report of the Secretary-General [resolution 2771 (XXVI) of 22 November 1971 and decision of 15 December 1975].
 73. Policies and programmes relating to youth: reports of the Secretary-General [resolutions 3022 (XXVII) and 3024 (XXVII) of 18 December 1972 and 3141 (XXVIII) of 14 December 1973 and decision of 15 December 1975].
 74. Torture and other cruel, inhuman or degrading treatment or punishment [resolutions 3452 (XXX) and 3453 (XXX) of 9 December 1975].
 75. United Nations Decade for Women: Equality, Development and Peace: report of the Secretary-General [resolutions 3518 (XXX) to 3524 (XXX) and decision of 15 December 1975].
 76. 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 [resolution 3382 (XXX) of 10 November 1975].
 77. Elimination of all forms of religious intolerance [resolution 3267 (XXIX) of 10 December 1974 and decision of 15 December 1975].
 78. Office of the United Nations High Commissioner for Refugees: report of the High Commissioner [resolutions 3274 (XXIX) of 10 December 1974 and 3454 (XXX) to 3456 (XXX) of 9 December 1975].
 79. National experience in achieving far-reaching social and economic changes for the purpose of social progress: report of the Secretary-General [resolution 3273 (XXIX) of 10 December 1974 and decision of 15 December 1975].
 80. Freedom of information [decision of 15 December 1975]:
 - (a) Draft Declaration on Freedom of Information;
 - (b) Draft Convention on Freedom of Information.
 81. 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 [resolutions 2200 A (XXI) of 16 December 1966 and 3270 (XXIX) of 10 December 1974 and decision of 15 December 1975].
 82. United Nations conference for an international convention on adoption law [resolution 3028 (XXVII) of 18 December 1972 and decision of 15 December 1975].
 83. Preservation and further development of cultural values [resolution 3148 (XXVIII) of 14 December 1973].
 84. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations [resolution 3420 (XXX) of 8 December 1975]:
 - (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.
 85. Question of Namibia [resolutions 3399 (XXX) and 3400 (XXX) of 26 November 1975]:
 - (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) United Nations Fund for Namibia: report of the Secretary-General;
 - (d) Appointment of the United Nations Commissioner for Namibia [decision of 26 November 1975].
 86. 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 [resolutions 3396 (XXX) and 3397 (XXX) of 21 November 1975].
 87. 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 [resolution 3398 (XXX) of 21 November 1975].
88. 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 [resolution 3421 (XXX) of 8 December 1975]:
 - (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.
 89. United Nations Educational and Training Programme for Southern Africa: report of the Secretary-General [resolution 3422 (XXX) of 8 December 1975].
 90. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General [resolution 3423 (XXX) of 8 December 1975].
 91. Financial reports and accounts, and reports of the Board of Auditors:
 - (a) United Nations;
 - (b) United Nations Development Programme;
 - (c) United Nations Children's Fund;
 - (d) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (e) United Nations Institute for Training and Research;
 - (f) Voluntary funds administered by the United Nations High Commissioner for Refugees;
 - (g) Fund of the United Nations Environment Programme;
 - (h) United Nations Fund for Population Activities.
 92. Programme budget for the biennium 1976-1977.
 93. Medium-term plan:
 - (a) Medium-term plan for the period 1978-1981 and revised plan for 1977;
 - (b) Implementation of the recommendations of the Joint Inspection Unit: report of the Secretary-General.
 94. Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations [resolution 3538 (XXX) of 17 December 1975].
 95. Review of the intergovernmental and expert machinery dealing with the formulation, review and approval of programmes and budgets [resolution 3392 (XXX) of 20 November 1975].
 96. 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 [decisions of 15 December 1975].
 97. Joint Inspection Unit:
 - (a) Reports of the Joint Inspection Unit [decision of 20 November 1975];
 - (b) Question of the continuation of the Joint Inspection Unit [resolution 2924 B (XXVII) of 24 November 1972].
 98. Pattern of conferences: report of the Committee on Conferences [resolution 3491 (XXX) of 15 December 1975].
 99. United Nations accommodation:
 - (a) Utilization of office accommodation in the United Nations system;
 - (b) Utilization of office accommodation and conference facilities at the Donaupark Centre in Vienna: report of the Secretary-General [resolution 3529 (XXX) of 16 December 1975].
 100. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions [resolutions 3371 A and B (XXX) of 30 October 1975].
 101. 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;
 - (g) United Nations Staff Pension Committee.
 102. Personnel questions [resolutions 3416 (XXX) and 3417 A and B (XXX) of 8 December 1975]:
 - (a) Composition of the Secretariat: report of the Secretary-General;
 - (b) Other personnel questions: report of the Secretary-General.
 103. Report of the International Civil Service Commission [resolutions 3418 A and B (XXX) of 8 December 1975].
 104. United Nations pension system: report of the United Nations Joint Staff Pension Board [resolutions 3526 (XXX) to 3528 (XXX) and decision of 16 December 1975].
 105. Financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force: report of the Secretary-General [resolutions 3374 A to C (XXX) of 30 October, 28 November and 2 December 1975 and decisions of 28 November and 15 December 1975].
 106. Report of the International Law Commission on the work of its twenty-eighth session [resolution 3495 (XXX) of 15 December 1975].

107. Conference of plenipotentiaries on succession of States in respect of treaties: report of the Secretary-General [resolution 3496 (XXX) of 15 December 1975].
108. Report of the United Nations Commission on International Trade Law on the work of its ninth session [resolution 3494 (XXX) of 15 December 1975].
109. Report of the Committee on Relations with the Host Country [resolution 3498 (XXX) of 15 December 1975].
110. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization [resolution 3499 (XXX) of 15 December 1975].
111. Respect for human rights in armed conflicts: report of the Secretary-General [resolution 3500 (XXX) of 15 December 1975].
112. Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961: report of the Secretary-General [resolution 3501 (XXX) of 15 December 1975].
113. 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 [resolution 3034 (XXVII) of 18 December 1972 and decision of 15 December 1975].
114. Resolutions adopted by the United Nations Conference on the Representation of States in Their Relations with International Organizations [decision of 15 December 1975]:
 - (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.
115. Consolidation and progressive evolution of the norms and principles of international economic development law [decision of 15 December 1975].
116. Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28 [decision of 21 September 1974].
117. Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons [item proposed by Sweden (A/31/141)].
118. One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama [item proposed by the Dominican Republic (A/31/142)].
119. Question of Cyprus [item proposed by Cyprus (A/31/143)].

DOCUMENTS A/31/192 AND ADD.1-4

Algeria, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, China, Congo, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Iraq, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Mali, Malta, Mongolia, Poland, Romania, Rwanda, Somalia, Syrian Arab Republic, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania and Zambia: request for the inclusion of a supplementary item in the agenda of the thirty-first session

DOCUMENT A/31/192

Letter dated 10 August 1976 from the representatives of Algeria, Bulgaria, Burundi, the Byelorussian Soviet Socialist Republic, China, the Congo, Czechoslovakia, Democratic Yemen, the German Democratic Republic, Guinea, Hungary, Iraq, the Lao People's Democratic Republic, Madagascar, Mali, Malta, Mongolia, Poland, Romania, Somalia, Togo, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Zambia to the Secretary-General

*[Original: English]
[16 August 1976]*

On instructions from our Governments, we have the honour to request the inclusion in the agenda of the

thirty-first session of the General Assembly of an item entitled "Removal of the danger of war and maintenance and consolidation of peace in Korea and acceleration of the independent and peaceful reunification of Korea".

An explanatory memorandum and a draft resolution are attached to this letter.

(Signed) F. K. BOUAYAD-AGHA (Algeria)
Alexander YANKOV (Bulgaria)
Ladislav NCAHINYERETSE (Burundi)
G. G. TCHERNOUCHTENKO (Byelorussian
Soviet Socialist Republic)
HUANG Hua (China)
Bari NGALLI-MARSALA (Congo)
Ladislav ŠMÍD (Czechoslovakia)
Hussein S. FADHLI (Democratic Yemen)

Bernhard NEUGEBAUER (German Democratic Republic)
 Mamadou Maxime CAMARA (Guinea)
 József GALAMBOS (Hungary)
 Abdul Karim AL-SHAIKHLY (Iraq)
 Vithaya SOURINHO (Lao People's Democratic Republic)
 Henri RASOLONDRAIBE (Madagascar)
 Mamadou Boubacar KANTE (Mali)
 Victor J. GAUCI (Malta)
 Tsevegzhayn PUNTSAGNOROV (Mongolia)
 Henryk JAROSZEK (Poland)
 Ion DATCU (Romania)
 Mohamed Shekh MOHAMUD (Somalia)
 Latévi-Atcho LAWSON (Togo)
 V. N. MARTYENKO (Ukrainian Soviet Socialist Republic)
 M. A. KHARLAMOV (Union of Soviet Socialist Republics)
 Gibson Roberts ZIMBA (Zambia)

ANNEX I

Explanatory memorandum

1. The Korean people are undergoing the tragedy of a national split for over 30 years and intervention in the domestic affairs of Korea by a foreign country still continues.

2. The question of Korea's reunification should be solved independently and peacefully on the basis of the principles of national self-determination without interference of any outside forces.

3. A resolution was adopted at the thirtieth session of the General Assembly on 18 November 1975 on dissolving the "United Nations Command", withdrawing all the foreign troops stationed in South Korea under the flag of the United Nations, replacing the Korean Military Armistice Agreement with a peace agreement, preventing armed conflicts between the North and the South of Korea, reducing armed forces and armaments and easing tension.

4. However, serious attention cannot but be directed to the fact that not only has this resolution remained unimplemented but tension has been continuously aggravated in Korea and the division of the country continues.

5. All the peace-loving peoples of the world are expressing their deep apprehensions about the fact that, of late, military forces have been continuously reinforced in South Korea, mass destruction weapons, including nuclear weapons, are brought there from outside in large quantities, various kinds of arms and military personnel are concentrated on a large scale along the military demarcation line and the threat of aggression against the Democratic People's Republic of Korea is daily increasing.

6. A statement and a memorandum of the Government of the Democratic People's Republic of Korea were issued on 5 August 1976 in connexion with this critical situation created in Korea.

7. Today it has come to the fore as the most pressing issue to ease the extremely aggravated tension in Korea and remove the danger of a new war.

8. For the above reasons, the undersigned of this explanatory memorandum request the inclusion in the agenda of the thirty-first session of the General Assembly of an item entitled "Removal of the danger of war and maintenance and consolidation of peace in Korea and acceleration of the independent and peaceful reunification of Korea".

9. We believe that all Members of the United Nations will pay deep attention to this fair and reasonable proposal on removing the daily aggravated tension and maintaining and consolidating peace in Korea, and express support and sympathy for it.

ANNEX II

Draft resolution

The General Assembly,

Recalling its resolution of 18 November 1975, adopted at the thirtieth session on converting the armistice into a durable peace in Korea and accelerating the independent and peaceful reunification of Korea,

Paying serious attention to the fact that the above-mentioned resolution has, however, not yet been implemented, that the tensions keep aggravating in Korea and that the division of the country continues,

Expressing great concern over the critical situation resulting from the fact that the military forces are being continuously reinforced and large quantities of nuclear weapons and other weapons of mass destruction are being introduced into South Korea from outside, that various kinds of armed forces and military personnel are being concentrated on a large scale along the military demarcation line and that a threat of aggression against the Democratic People's Republic of Korea has been created,

Taking note of the statement and the memorandum of the Government of the Democratic People's Republic of Korea issued on 5 August 1976 in connexion with the tensions created in Korea,

Considering that it is in conformity with the requirements of the Charter of the United Nations on promoting world peace and security and respecting the principles of national self-determination to remove the extremely aggravated tensions in Korea at present and the danger of a new war and to achieve the independent and peaceful reunification of Korea,

1. *Demands* the immediate cessation of all acts of foreign military involvement and aggression against Korea, the immediate withdrawal of new types of weapons and military equipment, including nuclear weapons, introduced into South Korea and an end to the acts of aggravating the tensions and increasing the danger of a new war in Korea;

2. *Appeals* to all the Members of the United Nations to check all acts of interfering in the internal affairs of Korea and fabricating "two Koreas" to hinder the reunification,

3. *Expresses the hope* that the reunification of Korea will be realized by the Korean people themselves without the interference of any outside forces, through such forms of negotiation and dialogue as a great national congress which may extensively reflect the will of the entire nation, in accordance with the three principles of independence, peaceful reunification and great national unity clarified in the North-South joint statement of 4 July 1972;

4. *Reaffirms* that the "United Nations Command" should be dissolved, that all the foreign troops stationed in South Korea under the United Nations flag should be withdrawn and that the Armistice Agreement should be replaced with a peace agreement, and considers that substantial measures should be arranged at the earliest possible date for realizing them.

DOCUMENT A/31/192/ADD.1

*[Original: French]
 [23 August 1976]*

Add the following names to the list of signatories:

(Signed) Teófilo ACOSTA (Cuba)
 IENG SARY (Democratic Kampuchea)
 Bibang ASECO EYANG (Equatorial Guinea)
 Arnaldo H. S. ARAUJO (Guinea-Bissau)
 Ashour S. BENKHAYAL (Libyan Arab Republic)
 Mowaffak ALLAF (Syrian Arab Republic)
 Sebastian CHALE (United Republic of Tanzania)

DOCUMENT A/31/192/ADD.2

*[Original: French]
[26 August 1976]*

Add the following name to the list of signatories:

(Signed) Ignace KARUHIJE (Rwanda)

DOCUMENT A/31/192/ADD.3

*[Original: French]
[14 September 1976]*

Add the following names to the list of signatories:

(Signed) Patrice HOUNGAVOU (Benin)
Ahmed Esmat ABDEL MEGUID (Egypt)

DOCUMENT A/31/192/ADD.4

*[Original: English]
[21 September 1976]*

The following letter was received by the Secretary-General on 21 September 1976:

On behalf of the countries listed in the letter dated 10 August 1976 (A/31/192 and Add.1-3), I have the honour to inform you that the request for the inclusion in the agenda of the thirty-first session of a supplementary item entitled "Removal of the danger of war and maintenance and consolidation of peace in Korea and acceleration of the independent and peaceful reunification of Korea" has been withdrawn.

(Signed) Salim Ahmed SALIM
Permanent Representative
of the United Republic of Tanzania

DOCUMENTS A/31/194 AND ADD.1 AND 2

Belgium, Bolivia, Canada, Central African Republic, Costa Rica, Dominican Republic, Gabon, Germany, Federal Republic of, Grenada, Guatemala, Haiti, Honduras, Japan, Netherlands, New Zealand, Nicaragua, Paraguay, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: request for the inclusion of a supplementary item in the agenda of the thirty-first session

DOCUMENT A/31/194

Letter dated 20 August 1976 from the representatives of Belgium, Bolivia, Canada, Costa Rica, the Dominican Republic, Gabon, Germany (Federal Republic of), Grenada, Guatemala, Haiti, Honduras, Japan, the Netherlands, New Zealand, Nicaragua, Paraguay, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay to the United Nations addressed to the Secretary-General

*[Original: English]
[20 August 1976]*

We have the honour to request, under rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the thirty-first session of an item entitled "Need for constructive dialogue and negotiation towards a peaceful settlement of the Korean problem and the reunification of Korea".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum and a draft resolution are attached.

(Signed) Edouard LONGERSTAEY (Belgium)
Mario R. GUTIERREZ (Bolivia)
Robert B. EDMONDS (Canada)
Fernando SALAZAR (Costa Rica)
Ana Esther DE LA MAZA VASQUEZ
(Dominican Republic)
Jean-Baptiste ESSONGHE (Gabon)
Rüdiger VON WECHMAR (Germany, Federal Republic of)
Michael A. CAESAR (Grenada)
Julio ASENSIO WUNDERLICH (Guatemala)

Alexandre VERRET (Haiti)
Roberto MARTINEZ ORDOÑEZ (Honduras)
Isao ABE (Japan)
Pieter A. VAN BUUREN (Netherlands)
Malcolm J. C. TEMPLETON (New Zealand)
Guillermo LANG (Nicaragua)
Francisco M. BARREIRO (Paraguay)
Ivor RICHARD (United Kingdom of Great Britain
and Northern Ireland)
W. Tapley BENNETT (United States of America)
Ruben A. CHELLE (Uruguay)

ANNEX I**Explanatory memorandum**

1. The United Nations General Assembly has endeavoured for over a quarter of a century to promote the establishment of a unified, independent and democratic government in Korea in accordance with the purposes and principles of the Charter of the United Nations. None the less, Korea remains divided and tensions continue. The solution of the Korean question essentially depends upon conciliation and agreement between the South and the North of Korea and upon continued efforts for the maintenance of peace and security in the area.

2. The General Assembly, in its consensus statement adopted in 1973¹ expressed its satisfaction over the joint communiqué of 4 July 1972 between the South and the North of Korea and urged them to continue their dialogue and to widen many-sided exchanges and co-operation in the spirit of the said communiqué. The subsequent sessions of the General Assembly in 1974 and 1975 further urged that the questions affecting peace and security in Korea and the reunification of Korea be settled by the South-North dialogue and by negotiations among the parties directly concerned.

¹ Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30 (A/9030), p. 24, item 41.

3. The South-North dialogue, however, remains suspended. There has been no progress in efforts for negotiations on new arrangements among the parties directly concerned to permit the adaptation or replacement of the Armistice Agreement thus enabling the dissolution of the United Nations Command, reduction of tensions and establishment of lasting peace in Korea.

4. On 22 July 1976, the United States made a concrete proposal to meet with the parties directly concerned to seek an agreed new legal structure for the armistice during the forthcoming session of the United Nations General Assembly in New York or elsewhere. In this proposal, it was noted that such a conference could also replace the armistice with more permanent arrangements in any form acceptable to all parties which could ease tensions throughout Asia. This proposal, which included an expressed readiness to begin immediate discussions on issues of procedure and venue, regrettably has not met with a positive response. Indeed, the only response of any kind has been the submission on 16 August 1976² of another confrontational draft resolution for the consideration of the forthcoming session of the United Nations General Assembly.

5. Under these circumstances, we believe the General Assembly should encourage once again the continuation of dialogue. The Assembly should urge all concerned to do everything possible to facilitate the resumption of talks and the negotiation of durable arrangements for the maintenance of peace in the Korean peninsula and the achievement of reunification.

6. For the foregoing reasons, the signatories of this letter request inclusion in the agenda of the thirty-first session of the General Assembly of an item entitled "Need for constructive dialogue and negotiation towards a peaceful settlement of the Korean problem and the reunification of Korea".

7. In accordance with rule 20 of the rules of procedure of the General Assembly, a draft resolution is attached

ANNEX II

Draft resolution

The General Assembly,

Proclaiming once more the goal of peaceful reunification of Korea on the basis of the freely expressed will of the Korean people,

Reiterating its urgent desire that progress be made towards that goal by dialogue between the South and the North of Korea as envisaged in the joint communiqué issued by them on 4 July 1972 and in accordance with its own consensus statement of 28 November 1973,¹

Considering that the dissolution of the United Nations Command accompanied by arrangements for the adaptation or replacement of the Armistice Agreement of 27 July 1953,³ which has for 23 years been an essential factor in the maintenance of peace and stability in the Korean peninsula, could facilitate reconciliation between the South and the North of Korea,

² See A/31/192.

³ See *Official Records of the Security Council, Eighth Year, Supplement for July, August and September 1953*, document S/3079, transmitted to the members of the General Assembly by a note of the Secretary-General (A/2451).

Believing that agreement to that end could best be achieved by direct negotiations among the South and the North of Korea and the other parties directly concerned,

1. *Declares* that, in the interest of the Korean people, the highest priority should be given to the establishment of conditions which will lead to national reconciliation and a lasting peace in Korea in order to achieve its reunification,

2. *Calls upon* the South and the North of Korea to resume promptly their dialogue in order to achieve by negotiation the settlement of their outstanding problems,

3. *Urges* the South and the North of Korea and the other parties directly concerned to enter into early negotiations with the objective of permitting the dissolution of the United Nations Command as soon as possible by adapting the Armistice Agreement or by finding a new basis to replace the existing Agreement with more permanent arrangements;

4. *Calls upon* all concerned to exercise the utmost restraint so as to create an atmosphere conducive to peace and dialogue.

DOCUMENT A/31/194/ADD.1

[Original: French]
[14 September 1976]

Add the following name to the list of signatories:

(Signed) Jean-Arthur BANDIO
(Central African Republic)

DOCUMENT A/31/194/ADD.2

[Original: English]
[21 September 1976]

The following letter was received by the Secretary-General on 21 September 1976:

On 20 August 1976 the Member States listed in document A/31/194 and Add.1 requested the inclusion in the agenda of the thirty-first session of an item entitled "Need for constructive dialogue and negotiation towards a peaceful settlement of the Korean problem and the reunification of Korea". Having taken note of the withdrawal of the request by another group of Member States for inscription of another item concerning Korea, I have the honour, on behalf of the co-sponsors, to withdraw our earlier request.

(Signed) Isao ABE
Permanent Representative of Japan

DOCUMENT A/31/200/REV.1

Supplementary list of items proposed for inclusion in the agenda of the thirty-first session

[Original: English/French]
[17 September 1976]

1. Observer status for the Commonwealth Secretariat at the United Nations [item proposed by Papua New Guinea (A/31/191)].
2. Removal of the danger of war and maintenance and consolidation of peace in Korea and acceleration of the independent and peaceful reunification of Korea [item

- proposed by Algeria, Benin, Bulgaria, Burundi, the Byelorussian Soviet Socialist Republic, China, the Congo, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, the German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Iraq, the Lao People's Democratic Republic, the Libyan Arab Republic, Madagascar, Mali, Malta, Mongolia, Poland, Romania, Rwanda, Somalia, the Syrian Arab Republic, Togo, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Republic of Tanzania and Zambia (A/31/192 and Add.1)].
3. Co-operation and assistance in the application and improvement of mass communications for social progress and development [item proposed by Indonesia, Malaysia, the Philippines, Singapore and Thailand (A/31/193)].
 4. Need for constructive dialogue and negotiation towards a peaceful settlement of the Korean problem and the reunification of Korea [item proposed by Belgium, Bolivia, Canada, the Central African Republic, Costa Rica, the Dominican Republic, Gabon, Germany, Federal Republic of, Grenada, Guatemala, Haiti, Honduras, Japan, the Netherlands, New Zealand, Nicaragua, Paraguay, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay (A/31/194 and Add.1)].
 5. Situation arising out of unilateral withdrawal of Ganges waters at Farakka [item proposed by Bangladesh (A/31/195 and Add.1 and 2)].

DOCUMENT A/BUR/31/1

Organization of the thirty-first session, adoption of the agenda and allocation of items: memorandum by the Secretary-General

[Original: English/French/
17 September 1976]

I. Introduction

1. The Secretary-General has the honour to place before the General Committee, for its consideration, the following observations and proposals in connexion with the report to be made to the General Assembly by the General Committee regarding the organization of the thirty-first regular session, the adoption of the agenda and the allocation of items.

II. Organization of the session

Schedule of meetings

2. It is suggested that both plenary and committee meetings should begin at 10.30 a.m. and 3 p.m.; thus, two and a half hours would be available in the morning and three in the afternoon. In this connexion, the General Committee may wish to stress the need for punctuality in opening meetings and to draw the General Assembly's attention to rules 67 and 108 of the rules of procedure (A/520/Rev.12), whereby the President of the General Assembly may declare a meeting open and permit the debate to proceed when at least one third of the members are present, and the Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the members are present.

3. It is proposed that a five-day working week should be established, on the understanding that meetings on Saturdays, as well as night meetings, may be scheduled should this prove necessary.

General debate

4. The General Committee may wish to draw the General Assembly's attention to the following conclusions of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly which were approved by the Assembly at its twenty-sixth session:

(a) The length of the general debate should not normally exceed two and a half weeks (*ibid.*, annex V, para. 45);

(b) The list of speakers wishing to take part in the general debate should be closed at the end of the third day after the opening of the debate (*ibid.*, para. 46);

(c) Speakers should, as far as possible, avoid putting down their names to speak on a given item and at the same time indicating an alternative meeting if they are unable to keep to their original schedule (*ibid.*, para. 70);

(d) Representatives should speak in the order of their inscription on the list of speakers, on the understanding that those prevented from doing so should normally be moved to the end of the list, unless they have arranged to change places with other representatives (*ibid.*, para. 71).

5. Taking into consideration the conclusions set forth in subparagraphs (a) and (b) of paragraph 4 above, the Secretary-General wishes to suggest that:

(a) The general debate should begin on Monday, 27 September and end on Wednesday, 13 October 1976;

(b) The list of speakers wishing to take part in the general debate should be closed on Wednesday, 29 September, at 6 p.m.

Right of reply

6. The General Committee may also wish to draw the General Assembly's attention to the recommendation of the Special Committee, which was approved by the Assembly, whereby statements made in the exercise of the right of reply should be delivered, as a general rule, at the end of meetings (*ibid.*, para. 78). Furthermore, the General Committee may wish to recommend, as was done at previous sessions, that delegations should exercise their right of reply at the end of the day whenever two meetings have been scheduled for that day and whenever such meetings are devoted to the consideration of the same item.

7. Following the precedents established by the General Assembly at previous sessions, the General Committee may wish to recommend to the Assembly that statements in the exercise of the right of reply should be limited to 10 minutes.

Closing date of the session

8. In accordance with the provisions of rule 2 of the rules of procedure and in the light of the recommendation of the Special Committee that the General Assembly should meet for a period of 13 weeks (*ibid.*, para. 4), the Secretary-General wishes to suggest that the closing date of the thirty-first session should be Tuesday, 21 December 1976.

Records of the Main Committees

9. The Secretary-General wishes to draw the General Committee's attention to the fact that under rule 58 of the rules of procedure the First Committee shall be provided with verbatim records. That rule also stipulates that no organ of the General Assembly shall have both verbatim and summary records. As previously, the General Committee may therefore wish to recommend that the verbatim records should be the official records of the First Committee and the summary records should remain the official records of all other Main Committees. In this connexion, the General Committee should also make a recommendation to the General Assembly as to whether the option that has traditionally been approved for the Special Political Committee to obtain, on specific request, transcriptions of the debates of some of its meetings, or portions thereof, should be maintained for the thirty-first session. Furthermore, the General Committee may wish to draw the Assembly's attention to paragraph 10(e) of its resolution 2538 (XXIV) of 11 December 1969 which reads as follows:

"Speeches or statements by representatives, by the Secretary-General or his representative, or by persons presenting reports on behalf of committees or other bodies, may be reproduced *in extenso* in summary records or in official documents only if they serve as bases for discussion, provided that the relevant decision is taken by the body concerned after a statement of the financial implications has been submitted in accordance

with regulation 13.1 of the Financial Regulations of the United Nations."

Seating arrangements

10. In accordance with the established practice, the Secretary-General has caused lots to be drawn for the purpose of choosing the Member to occupy the first desk on the Assembly floor from which the alphabetical seating order will begin. The name drawn was Indonesia. Consequently, the delegation of that country will sit at the first desk at the right of the President and the other countries will follow in the English alphabetical order. The same order will be observed in the Main Committees.

Use of the General Assembly Hall by the Main Committees

11. In addition to the General Assembly Hall, only five conference rooms (Conference Rooms 1 to 4 and the Trusteeship Council Chamber) can accommodate the membership of the Organization, making it possible to hold no more than six meetings simultaneously. All the Main Committees should, therefore, make full use of the General Assembly Hall when no plenary meeting is being held.

Mechanical means of voting

12. The Secretary-General wishes to suggest that the Main Committees make full use, on a rotating basis, of the mechanical means of voting available in both the General Assembly Hall and Conference Room 3.

Financial implications of draft resolutions

13. The Secretary-General would like to draw the attention of the General Committee to rule 153 of the rules of procedure which reads as follows:

"No resolution involving expenditure shall be recommended by a committee for approval by the General Assembly unless it is accompanied by an estimate of expenditures prepared by the Secretary-General. No resolution in respect of which expenditures are anticipated by the Secretary-General shall be voted by the General Assembly until the Administrative and Budgetary Committee (Fifth Committee) has had an opportunity of stating the effect of the proposal upon the budget estimates of the United Nations."

In this connexion the General Committee may wish to recommend that the General Assembly should draw the attention of the Main Committees to the imperative need for allowing sufficient time for the preparation of the estimate of expenditures by the Secretariat and for its consideration by the Advisory Committee on Administrative and Budgetary Questions and by the Fifth Committee and to the advisability of taking this requirement into account when they adopt their programme of work, so that items for which financial implications are expected may be considered as early as possible.

Reports of the Main Committees

14. The General Committee may also wish to recommend that the General Assembly should draw the attention

of the Main Committees to Assembly resolution 2292 (XXII), which was reaffirmed by the Special Committee (*ibid.*, para. 43), whereby the reports of the Main Committees should be as concise as possible and, save in exceptional cases, should not contain a summary of the debates.

Balloting procedure

15. The Secretary-General wishes to recall that on three occasions during the thirtieth session the General Assembly decided to dispense with the time-consuming balloting procedure in the case of uncontested elections to subsidiary organs (see A/PV.2432, pp. 17, 22 and 23). The General Committee may wish to recommend that the General Assembly resort to such a method whenever it deems it appropriate.

III. Adoption of the agenda

16. All proposals for the inclusion of items in the agenda of the thirty-first session have been communicated to Member States in the following documents:

(a) Provisional agenda of the thirty-first session (A/31/150);

(b) Supplementary list of items (A/31/200/Rev.1);

(c) Request for the inclusion of an additional item (A/31/241).

The items proposed for inclusion are listed in the draft agenda, which appears in paragraph 20 below.

17. With respect to item 12 of the draft agenda (Report of the Economic and Social Council), the Secretary-General wishes to draw the attention of the General Committee to a number of reports which the General Assembly specifically requested or which the Economic and Social Council decided to transmit to the Assembly. These reports, which will be considered under item 12, are the following:

(a) Report of the Secretary-General on the preparations for the United Nations Water Conference [resolution 3513 (XXX) of 15 December 1975];

(b) Report of the Secretary-General on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories [resolutions 3336 (XXIX) of 17 December 1974 and 3516 (XXX) of 15 December 1975];

(c) Report of the Secretary-General on measures and modalities to ensure the adequate preparation, support and financing of an international year of the child [resolution 3406 (XXX) of 28 November 1975];

(d) Report of the Secretary-General on an international year of the child, including revised cost estimates [Economic and Social Council decision 178 (LXI) of 5 August 1976];

(e) Report of the Secretary-General on measures against corrupt practices of transnational and other corporations,

their intermediaries and others involved [resolution 3514 (XXX) of 15 December 1975];

(f) Report of the Secretary-General on immediate needs resulting from economic emergency situations [resolution 3510 (XXX) of 15 December 1975];

(g) Report of the Secretary-General on United Nations activities relating to the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region [resolution 3253 (XXIX) of 4 December 1974].

In this connexion, it should be noted that in paragraph 8 of resolution 3021 (XXVII) of 18 December 1972 the General Assembly instructed the Committee on Crime Prevention and Control to submit a report to the Assembly at its thirty-first session, through the Economic and Social Council, on 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. However, in paragraph 3 of resolution 1924 (LVIII) of 6 May 1975, the Economic and Social Council invited the General Assembly to postpone consideration of the question until its thirty-second session.

18. Item 116 of the draft agenda (Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28) has been on the agenda of the General Assembly since its twenty-fourth session, when its inscription was requested by the International Court of Justice. Article 22 of the Statute of the Court stipulates that the seat of the Court shall be established at The Hague. In proposing the inscription of the item, the Court suggested in a draft resolution⁴ that Article 22 should be changed to provide that the seat shall be at The Hague "or at such other place as shall at any time be approved by the General Assembly on the recommendation of the Court". The reasons for this proposal were set forth in an explanatory memorandum submitted by the Court.⁵ Since the twenty-fourth session, discussion of the item has been annually postponed. The Secretary-General is aware that a number of developments have taken place, subsequent to the inscription of the item, which might render it unnecessary for the General Assembly to take a decision on substance. For instance, as recorded in the report of the International Court of Justice to the current session of the General Assembly,⁶ work has begun on the construction of a new building in The Hague, at the expense of the Government of the Netherlands, to provide suitable meeting rooms and offices to the Court and its members. Taking this and other developments into account, the Secretary-General has held informal consultations with the President of the Court and with representatives of the Netherlands, and has ascertained that there would be no objection if the item were not maintained on the agenda of

⁴ *Official Records of the General Assembly, Twenty-fourth Session, Annexes*, agenda item 93, document A/7591/Add.1.

⁵ *Ibid.*, document A/7591.

⁶ *Ibid.*, *Thirty-first Session, Supplement No. 5* (A/31/5), paras. 29 and 30.

the General Assembly. Consequently, the Secretary-General wishes to propose the deletion of that item.

19. The Secretary-General wishes to recall that in the introduction to his report on the work of the Organization⁷ he drew attention to the fact that the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly, whose conclusions were approved by the General Assembly at its twenty-sixth session, had recommended several measures aimed at reducing the number of agenda items. Among them were the elimination of items which had lost their urgency or relevance, were not ripe for consideration or could be dealt with and even disposed of equally well by subsidiary organs, the staggering of items over two or more years and the grouping of related items under the same title. In the introduction to his report the Secretary-General voiced the firm belief that, in order to improve the efficiency of the General Assembly, an effort should be made to streamline its agenda and expressed the hope that at the beginning of the thirty-first session the General Committee would take a critical look at the draft agenda in the light of the recommendations of the Special Committee cited above.

20. Subject to the General Committee's recommendations regarding paragraphs 17 to 19 above, the draft agenda of the thirty-first session would consist of the following items:⁸

1. Opening of the session by the Chairman of the delegation of Luxembourg (P.1).
2. Minute of silent prayer or meditation (P.2).
3. Credentials of representatives to the thirty-first session of the General Assembly (P.3):
 - (a) Appointment of the Credentials Committee;
 - (b) Report of the Credentials Committee.
4. Election of the President (P.4).
5. Constitution of the Main Committees and election of officers (P.5).
6. Election of the Vice-Presidents (P.6).
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations (P.7).
8. Adoption of the agenda (P.8).
9. General debate (P.9).
10. Report of the Secretary-General on the work of the Organization (P.10).
11. Report of the Security Council (P.11).
12. Report of the Economic and Social Council (P.12).⁹
13. Report of the International Court of Justice (P.13).
14. Report of the International Atomic Energy Agency (P.14).
15. Election of five non-permanent members of the Security Council (P.15).
16. Election of eighteen members of the Economic and Social Council (P.16).
17. Appointment of the Secretary-General of the United Nations (P.17).

⁷ *Ibid.*, Supplement No. 1A (A/31/1/Add.1), sect. VIII.

⁸ Abbreviations used in the present document:

(P.): item on the provisional agenda (A/31/150);

(S.): item on the supplementary list (A/31/200/Rev.1);

(A.): additional item (A/31/241).

⁹ See para. 17 above.

18. Election of fifteen members of the Industrial Development Board (P.18).
19. Election of nineteen members of the Governing Council of the United Nations Environment Programme (P.19).
20. Election of twelve members of the World Food Council (P.20).
21. Election of twelve members of the Board of Governors of the United Nations Special Fund (P.21).
22. Election of seven members of the Committee for Programme and Co-ordination (P.22).
23. Election of the members of the International Law Commission (P.23).
24. Election of seventeen members of the United Nations Commission on International Trade Law (P.24).
25. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 (P.25).
26. Admission of new Members to the United Nations (P.26).
27. Question of Palestine (P.27):
 - (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;
 - (b) Report of the Secretary-General.
28. Co-operation between the United Nations and the Organization of African Unity: report of the Secretary-General (P.28).
29. The situation in the Middle East (P.29).
30. Third United Nations Conference on the Law of the Sea (P.30).
31. International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (P.31).
32. Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space (P.32).
33. Implementation of the Declaration on the Strengthening of International Security: report of the Secretary-General (P.33).
34. Reduction of military budgets: report of the Secretary-General (P.34).
35. Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons: report of the Secretary-General (P.35).
36. Chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament (P.36).
37. Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban: report of the Conference of the Committee on Disarmament (P.37).
38. Implementation of General Assembly resolution 3467 (XXX) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) (P.38).
39. Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean (P.39).
40. World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference (P.40).
41. Effective measures to implement the purposes and objectives of the Disarmament Decade (P.41).
42. Implementation of the Declaration on the Denuclearization of Africa (P.42).
43. Comprehensive study of the question of nuclear-weapon-free zones in all its aspects: report of the Secretary-General (P.43).

44. Establishment of a nuclear-weapon-free zone in the region of the Middle East (P.44).
45. Convention on the prohibition of military or any other hostile use of environmental modification techniques: report of the Conference of the Committee on Disarmament (P.45).
46. Establishment of a nuclear-weapon-free zone in South Asia (P.46).
47. Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests (P.47).
48. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament (P.48).
49. General and complete disarmament (P.49):
 - (a) Report of the Conference of the Committee on Disarmament;
 - (b) Report of the International Atomic Energy Agency;
 - (c) Report of the Secretary-General.
50. Strengthening of the role of the United Nations in the field of disarmament: report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament (P.50).
51. Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (P.51).
52. Policies of *apartheid* of the Government of South Africa (P.52):
 - (a) Report of the Special Committee against *Apartheid*;
 - (b) Report of the Secretary-General.
53. United Nations Relief and Works Agency for Palestine Refugees in the Near East (P.53):
 - (a) Report of the Commissioner-General;
 - (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (c) Report of the United Nations Conciliation Commission for Palestine;
 - (d) Report of the Secretary-General.
54. Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (P.54).
55. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (P.55).
56. United Nations Conference on Trade and Development (P.56):
 - (a) Report of the Conference on its fourth session;
 - (b) Report of the Trade and Development Board;
 - (c) Report of the Secretary-General of the United Nations Conference on Trade and Development;
 - (d) Confirmation of the appointment of the Secretary-General.
57. United Nations Industrial Development Organization: report of the Industrial Development Board (P.57).
58. United Nations Institute for Training and Research: report of the Executive Director (P.58).
59. Operational activities for development (P.59):
 - (a) United Nations Development Programme;
 - (b) United Nations Capital Development Fund;
 - (c) Technical co-operation activities undertaken by the Secretary-General;
 - (d) United Nations Volunteers programme;
 - (e) United Nations Fund for Population Activities;
 - (f) United Nations Children's Fund;
 - (g) World Food Programme.
60. United Nations Environment Programme (P.60):
 - (a) Report of the Governing Council;
 - (b) Report of the Secretary-General;
 - (c) Habitat: United Nations Conference on Human Settlements: report of the Secretary-General;
 - (d) Election of the Executive Director.
61. Food problems: report of the World Food Council (P.61).
62. United Nations Special Fund (P.62):
 - (a) Report of the Board of Governors;
 - (b) Confirmation of the appointment of the Executive Director.
63. United Nations University (P.63):
 - (a) Report of the Council of the United Nations University;
 - (b) Report of the Secretary-General.
64. Office of the United Nations Disaster Relief Co-ordinator: reports of the Secretary-General (P.64).
65. Revision of the International Development Strategy for the Second United Nations Development Decade (P.65).
66. Development and international economic co-operation: implementation of the decisions adopted by the General Assembly at its seventh special session (P.66):
 - (a) Report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System;
 - (b) Reports of the Secretary-General.
67. Economic co-operation among developing countries: report of the Secretary-General (P.67).
68. Technical co-operation among developing countries (P.68).
69. Elimination of all forms of racial discrimination (P.69):
 - (a) Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;
 - (b) Reports of the Committee on the Elimination of Racial Discrimination;
 - (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
 - (d) Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*.
70. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa (P.70).
71. Human rights and scientific and technological developments (P.71).
72. World social situation: report of the Secretary-General (P.72).
73. Policies and programmes relating to youth: reports of the Secretary-General (P.73).
74. Torture and other cruel, inhuman or degrading treatment or punishment (P.74).
75. United Nations Decade for Women: Equality, Development and Peace: report of the Secretary-General (P.75).
76. 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 (P.76).
77. Elimination of all forms of religious intolerance (P.77).
78. Office of the United Nations High Commissioner for Refugees: report of the High Commissioner (P.78).
79. National experience in achieving far-reaching social and economic changes for the purpose of social progress: report of the Secretary-General (P.79).
80. Freedom of information (P.80):
 - (a) Draft Declaration on Freedom of Information;
 - (b) Draft Convention on Freedom of Information.
81. 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 (P.81).

82. United Nations conference for an international convention on adoption law (P.82).
83. Preservation and further development of cultural values (P.83).
84. Information from Non-Self-Governing Territories transmitted under Article 73 (e) of the Charter of the United Nations (P.84):
 - (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.
85. Question of Namibia (P.85):
 - (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) United Nations Fund for Namibia: report of the Secretary-General;
 - (d) Appointment of the United Nations Commissioner for Namibia.
86. 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 (P.86).
87. 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 (P.87).
88. 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 (P.88):
 - (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.
89. United Nations Educational and Training Programme for Southern Africa: report of the Secretary-General (P.89).
90. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General (P.90).
91. Financial reports and accounts, and reports of the Board of Auditors (P.91):
 - (a) United Nations;
 - (b) United Nations Development Programme;
 - (c) United Nations Children's Fund;
 - (d) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (e) United Nations Institute for Training and Research;
 - (f) Voluntary funds administered by the United Nations High Commissioner for Refugees;
 - (g) Fund of the United Nations Environment Programme;
 - (h) United Nations Fund for Population Activities.
92. Programme budget for the biennium 1976-1977 (P.92).
93. Medium-term plan (P.93):
 - (a) Medium-term plan for the period 1978-1981 and revised plan for 1977;
 - (b) Implementation of the recommendations of the Joint Inspection Unit: report of the Secretary-General.
94. Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations (P.94).
95. Review of the intergovernmental and expert machinery dealing with the formulation, review and approval of programmes and budgets (P.95).
96. 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 (P.96).
97. Joint Inspection Unit (P.97):
 - (a) Reports of the Joint Inspection Unit;
 - (b) Question of the continuation of the Joint Inspection Unit.
98. Pattern of conferences: report of the Committee on Conferences (P.98).
99. United Nations accommodation (P.99):
 - (a) Utilization of office accommodation in the United Nations system;
 - (b) Utilization of office accommodation and conference facilities at the Donaupark Centre in Vienna: report of the Secretary-General.
100. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (P.100).
101. Appointments to fill vacancies in the membership of subsidiary organs of the General Assembly (P.101):
 - (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;
 - (g) United Nations Staff Pension Committee.
102. Personnel questions (P.102):
 - (a) Composition of the Secretariat: report of the Secretary-General;
 - (b) Other personnel questions: report of the Secretary-General.
103. Report of the International Civil Service Commission (P.103).
104. United Nations pension system: report of the United Nations Joint Staff Pension Board (P.104).
105. Financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force: report of the Secretary-General (P.105).
106. Report of the International Law Commission on the work of its twenty-eighth session (P.106).
107. Conference of plenipotentiaries on succession of States in respect of treaties: report of the Secretary-General (P.107).
108. Report of the United Nations Commission on International Trade Law on the work of its ninth session (P.108).
109. Report of the Committee on Relations with the Host Country (P.109).
110. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (P.110).
111. Respect for human rights in armed conflicts: report of the Secretary-General (P.111).
112. Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961: report of the Secretary-General (P.112).
113. 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 (P.113).

114. Resolutions adopted by the United Nations Conference on the Representation of States in their Relations with International Organizations (P.114):
- (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.
115. Consolidation and progressive evolution of the norms and principles of international economic development law (P.115).
116. Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28 (P.116).¹⁰
117. Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (P.117).
118. One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama (P.118).
119. Question of Cyprus (P.119).
120. Observer status for the Commonwealth Secretariat at the United Nations (S.1).
121. Removal of the danger of war and maintenance and consolidation of peace in Korea and acceleration of the independent and peaceful reunification of Korea (S.2).
122. Co-operation and assistance in the application and improvement of mass communications for social progress and development (S.3).
123. Need for constructive dialogue and negotiation towards a peaceful settlement of the Korean problem and the reunification of Korea (S.4).
124. Situation arising out of unilateral withdrawal of Ganges waters at Farakka (S.5).
125. Question of the Comorian Island of Mayotte (A.1).

IV. Allocation of items

21. The allocation of items proposed in paragraph 29 below follows, in the main, the pattern adopted by the General Assembly for those items in previous years.

22. The following items of the draft agenda deal with matters which have not been considered previously by the General Assembly:

118. One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama (P.118).
120. Observer status for the Commonwealth Secretariat at the United Nations (S.1).
122. Co-operation and assistance in the application and improvement of mass communications for social progress and development (S.3).
124. Situation arising out of unilateral withdrawal of Ganges waters at Farakka (S.5).
125. Question of the Comorian Island of Mayotte (A.1).

The sponsors of the requests for the inclusion of items 118, 120, 122 and 125 have suggested that they should be allocated as follows:

| | |
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| Item 118 | Plenary meetings |
| Item 120 | Plenary meetings |
| Item 122 | Third Committee |
| Item 125 | Plenary meetings |

¹⁰ See para. 18 above.

23. In connexion with item 12 of the draft agenda (Report of the Economic and Social Council), the Secretary-General proposes that, as in previous years, the various parts of the report should be assigned to the Main Committees in accordance with their respective fields of competence or to plenary meetings. Bearing that consideration in mind, the Secretary-General recommends the following allocation for the various parts of the main report,¹¹ on the understanding that the chapters of the addendum to the report¹² would be allocated according to their subject-matter:

| | |
|--|-----------------------------|
| Chapter I | Plenary meetings |
| Chapter II | Second and Third Committees |
| Chapter III | |
| Sections A to C | Second Committee |
| Sections D and E | |
| (a) Substantive aspects | Second Committee |
| (b) Administrative and budgetary aspects | Fifth Committee |
| Sections F and G | |
| (a) Substantive aspects | Third Committee |
| (b) Administrative and budgetary aspects | Fifth Committee |
| Section H | Second and Fifth Committees |
| Sections I and J | |
| (a) Substantive aspects | Second Committee |
| (b) Administrative and budgetary aspects | Fifth Committee |
| Section K | Second Committee |
| Section L | Third Committee |
| Section M | Second Committee |
| Chapter IV | |
| Section A | Second and Third Committees |
| Sections B to E | Second Committee |
| Section F | |
| (a) Substantive aspects | Second Committee |
| (b) Administrative and budgetary aspects | Fifth Committee |
| Sections G and H | Second Committee |
| Chapter V | Second and Third Committees |
| Chapter VI | |
| Section A | Second Committee |
| Sections B to D | |
| (a) Substantive aspects | Third Committee |
| (b) Administrative and budgetary aspects | Fifth Committee |
| Chapter VII | |
| Section A | Fifth Committee |
| Section B | Second Committee |
| Section C | Second and Fifth Committees |
| Section D | |
| (a) Substantive aspects | Second and Third Committees |
| (b) Administrative and budgetary aspects | Fifth Committee |
| Section E | Fourth Committee |
| Section F | |
| (a) Substantive aspects | Second Committee |
| (b) Administrative and budgetary aspects | Fifth Committee |
| Chapter VIII | |
| Sections A to F | Plenary meetings |
| Sections G and H | Fifth Committee |

In addition, the General Committee may wish to bear in mind that:

(a) Chapter II (General discussion of international economic and social policy, including regional and sectoral

¹¹ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 3 (A/31/3).*

¹² *Ibid.*, Supplement No. 3A (A/31/3/Add.1).

developments) might be of interest to the First, Special Political and Fourth Committees;

(b) Chapter III, section A (Assistance to the drought-stricken areas of Ethiopia), section B (Review of the situation in Guatemala in consequence of the earthquake of 4 February 1976) and section C (Measures to be taken following the cyclones in Madagascar), might be of interest to the Third Committee.

24. With regard to item 25 (Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples), the General Committee may wish to consider referring to the Fourth Committee, as was done at previous sessions, all the 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/31/23 and Add.1-10) relating to specific Territories. This would again enable the General Assembly to deal in plenary meeting with the question of the implementation of the Declaration as a whole.

25. In connexion with item 49 (General and complete disarmament), the Secretary-General wishes to draw the attention of the General Committee to the fact that some portions of the annual report of the International Atomic Energy Agency for 1975 (A/31/171), which is to be considered directly in plenary meeting under item 14, deal with the subject-matter of this item. The General Committee may therefore wish to recommend that the relevant paragraphs of the report should be drawn to the attention of the First Committee in connexion with its consideration of item 49.

26. With regard to item 56 (United Nations Conference on Trade and Development), the Secretary-General wishes to draw the General Committee's attention to the fact that, in section I, paragraph 5, of resolution 90 (IV) of 30 May 1976, the United Nations Conference on Trade and Development at its fourth session decided to recommend that the General Assembly at its thirty-first session should amend further its resolution 1995 (XIX) of 30 December 1964 so that the membership of the Trade and Development Board should be open to all States members of the Conference. Since the Trade and Development Board is scheduled to hold the first part of its sixteenth session from 5 to 23 October 1976 and must report to the General Assembly at the current session, the General Committee may wish to recommend to the Assembly that the Second Committee should consider the question of the enlargement of the Board and report thereon to the General Assembly as a matter of priority.

27. Regarding item 115 (Consolidation and progressive evolution of the norms and principles of international economic development law), the Secretary-General wishes to recall that at its 2441st plenary meeting, on 15 December 1975, the General Assembly, on the recommendation of the Second Committee, decided to include the item in the provisional agenda of its thirty-first session in the hope that it would be allocated to the Sixth Committee for consideration.¹³

28. Furthermore, the Secretary-General wishes to draw again the attention of the General Committee to the following recommendation of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly, which was approved by the Assembly at its twenty-sixth session:

"The Special Committee, reaffirming the major role which must be played by the Special Political Committee and recognizing further that the agenda of that Committee is relatively light, recommends that the General Assembly should consider transferring to the Special Political Committee one or two items usually considered by other Committees with a view to ensuring a better division of work among the Main Committees" [A/520/Rev.12, annex V, para. 34].

Since the agenda of the Special Political Committee continues to be relatively light, the General Committee may wish to consider recommending to the General Assembly the transfer of one or more items to that Committee.

29. Subject to the recommendations of the General Committee regarding the adoption of the agenda and taking into account the considerations and suggestions set forth in paragraphs 22 to 28 above, the items of the draft agenda would be allocated as follows:¹⁴

Plenary meetings

1. Opening of the session by the Chairman of the delegation of Luxembourg (P.1).
2. Minute of silent prayer or meditation (P.2).
3. Credentials of representatives to the thirty-first session of the General Assembly (P.3):
 - (a) Appointment of the Credentials Committee;
 - (b) Report of the Credentials Committee.
4. Election of the President (P.4).
5. Constitution of the Main Committees and election of officers (P.5).
6. Election of the Vice-Presidents (P.6).
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations (P.7).
8. Adoption of the agenda (P.8).
9. General debate (P.9).
10. Report of the Secretary-General on the work of the Organization (P.10).
11. Report of the Security Council (P.11).
12. Report of the Economic and Social Council [chapters I and VIII (sections A to F)] (P.12).¹⁵
13. Report of the International Court of Justice (P.13).
14. Report of the International Atomic Energy Agency (P.14).
15. Election of five non-permanent members of the Security Council (P.15).
16. Election of eighteen members of the Economic and Social Council (P.16).
17. Appointment of the Secretary-General of the United Nations (P.17).
18. Election of fifteen members of the Industrial Development Board (P.18).

¹³ *Ibid.*, Thirtieth Session, Supplement No. 34 (A/10034), p. 77, item 12.

¹⁴ For the abbreviations used in the allocation of items, see footnote 8 above.

¹⁵ See para. 23 above.

19. Election of nineteen members of the Governing Council of the United Nations Environment Programme (P.19).
20. Election of twelve members of the World Food Council (P.20).
21. Election of twelve members of the Board of Governors of the United Nations Special Fund (P.21).
22. Election of seven members of the Committee for Programme and Co-ordination (P.22).
23. Election of the members of the International Law Commission (P.23).
24. Election of seventeen members of the United Nations Commission on International Trade Law (P.24).
25. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 (P.25).¹⁶
26. Admission of new Members to the United Nations (P.26).
27. Question of Palestine (P.27):
 - (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;
 - (b) Report of the Secretary-General.
28. Co-operation between the United Nations and the Organization of African Unity: report of the Secretary-General (P.28).
29. The situation in the Middle East (P.29).
30. Third United Nations Conference on the Law of the Sea (P.30).
31. United Nations Conference on Trade and Development (P.56):¹⁷
 - (d) Confirmation of the appointment of the Secretary-General.
32. United Nations Environment Programme (P.60):¹⁸
 - (d) Election of the Executive Director.
33. United Nations Special Fund (P.61):¹⁹
 - (b) Confirmation of the appointment of the Executive Director.
34. Question of Namibia (P.85):²⁰
 - (d) Appointment of the United Nations Commissioner for Namibia.
35. Question of Cyprus (P.119).
6. Chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament (P.36).
7. Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban: report of the Conference of the Committee on Disarmament (P.37).
8. Implementation of General Assembly resolution 3467 (XXX) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) (P.38).
9. Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean (P.39).
10. World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference (P.40).
11. Effective measures to implement the purposes and objectives of the Disarmament Decade (P.41).
12. Implementation of the Declaration on the Denuclearization of Africa (P.42).
13. Comprehensive study of the question of nuclear-weapon-free zones in all its aspects: report of the Secretary-General (P.43).
14. Establishment of a nuclear-weapon-free zone in the region of the Middle East (P.44).
15. Convention on the prohibition of military or any other hostile use of environmental modification techniques: report of the Conference of the Committee on Disarmament (P.45).
16. Establishment of a nuclear-weapon-free zone in South Asia (P.46).
17. Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests (P.47).
18. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament (P.48).
19. General and complete disarmament (P.49):²¹
 - (a) Report of the Conference of the Committee on Disarmament;
 - (b) Report of the International Atomic Energy Agency;
 - (c) Report of the Secretary-General.
20. Strengthening of the role of the United Nations in the field of disarmament: report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament (P.50).
21. Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (P.117).
22. Removal of the danger of war and maintenance and consolidation of peace in Korea and acceleration of the independent and peaceful reunification of Korea (S.2).
23. Need for constructive dialogue and negotiation towards a peaceful settlement of the Korean problem and the reunification of Korea (S.4).

First Committee

1. International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (P.31).
2. Preparation of an international convention on principles governing the use by States of artificial satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space (P.32).
3. Implementation of the Declaration on the Strengthening of International Security: report of the Secretary-General (P.33).
4. Reduction of military budgets: report of the Secretary-General (P.34).
5. Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons: report of the Secretary-General (P.35).

¹⁶ See para. 24 above.

¹⁷ For subitems (a) to (c), see below "Second Committee", item 2.

¹⁸ For subitems (a) to (c), see below "Second Committee", item 6.

¹⁹ For subitem (a), see below "Second Committee", item 8.

²⁰ For subitems (a) to (c), see below "Fourth Committee", item 2.

Special Political Committee²²

1. Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (P.51).
2. Policies of *apartheid* of the Government of South Africa (P.52):
 - (a) Report of the Special Committee against *Apartheid*;
 - (b) Report of the Secretary-General.

²¹ See para. 25 above.

²² See para. 28 above.

3. United Nations Relief and Works Agency for Palestine Refugees in the Near East (P.53):
 - (a) Report of the Commissioner-General;
 - (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (c) Report of the United Nations Conciliation Commission for Palestine;
 - (d) Report of the Secretary-General.
4. Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (P.54).
5. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (P.55).

Second Committee

1. Report of the Economic and Social Council [chapters II, III (sections A to E, H to K and M), IV, V, VI (section A) and VII (sections B to D and F)] (P.12).²³
2. United Nations Conference on Trade and Development (P.56):²⁴
 - (a) Report of the Conference on its fourth session;
 - (b) Report of the Trade and Development Board;
 - (c) Report of the Secretary-General of the United Nations Conference on Trade and Development.
3. United Nations Industrial Development Organization: report of the Industrial Development Board (P.57).
4. United Nations Institute for Training and Research: report of the Executive Director (P.58).
5. Operational activities for development (P.59):
 - (a) United Nations Development Programme;
 - (b) United Nations Capital Development Fund;
 - (c) Technical co-operation activities undertaken by the Secretary-General;
 - (d) United Nations Volunteers programme;
 - (e) United Nations Fund for Population Activities;
 - (f) United Nations Children's Fund;
 - (g) World Food Programme.
6. United Nations Environment Programme (P.20):²⁵
 - (a) Report of the Governing Council;
 - (b) Report of the Secretary-General;
 - (c) Habitat: United Nations Conference on Human Settlements: report of the Secretary-General.
7. Food problems: report of the World Food Council (P.61).
8. United Nations Special Fund (P.62):²⁶
 - (a) Report of the Board of Governors.
9. United Nations University (P.63):
 - (a) Report of the Council of the United Nations University;
 - (b) Report of the Secretary-General.
10. Office of the United Nations Disaster Relief Co-ordinator: reports of the Secretary-General (P.64).
11. Revision of the International Development Strategy for the Second United Nations Development Decade (P.65).

²³ The parts of the report listed below would be referred also to the Third and Fifth Committees as follows:

| | |
|---|----------------------------|
| Chapters II, IV (section A) and V | Third Committee |
| Chapters III (sections D, E and H to J), | |
| IV (section F) and VII (sections C and F) | Fifth Committee |
| Chapter VII (section D) | Third and Fifth Committees |

For further details, see para. 23 above.

²⁴ See para. 26 above. For subitem (d), see above "Plenary meetings", item 31.

²⁵ For subitem (d), see above "Plenary meetings", item 32.

²⁶ For subitem (b), see above "Plenary meetings", item 33.

12. Development and international economic co-operation: implementation of the decisions adopted by the General Assembly at its seventh special session (P.66):
 - (a) Report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System;
 - (b) Reports of the Secretary-General.
13. Economic co-operation among developing countries: report of the Secretary-General (P.67).
14. Technical co-operation among developing countries (P.68).

Third Committee

1. Report of the Economic and Social Council [chapters II, III (sections F, G and L), IV (section A), V, VI (sections B to D) and VII (section D)] (P.12).²⁷
2. Elimination of all forms of racial discrimination (P.69):
 - (a) Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;
 - (b) Reports of the Committee on the Elimination of Racial Discrimination;
 - (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
 - (d) Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*.
3. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa (P.70).
4. Human rights and scientific and technological developments (P.71).
5. World social situation: report of the Secretary-General (P.72).
6. Policies and programmes relating to youth: reports of the Secretary-General (P.73).
7. Torture and other cruel, inhuman or degrading treatment or punishment (P.74).
8. United Nations Decade for Women: Equality, Development and Peace: report of the Secretary-General (P.75).
9. 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 (P.76).
10. Elimination of all forms of religious intolerance (P.77).
11. Office of the United Nations High Commissioner for Refugees: report of the High Commissioner (P.78).
12. National experience in achieving far-reaching social and economic changes for the purpose of social progress: report of the Secretary-General (P.79).
13. Freedom of information (P.80):
 - (a) Draft Declaration on Freedom of Information;
 - (b) Draft Convention on Freedom of Information.
14. 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 (P.81).
15. United Nations Conference for an international convention on adoption law (P.82).
16. Preservation and further development of cultural values (P.83).

²⁷ The parts of the report listed below would be referred also to the Second and Fifth Committees as follows:

| | |
|--|-----------------------------|
| Chapters II, IV (section A) and V | Second Committee |
| Chapters III (sections F and G) and VI (sections B to D) | Fifth Committee |
| Chapter VII (section D) | Second and Fifth Committees |

For further details, see para. 23 above.

Fourth Committee

1. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (P.84):
 - (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. Question of Namibia (P.85).²⁸
 - (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) United Nations Fund for Namibia: report of the Secretary-General.
3. 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 (P.86).
4. 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 (P.87).
5. 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 (P.88):
 - (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.
6. Report of the Economic and Social Council [chapter VII (section E)] (P.12).²⁹
7. United Nations Educational and Training Programme for Southern Africa: report of the Secretary-General (P.89).
8. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General (P.90).
9. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 [chapters relating to specific Territories] (P.25).³⁰

Fifth Committee

1. Financial reports and accounts, and reports of the Board of Auditors (P.91):
 - (a) United Nations;
 - (b) United Nations Development Programme;
 - (c) United Nations Children's Fund;
 - (d) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
 - (e) United Nations Institute for Training and Research;
 - (f) Voluntary funds administered by the United Nations High Commissioner for Refugees;
 - (g) Fund of the United Nations Environment Programme;
 - (h) United Nations Fund for Population Activities.

²⁸ For subitem (d), see above "Plenary meetings", item 34.

²⁹ See para. 23 above.

³⁰ See para. 24 above.

2. Programme budget for the biennium 1976-1977 (P.92).
3. Medium-term plan (P.93):
 - (a) Medium-term plan for the period 1978-1981 and revised plan for 1977;
 - (b) Implementation of the recommendations of the Joint Inspection Unit: report of the Secretary-General.
4. Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations (P.94).
5. Review of the intergovernmental and expert machinery dealing with the formulation, review and approval of programmes and budgets (P.95).
6. 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 (P.96).
7. Joint Inspection Unit (P.97):
 - (a) Reports of the Joint Inspection Unit;
 - (b) Question of the continuation of the Joint Inspection Unit.
8. Pattern of conferences: report of the Committee on Conferences (P.98).
9. United Nations accommodation (P.99):
 - (a) Utilization of office accommodation in the United Nations system;
 - (b) Utilization of office accommodation and conference facilities at the Donaupark Centre in Vienna: report of the Secretary-General.
10. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (P.100).
11. Appointments to fill vacancies in the membership of subsidiary organs of the General Assembly (P.101):
 - (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;
 - (g) United Nations Staff Pension Commission.
12. Personnel questions (P.102):
 - (a) Composition of the Secretariat: report of the Secretary-General;
 - (b) Other personnel questions: report of the Secretary-General.
13. Report of the International Civil Service Commission (P.103).
14. United Nations pension system: report of the United Nations Joint Staff Pension Board (P.104).
15. Financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force: report of the Secretary-General (P.105).
16. Report of the Economic and Social Council [chapters III (sections D to J), IV (section F), VI (sections B to D), VII (sections A, C, D and F) and VIII (sections G and H)] (P.12).³¹

³¹ The parts of the report listed below would be referred also to the Second and Third Committees as follows.

| | |
|--|-----------------------------|
| Chapters III (sections D, E and H to J), IV (section F) and VII (sections C and F) . . . | Second Committee |
| Chapters III (sections F and G) and VI (sections B to D) | Third Committee |
| Chapter VII (section D) | Second and Third Committees |

For further details, see para. 23 above.

Sixth Committee

1. Report of the International Law Commission on the work of its twenty-eighth session (P.106).
2. Conference of plenipotentiaries on succession of States in respect of treaties: report of the Secretary-General (P.107).
3. Report of the United Nations Commission on International Trade Law on the work of its ninth session (P.108).
4. Report of the Committee on Relations with the Host Country (P.109).
5. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (P.110).
6. Respect for human rights in armed conflicts: report of the Secretary-General (P.111).
7. Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961: report of the Secretary-General (P.112).
8. 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 (P.113).

9. Resolutions adopted by the United Nations Conference on the Representation of States in Their Relations with International Organizations (P.114):
 - (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.
10. Consolidation and progressive evolution of the norms and principles of international economic development law (P.115).³²
11. Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28 (P.116).

³² See para. 27 above.

DOCUMENT A/31/250

First report of the General Committee

[Original: English/French]
[23 September 1976]

I. Introduction

1. At its 1st meeting, on 23 September 1976, the General Committee considered a memorandum by the Secretary-General relating to the organization of the thirty-first regular session of the General Assembly, the adoption of the agenda and the allocation of items (A/BUR/31/1). A summary of the discussion in the General Committee appears in the summary record of that meeting (A/BUR/31/SR.1).

II. Organization of the session*Schedule of meetings*

2. On the proposal of the Secretary-General (A/BUR/31/1, paras. 2 and 3), the General Committee recommends to the General Assembly the following arrangements relating to the schedule of meetings:

(a) Plenary and committee meetings should begin at 10.30 a.m. and 3 p.m.;

(b) A five-day working week should be established, on the understanding that meetings on Saturdays, as well as night meetings, may be scheduled if necessary.

3. In this connexion, the General Committee wishes to stress the need for punctuality in opening meetings and to draw the General Assembly's attention to the text of rules 67 and 108 of the rules of procedure (A/520/Rev.12), whereby the President of the General Assembly may declare a meeting open and permit the debate to proceed

when at least one third of the members are present, and the Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the members are present.

General debate

4. At the suggestion of the Secretary-General (A/BUR/31/1, para. 4), the General Committee wishes to draw the General Assembly's attention to the following conclusions of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly which were approved by the Assembly at its twenty-sixth session:

(a) The length of the general debate should not normally exceed two and a half weeks (A/520/Rev.12, annex V, para. 45);

(b) The list of speakers wishing to take part in the general debate should be closed at the end of the third day after the opening of the debate (*ibid.*, para. 46);

(c) Speakers should, as far as possible, avoid putting down their names to speak on a given item and at the same time indicate an alternative meeting if they are unable to keep to their original schedule (*ibid.*, para. 70);

(d) Representatives should speak in the order of their inscription on the list of speakers, on the understanding that those prevented from doing so should normally be moved to the end of the list, unless they have arranged to change places with other representatives (*ibid.*, para. 71).

5. Taking into consideration the suggestions of the Secretary-General (A/BUR/31/1, para. 5) and the increase in the number of speakers, the General Committee recommends that:

(a) The general debate should begin on Monday, 27 September and end on Thursday, 14 October 1976;

(b) The list of speakers wishing to take part in the general debate should be closed on Wednesday, 29 September, at 6 p.m.;

(c) Out of consideration for the other speakers and in order to preserve the dignity of the general debate, delegations should refrain from expressing their congratulations in the General Assembly Hall after a speech has been delivered.

Right of reply

6. At the suggestion of the Secretary-General (*ibid.*, para. 6), the General Committee wishes to draw the General Assembly's attention to the recommendation of the Special Committee, which was approved by the Assembly, whereby statements made in the exercise of the right of reply should be delivered, as a general rule, at the end of meetings (A/520/Rev.12, annex V, para. 78). Furthermore, the General Committee recommends that delegations should exercise their right of reply at the end of the day whenever two meetings have been scheduled for that day and whenever such meetings are devoted to the consideration of the same item.

7. Also at the suggestion of the Secretary-General (A/BUR/31/1, para. 7), the General Committee recommends to the General Assembly that statements in the exercise of the right of reply should be limited to 10 minutes.

Closing date of the session

8. At the suggestion of the Secretary-General (*ibid.*, para. 8), the General Committee proposes to the General Assembly, in accordance with rule 2 of the rules of procedure, that the closing date of the thirty-first session should be Tuesday, 21 December 1976.

Records of the Main Committees

9. As pointed out by the Secretary-General (*ibid.*, para. 9), rule 58 of the rules of procedure stipulates that the First Committee shall be provided with verbatim records and that no organ of the General Assembly shall have both verbatim and summary records. The General Committee therefore recommends that the verbatim records should be the official records of the First Committee and the summary records should remain the official records of all other Main Committees. In this connexion, the General Committee also recommends to the General Assembly that the option that has traditionally been approved for the Special Political Committee to obtain, on specific request, transcriptions of the debates of some of its meetings, or portions thereof, should be maintained for the thirty-first session. Furthermore, the General Committee wishes to draw the General Assembly's

attention to paragraph 10(e) of its resolution 2538 (XXIV) of 11 December 1969, which reads as follows:

"Speeches or statements by representatives, by the Secretary-General or his representative, or by persons presenting reports on behalf of committees or other bodies, may be reproduced *in extenso* in summary records or as official documents only if they serve as bases for discussion, provided that the relevant decision is taken by the body concerned after a statement of the financial implications has been submitted in accordance with regulation 13.1 of the Financial Regulations of the United Nations."

Seating arrangements

10. The General Committee took note of the seating arrangements to be observed in the plenary and in the Main Committees (*ibid.*, para. 10).

Use of the General Assembly Hall by the Main Committees

11. The General Committee took note of the fact that, in addition to the General Assembly Hall, only five conference rooms (Conference Rooms 1 to 4 and the Trusteeship Council Chamber) can accommodate the membership of the Organization, making it possible to hold no more than six meetings simultaneously; at the suggestion of the Secretary-General (*ibid.*, para. 11), the General Committee therefore proposes that all the Main Committees should make full use of the General Assembly Hall when no plenary meeting is being held.

Mechanical means of voting

12. At the suggestion of the Secretary-General (*ibid.*, para. 12), the General Committee proposes that the Main Committees make full use, on a rotating basis, of the mechanical means of voting available in both the General Assembly Hall and Conference Room 3.

Financial implications of draft resolutions

13. At the suggestion of the Secretary-General (*ibid.*, para. 13), the General Committee would like to draw the attention of the General Assembly to rule 153 of the rules of procedure which reads as follows:

"No resolution involving expenditure shall be recommended by a committee for approval by the General Assembly unless it is accompanied by an estimate of expenditures prepared by the Secretary-General. No resolution in respect of which expenditures are anticipated by the Secretary-General shall be voted by the General Assembly until the Administrative and Budgetary Committee (Fifth Committee) has had an opportunity of stating the effect of the proposal upon the budget estimates of the United Nations."

In this connexion, the General Committee recommends that the General Assembly should draw the attention of the Main Committees to the imperative need for allowing sufficient time for the preparation of the estimate of expenditures by the Secretariat and for its consideration by the Advisory Committee on Administrative and Budgetary

Questions and by the Fifth Committee and to the advisability of taking this requirement into account when they adopt their programme of work, so that items for which financial implications are expected may be considered as early as possible.

Reports of the Main Committees

14. At the suggestion of the Secretary-General (*ibid.*, para. 14), the General Committee recommends that the General Assembly should draw the attention of the Main Committees to Assembly resolution 2292 (XXII), which was reaffirmed by the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly (A/520/Rev.12, annex V, para. 43), whereby the reports of the Main Committees should be as concise as possible and, save in exceptional cases, should not contain a summary of the debates.

15. Furthermore, taking into account the relevant conclusion of the Special Committee which was approved by the Assembly at its twenty-sixth session (*ibid.*, para. 76), the General Committee recommends to the General Assembly that, during the consideration of the report of a Main Committee in plenary meeting, delegations should refrain from repeating reservations which they have already expressed in the Committee and which are included in the Committee's report.

Balloting procedure

16. At the suggestion of the Secretary-General (A/BUR/31/1, para. 15), the General Committee wishes to recommend that the General Assembly should, whenever it deems it appropriate, dispense with the time-consuming balloting procedure in the case of uncontested elections to subsidiary organs.

III. Adoption of the agenda

17. The General Committee considered the draft agenda of the thirty-first session submitted by the Secretary-General in his memorandum (*ibid.*, para. 20). All the items contained in the draft agenda formed part of the following documents:

(a) Provisional agenda of the thirty-first session (A/31/150);

(b) Supplementary list of items (A/31/200/Rev.1);

(c) Request for the inclusion of an additional item (A/31/241).

18. In connexion with item 12 of the draft agenda (Report of the Economic and Social Council), the General Committee noted (A/BUR/31/1, para. 17) that:

(a) A number of reports, which the General Assembly had specifically requested or which the Economic and Social Council had decided to transmit to the Assembly, would be considered under this item;

(b) In paragraph 3 of resolution 1924 (LVIII) of 6 May 1975, the Economic and Social Council had invited the General Assembly to postpone, until its thirty-second session, consideration of the report of the Committee on

Crime Prevention and Control on 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.

19. At the suggestion of the Secretary-General (*ibid.*, para. 18), the General Committee decided to recommend the deletion of item 116 of the draft agenda (Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28).

20. The General Committee took note of the fact that the requests for the inclusion of item 121 of the draft agenda (Removal of the danger of war and maintenance and consolidation of peace in Korea and acceleration of the independent and peaceful reunification of Korea) and item 123 of the draft agenda (Need for constructive dialogue and negotiation towards a peaceful settlement of the Korean problem and the reunification of Korea) had been withdrawn by their sponsors.

21. The General Committee decided, by 18 votes to 1, with 4 abstentions, to recommend the inclusion of item 125 of the draft agenda (Question of the Comorian island of Mayotte).

22. The General Committee took note of paragraph 19 of the memorandum of the Secretary-General (A/BUR/31/1) in which the Secretary-General drew attention to a number of recommendations of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly aimed at reducing the number of agenda items.

23. Taking into account paragraphs 18 to 22 above, the General Committee recommends to the General Assembly the adoption of the following agenda:³³

[For items 1 to 11, see A/BUR/31/1, para. 20.]

12. Report of the Economic and Social Council (P.12).³⁴

[For items 13 to 115, see A/BUR/31/1, para. 20.]

116. Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (P.117).

117. One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama (P.118).

118. Question of Cyprus (P.119).

119. Observer status for the Commonwealth Secretariat at the United Nations (S.1).

120. Co-operation and assistance in the application and improvement of mass communications for social progress and development (S.3).

121. Situation arising out of unilateral withdrawal of Ganges waters at Farakka (S.5).

122. Question of the Comorian island of Mayotte (A.1).³⁵

³³ Abbreviations used in the present document:

(P.) : item on the provisional agenda (A/31/150);

(S.) : item on the supplementary list (A/31/200/Rev.1);

(A.) : additional item (A/31/241).

³⁴ See para. 18 above.

³⁵ See para. 21 above.

IV. Allocation of items

24. Taking into account the recommendations in section III above regarding the inclusion of items in the agenda, the General Committee approved the proposed allocation of items contained in paragraph 29 of the Secretary-General's memorandum (A/BUR/31/1) with the following modifications:

(a) *Plenary meetings*

- (i) Item 25 of the draft agenda (Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples). The General Committee decided, on the proposal of the Secretary-General (*ibid.*, para. 24), to recommend referral to the Fourth Committee of all the 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/31/23 and Add.1-10) relating to specific Territories so that the General Assembly might deal in plenary meeting with the question of the implementation of the Declaration as a whole.
- (ii) Item 118 (One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama). The General Committee decided to recommend that the item should be considered directly in plenary meeting.
- (iii) Item 119 of the draft agenda (Question of Cyprus). The General Committee decided, by 12 votes to 1, with 9 abstentions, to recommend that the item should be considered directly in plenary meeting on the understanding that the General Assembly would, when considering the item, invite the Special Political Committee to meet for the purpose of affording representatives of the Cypriot communities an opportunity to take the floor in the Committee in order to express their views, and that the Assembly would then resume its consideration of the item, taking into account the report of the Special Political Committee.
- (iv) Item 120 of the draft agenda (Observer status for the Commonwealth Secretariat at the United Nations). The General Committee decided to recommend that the item should be considered directly in plenary meeting as a matter of priority.
- (v) Item 125 of the draft agenda (Question of the Comorian island of Mayotte). The General Committee decided to recommend that the item should be considered directly in plenary meeting.

(b) *First Committee*

Item 49 of the draft agenda (General and complete disarmament). The General Committee decided, on the proposal of the Secretary-General (A/BUR/31/1, para. 25), to recommend that the relevant paragraphs of the annual report of the International Atomic Energy Agency for 1975 (A/31/171), which is to be considered directly in plenary meeting under item 14, should be drawn to the attention of the First Committee in connexion with its consideration of item 49.

(c) *Special Political Committee*

- (i) Item 52 of the draft agenda (Policies of *apartheid* of the Government of South Africa). The General Committee decided to recommend that the item should be considered directly in plenary meeting.
- (ii) Item 124 of the draft agenda (Situation arising out of unilateral withdrawal of Ganges waters at Farakka). The General Committee decided to recommend that the item should be allocated to the Special Political Committee.

(d) *Second Committee*

- (i) Item 12 of the draft agenda (Report of the Economic and Social Council). The General Committee decided, on the proposal of the Secretary-General (A/BUR/31/1, para. 23), to recommend that the General Assembly should express the view that:
 - a. Chapter II (General discussion of international economic and social policy, including regional and sectoral developments) might be of interest to the First, Special Political and Fourth Committees;
 - b. Chapter III, section A (Assistance to the drought-stricken areas of Ethiopia), section B (Review of the situation in Guatemala in consequence of the earthquake of 4 February 1976) and section C (Measures to be taken following the cyclones in Madagascar), might be of interest to the Third Committee.
- (ii) Item 56 of the draft agenda (United Nations Conference on Trade and Development). The General Committee decided, on the proposal of the Secretary-General (*ibid.*, para. 26), to recommend that the Second Committee should consider the question of the enlargement of the Trade and Development Board and report thereon to the General Assembly as a matter of priority.

(e) *Third Committee*

- (i) Item 12 of the draft agenda (Report of the Economic and Social Council). The General Committee decided, on the proposal of the Secretary-General (*ibid.*, para. 23), to recommend that the General Assembly should express the view that chapter II (General discussion of international economic and social policy, including regional and sectoral developments) might be of interest to the First, Special Political and Fourth Committees.
- (ii) Item 122 of the draft agenda (Co-operation and assistance in the application and improvement of mass communications for social progress and development). The General Committee decided to recommend that the item should be allocated to the Third Committee.

(f) *Sixth Committee*

Item 115 of the draft agenda (Consolidation and progressive evolution of the norms and principles of international economic development law). The General Committee decided to recommend, taking into account the hope expressed by the General Assembly at its thirtieth session (see A/BUR/31/1, para. 27), that the item would be allocated to the Sixth Committee.

25. In addition, the General Committee took note of paragraph 28 of the memorandum of the Secretary-General (A/BUR/31/1) concerning the agenda of the Special Political Committee.

26. Taking into account paragraphs 24 and 25 above, the General Committee recommends to the General Assembly the adoption of the following allocation of items:³⁶

Plenary meetings

[For items 1 to 24, see A/BUR/31/1, para. 29.]

25. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 (P.25).³⁷

[For items 26 to 30, see A/BUR/31/1, para. 29.]

31. United Nations Conference on Trade and Development (P.56):³⁸

(d) Confirmation of the appointment of the Secretary-General.

32. United Nations Environment Programme (P.60):³⁹

(d) Election of the Executive Director.

33. United Nations Special Fund (P.62):⁴⁰

(b) Confirmation of the appointment of the Executive Director.

34. Questions of Namibia (P.85):⁴¹

(d) Appointment of the United Nations Commissioner for Namibia.

35. One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama (P.118).

36. Question of Cyprus (P.119):⁴²

37. Observer status for the Commonwealth Secretariat at the United Nations (S.1):⁴³

38. Question of the Comorian island of Mayotte (A.1).

39. Policies of *apartheid* of the Government of South Africa (P.52):

(a) Report of the Special Committee against *Apartheid*;

(b) Report of the Secretary-General.

First Committee

[For items 1 to 18, see A/BUR/31/1, para. 29.]

19. General and complete disarmament (P.49):⁴⁴

(a) Report of the Conference of the Committee on Disarmament;

(b) Report of the International Atomic Energy Agency;

(c) Report of the Secretary-General.

³⁶ For the abbreviations used in the allocation of items, see foot-note 33 above.

³⁷ See para. 24 (a) (i) above.

³⁸ For subitems (a) to (c), see below "Second Committee", item 2.

³⁹ For subitems (a) to (c), see below "Second Committee", item 6.

⁴⁰ For subitem (a), see below "Second Committee", item 8.

⁴¹ For subitems (a) to (c), see below "Fourth Committee", item 2.

⁴² See para. 24 (a) (iii) above.

⁴³ See para. 24 (a) (iv) above.

⁴⁴ See para. 24 (b) above.

20. Strengthening of the role of the United Nations in the field of disarmament: report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament (P.50).

21. Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (P.117).

Special Political Committee⁴⁵

1. Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (P.51).

2. United Nations Relief and Works Agency for Palestine Refugees in the Near East (P.53):

(a) Report of the Commissioner-General;

(b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

(c) Report of the United Nations Conciliation Commission for Palestine;

(d) Report of the Secretary-General.

3. Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (P.54).

4. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (P.55).

5. Situation arising out of unilateral withdrawal of Ganges waters at Farakka (S.5).

Second Committee

1. Report of the Economic and Social Council [chapters II, III (sections A to E, H to K and M), IV, V, VI (section A) and VII (sections B to D and F)] (P.12).⁴⁶

2. United Nations Conference on Trade and Development (P.56):⁴⁷

(a) Report of the Conference on its fourth session;

(b) Report of the Trade and Development Board;

(c) Report of the Secretary-General of the United Nations Conference on Trade and Development;

[For items 3 to 5, see A/BUR/31/1, para. 29.]

6. United Nations Environment Programme (P.60):⁴⁸

(a) Report of the Governing Council;

(b) Report of the Secretary-General;

(c) Habitat: United Nations Conference on Human Settlements: report of the Secretary-General.

7. Food problems: report of the World Food Council (P.61).

8. United Nations Special Fund (P.62):⁴⁹

(a) Report of the Board of Governors.

[For items 9 to 14, see A/BUR/31/1, para. 29.]

⁴⁵ See para. 25 above.

⁴⁶ The parts of the report listed below would be referred also to the Third and Fifth Committees as follows:

| | |
|--|----------------------------|
| Chapters II, IV (section A) and V | Third Committee |
| Chapters III (sections D, E and H to J), IV (section F) and VII (sections C and F) | Fifth Committee |
| Chapter VII (section D) | Third and Fifth Committees |

For further details, see para. 24 (d) (i) above.

⁴⁷ See para. 24 (d) (ii) above. For subitem (d), see above "Plenary meetings", item 31.

⁴⁸ For subitem (d), see above "Plenary meetings", item 32.

⁴⁹ For subitem (b), see above "Plenary meetings", item 33.

Third Committee

1. Report of the Economic and Social Council [chapters II, III (sections F, G and L), IV (section A), (sections B to D) and VII (section D)] (P.12).⁵⁰
[For items 2 to 16, see A/BUR/31/1, para. 29.]
17. Co-operation and assistance in the application and improvement of mass communications for social progress and development (S.3).

Fourth Committee

1. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations (P.84):
 - (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. Question of Namibia (P.85):⁵¹
 - (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;

⁵⁰ The parts of the report listed below would be referred also to the Second and Fifth Committees as follows:

| | |
|--|-----------------------------|
| Chapters II, IV (section A) and V | Second Committee |
| Chapters III (sections F and G) and VI (sections B to D) | Fifth Committee |
| Chapter VII (section D) | Second and Fifth Committees |

For further details, see para. 24 (e) (i) above.

⁵¹ For subitem (d), see above "Plenary meetings", item 34.

(c) United Nations Fund for Namibia: report of the Secretary-General.

[For items 3 to 8, see A/BUR/31/1, para. 29.]

9. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 [chapters relating to specific Territories] (P.25).⁵²

Fifth Committee

[For items 1 to 15, see A/BUR/31/1, para. 29.]

16. Report of the Economic and Social Council [chapters III (sections D to J), IV (section F), VI (sections B to D), VII (sections A, C, D and F) and VIII (sections G and H)] (P.12).⁵³

Sixth Committee

[For items 1 to 9, see A/BUR/31/1, para. 29.]

10. Consolidation and progressive evolution of the norms and principles of international economic development law (P.115).⁵⁴

⁵² See para. 24 (a) (i) above.

⁵³ The parts of the report listed below would be referred also to the Second and Third Committees as follows:

| | |
|--|-----------------------------|
| Chapters III (sections D, E and H to J), IV (section F) and VII (sections C and F) . . . | Second Committee |
| Chapters III (sections F and G) and VI (sections B to D) | Third Committee |
| Chapter VII (section D) | Second and Third Committees |

⁵⁴ See para. 24 (f) above.

DOCUMENT A/31/250/ADD.1

Second report of the General Committee

[Original: English]
[4 October 1976]

1. At its 2nd meeting, on 4 October 1976, the General Committee considered a request submitted by the Federal Republic of Germany (A/31/242) for the inclusion in the agenda of an additional item entitled "Drafting of an international convention against the taking of hostages". The Committee decided to recommend to the General Assembly:

- (a) That the item should be included in the agenda;
- (b) That it should be allocated to the Sixth Committee.

2. At the same meeting, the General Committee considered a request submitted by the Union of Soviet Socialist Republics (A/31/243) for the inclusion in the agenda of an additional item entitled "Conclusion of a world treaty on the non-use of force in international relations". The Committee decided to recommend to the General Assembly:

- (a) That the item should be included in the agenda;
- (b) That it should be allocated to the First Committee and, at the appropriate stage, referred to the Sixth Committee for examination of its legal implications.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 4th and 16th plenary meetings, on 24 September and 4 October 1976, the General Assembly adopted the agenda and the allocation of agenda items for the thirty-first session (see decision 31/402).⁵⁵

For the final text of the agenda, see A/31/251 and Add.1; for the allocation of items, see A/31/252 and Add.1.

⁵⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39* (A/31/39).

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 8 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--------------------------|---|--|
| A/31/50 | Preliminary list of items to be included in the provisional agenda of the thirty-first session | Mimeographed |
| A/31/100 | Annotated preliminary list of items to be included in the provisional agenda of the thirty-first session | Ditto |
| A/31/100/Add.1 | Annotated draft agenda of the thirty-first session | Ditto |
| A/31/141 | Sweden: request for the inclusion of an item in the provisional agenda of the thirty-first session | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 116 |
| A/31/142 | Dominican Republic: request for the inclusion of an item in the provisional agenda of the thirty-first session | <i>Ibid.</i> , agenda item 117 |
| A/31/143 and Add.1 | Cyprus: request for the inclusion of an item in the provisional agenda of the thirty-first session | <i>Ibid.</i> , agenda item 118 |
| A/31/171 | Note by the Secretary-General transmitting to the General Assembly the twentieth report of the International Atomic Energy Agency | Mimeographed. For the text of the report, see International Atomic Energy Agency, <i>Annual Report for 1975</i> (Vienna, July, 1976) |
| A/31/191 | Papua New Guinea: request for the inclusion of a supplementary item in the agenda of the thirty-first session | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 119 |
| A/31/193 | Indonesia, Malaysia, Philippines, Singapore and Thailand: request for the inclusion of a supplementary item in the agenda of the thirty-first session | <i>Ibid.</i> , agenda item 120 |
| A/31/195 and Add.1 and 2 | Bangladesh: request for the inclusion of a supplementary item in the agenda of the thirty-first session | <i>Ibid.</i> , agenda item 121 |
| A/31/200 | Supplementary list of items proposed for inclusion in the agenda of the thirty-first session | Replaced by A/31/200/Rev.1 |
| A/31/241 | Madagascar: request for the inclusion of an additional item in the agenda of the thirty-first session | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 122 |
| A/31/242 | Federal Republic of Germany: request for the inclusion of an additional item in the agenda of the thirty-first session | <i>Ibid.</i> , agenda item 123 |
| A/31/243 | Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the thirty-first session | <i>Ibid.</i> , agenda item 124 |
| A/31/251 and Add.1 | Agenda of the thirty-first session | <i>Ibid.</i> , <i>Thirty-first Session, Plenary Meetings</i> , vol. I, prefatory fascicle. |
| A/31/252 and Add.1 | Allocation of agenda items for the thirty-first session | <i>Ibid.</i> , <i>Thirty-first Session, Supplement No. 39</i> , sect. I |
| S/12204 | Letter dated 21 September 1976 from the representative of Turkey to the Secretary-General | <i>Official Records of the Security Council, Thirty-first year, Supplement for July, August and September 1976</i> |



Agenda item 9:* General debate

CHECK LIST OF DOCUMENTS

NOTE. This check list includes a document pertaining to agenda item 9.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|------------------------------------|
| A/31/300 | Letter dated 29 October 1976 from the representative of Chile to the Secretary-General | Mimeographed |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 5th to 32nd meetings.



Agenda item 10:* Report of the Secretary-General on the work of the Organization

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 20 December 1976, the General Assembly took note of the report of the Secretary-General on the work of the Organization (A/31/1 and Add.1) (see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, decision 31/417).

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 10.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/1 | Report of the Secretary-General on the work of the Organization (16 June 1975-15 June 1976) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. I</i> |
| A/31/1/Add.1 | Introduction to the report of the Secretary-General on the work of the Organization (16 June 1975-15 June 1976) | <i>Ibid., Supplement No. 1A</i> |

*For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 105th meeting.



Agenda item 11:* Report of the Security Council

DOCUMENT A/31/L.33

**Guyana, Italy, Japan, Sweden and United Republic
of Tanzania: draft resolution**

*[Original: English]
[14 December 1976]*

The General Assembly

Takes note of the report of the Security Council covering the period from 16 June 1975 to 15 June 1976 (A/31/2).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 20 December 1976, the General Assembly adopted draft resolution A/31/L.33. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolution 31/155.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 11, which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/2 | Report of the Security Council (16 June 1975-15 June 1976) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 2</i> |

*For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 105th meeting.

1



Agenda item 12: Report of the Economic and Social Council**

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| <i>Document No.</i> | <i>Title</i> | <i>Page</i> |
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| A/31/466 | Report of the Fifth Committee | 31 |
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* See also the annex fascicle relating to agenda items 92 and 12.

** For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 3rd to 16th, 38th, 48th, 56th to 59th and 61st to 67th meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Third Committee*, 45th to 48th, 50th, 51st and 53rd to 68th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 53rd, 56th and 61st meetings; *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 77th, 84th, 102nd, 106th and 107th meetings.

Note

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Chapter I: for consideration in plenary meetings;

Chapter II: allocated to the Second and Third Committees and drawn to the attention of the First and Fourth Committees and to the Special Political Committee;

Chapter III:

Sections A, B and C: allocated to the Second Committee and drawn to the attention of the Third Committee;

Sections D and E: allocated to the Second and Fifth Committees;

Sections F and G: allocated to the Third and Fifth Committees;

Sections H, I and J: allocated to the Second and Fifth Committees;

Section K: allocated to the Second Committee;

Section L: allocated to the Third Committee;

Section M: allocated to the Second Committee;

Chapter IV: allocated to the Second Committee;

Section A: allocated to the Third Committee;

Section F: allocated to the Fifth Committee;

Chapter V: allocated to the Second and Third Committees;

Chapter VI:

Section A: allocated to the Second Committee;

Sections B to D: allocated to the Third and Fifth Committees;

Chapter VII:

Section A: allocated to the Fifth Committee;

Section B: allocated to the Second Committee;

Section C: allocated to the Second and Fifth Committees;

Section D: allocated to the Second, Third and Fifth Committees;

Section E: allocated to the Fourth Committee;

Section F: allocated to the Second and Fifth Committees;

Chapter VIII:

Sections A to F: for consideration in plenary meetings;

Sections G and H: allocated to the Fifth Committee.

DOCUMENTS A/31/338 AND ADD.1 AND 2

Report of the Second Committee

DOCUMENT A/31/338

PART I

[Original: English]
[19 November 1976]

Assistance to Cape Verde

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled "Report of the Economic and Social Council", and to allocate to the Second Committee the following parts of the report of the Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3): chapters II, III (sections A to E, H to K and M), IV, V, VI (section A) and VII (sections B to D and F).

2. The Second Committee considered the item at its 3rd to 16th meetings, between 1 and 20 October 1976, in the context of a general discussion of related items. The Committee resumed its consideration of the item at its 38th and 48th meetings, on 10 and 19 November.

3. At the 48th meeting, the representative of Pakistan, on behalf of the States Members of the United Nations which are members of the Group of 77 and on behalf of Austria, Canada, Portugal and Sweden, introduced a draft resolution (A/C.2/31/L.17), relating to assistance to Cape Verde.

4. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.17 without a vote (see para. 7 below). It also decided to request that its recommendation be considered by the General Assembly at an early date.

5. An account of the discussions of the Committee is contained in the relevant summary records (A/C.2/31/SR.38 and 48).

6. An account of the Committee's further consideration of agenda item 12 is given in part two of the present report (A/31/338/Add.1).

Recommendation of the Second Committee

7. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Assistance to Cape Verde

The General Assembly,

Deeply concerned at the serious economic situation in Cape Verde as a result of eight successive years of drought, the return of large numbers of refugees and the total lack of infrastructures for development inherited from the colonial period,

Noting that Cape Verde, in December 1975, shortly after independence, joined the Permanent Inter-State Committee on Drought Control in the Sahel,

Recalling its resolutions 3054 (XXVIII) of 17 October 1973 and 3512 (XXX) of 15 December 1975 on the economic and social situation in the Sudano-Sahelian region, victim of the drought, and measures to be taken on its behalf,

Recalling further that Cape Verde is included in the list of the most seriously affected countries,¹

Noting the efforts on behalf of the Sahel of the Office for Sahelian Relief Operations of the Food and Agriculture Organization of the United Nations and the United Nations Sahelian Office,

Recalling its resolution 3421 (XXX) of 8 December 1975 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in which the General Assembly urged the specialized agencies and other organizations within the United Nations system to extend assistance to the newly independent and emerging States,

Recalling further United Nations Conference on Trade and Development resolution 99 (IV) of 31 May 1976,² particularly paragraph 4 thereof, in which the Conference recommended that measures of assistance should be undertaken by the appropriate organs of the United Nations system in favour of the newly independent States of Africa,

Noting the outline of the economic and social situation in Cape Verde submitted by the Government of Cape Verde to the Secretary-General, and the appeals of the Secretary-General of 26 March 1975 and 18 October 1976 for assistance to Cape Verde,

1. *Urgently appeals* to Member States and the international institutions concerned, particularly the United Nations Development Programme, the International Bank for Reconstruction and Development, the United Nations Children's Fund, the Food and Agriculture Organization of the United Nations and the World Food Programme, to assist the Government of Cape Verde in an effective and continuous manner so as to enable it to deal effectively with the catastrophic drought situation and its consequences;

2. *Requests* the Secretary-General to mobilize the financial, technical and economic assistance of the international community, in particular the developed countries and the appropriate organizations of the United Nations system with a view to meeting the short-term and long-term development needs of this newly independent country;

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 21*, annex IV.

² 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), part one, sect. A.

3. *Requests* the Committee for Development Planning at its thirteenth session, as a matter of priority, to give favourable consideration to the question of the inclusion of Cape Verde in the list of the least developed countries and to submit its conclusions to the Economic and Social Council at its sixty-third session;

4. *Invites*, in the meantime, Member States, particularly the developed countries, and the organizations of the United Nations system to grant Cape Verde the same benefits as those enjoyed by the least developed among the developing countries in the light of prevailing conditions in Cape Verde;

5. *Further requests* the Secretary-General to keep this matter under review and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DOCUMENT A/31/338/ADD.1

PART II

[Original: English]
[30 November 1976]

Assistance to the Comoros

Assistance to Mozambique

1. At the 56th meeting of the Second Committee, on 29 November 1976, the representative of Pakistan, on behalf of the States Members of the United Nations which are members of the Group of 77, and on behalf of Turkey, introduced a draft resolution (A/C.2/31/L.27), relating to assistance to the Comoros.

2. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.27 without a vote (see para. 7 below, draft resolution I). It also decided to request that its recommendation be considered by the General Assembly at an early date.

3. Also at the 56th meeting, the representative of Mauritius, on behalf of Algeria, Botswana, Cape Verde, the Comoros, the Congo, Cuba, Egypt, Finland, Ghana, Guinea-Bissau, India, Kenya, Lesotho, the Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Morocco, Nigeria, Portugal, Senegal, Somalia, Uganda, the United Republic of Tanzania, Yugoslavia and Zambia, introduced a draft resolution (A/C.2/31/L.37), relating to assistance to Mozambique. Afghanistan, Bulgaria, Burundi, Chad, Democratic Yemen, Equatorial Guinea, Ethiopia, Italy, the Ivory Coast, Jamaica, Pakistan, Rwanda, Sao Tome and Principe, Swaziland, Sweden, Togo, the United Republic of Cameroon, the Upper Volta and Yemen joined in sponsoring the draft resolution.

4. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.37 without a vote (see para. 7 below, draft resolution II).

5. An account of the discussion of the Committee on these questions is contained in the relevant summary record (A/C.2/31/SR.56).

6. An account of the Committee's further consideration of agenda item 12 is given in part three of the present report (A/31/338/Add.2).

Recommendations of the Second Committee

7. The Second Committee recommends to the General Assembly the adoption of draft resolutions I and II below:

DRAFT RESOLUTION I

Assistance to the Comoros

The General Assembly,

Recalling recommendation 99 (IV) of 31 May 1976,³ adopted by the United Nations Conference on Trade and Development at its fourth session, held at Nairobi from 5 to 31 May 1976, in which the Conference noted the serious and disturbing nature of the economic situation in the Comoros, where the *per capita* income is one of the lowest in the world,

Being aware, moreover, that the Comoros is faced with certain specific tasks arising from its recent attainment of independence,

Recalling further its resolution 3421 (XXX) of 8 December 1975 on the 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, in which it requested the specialized agencies and other organizations within the United Nations system to extend assistance to the newly independent and emerging States,

1. *Urgently appeals* to Member States and to the specialized agencies and other organizations within the United Nations system, particularly the United Nations Development Programme, the World Bank and the Food and Agriculture Organization of the United Nations, to assist the Government of the Comoros in an effective and continuous manner, so as to enable it to face successfully the critical situation resulting from the economic difficulties experienced by that country;

2. *Requests* the Secretary-General to mobilize financial, technical and economic assistance from the international community, particularly from the developed countries and the appropriate organizations within the United Nations system, with a view to meeting the short-term and long-term development needs of that newly independent country;

3. *Requests* the Committee for Development Planning to give favourable consideration at its thirteenth session, as a matter of priority, to the question of the inclusion of the Comoros in the list of least developed countries and to submit its conclusions to the Economic and Social Council at its sixty-third session;

4. *Invites* in the meantime Member States, particularly the developed countries, and the organizations of the

³ *Ibid.*

United Nations system to grant to the Comoros, in view of that country's difficult economic situation, the same benefits as those enjoyed by the least developed among the developing countries;

5. *Further requests* the Secretary-General to keep the matter under review and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION II

Assistance to Mozambique

The General Assembly,

Recalling the resolutions of the Security Council on the question of Southern Rhodesia, in particular resolution 232 (1966) of 16 December 1966, in which the Council declared that the situation in Southern Rhodesia constituted a threat to international peace and security, and resolution 253 (1968) of 29 May 1968, in which mandatory sanctions were imposed against Southern Rhodesia,

Recalling with appreciation the decision of the Government of Mozambique to implement mandatory sanctions against Southern Rhodesia in accordance with Security Council resolution 253 (1968),

Having regard to the very substantial sacrifices made by the Government and the people of Mozambique as a consequence of the closure of its border as well as the Zambian border with Southern Rhodesia,

Recalling Security Council resolution 386 (1976) of 17 March 1976, in which the Council appealed to all States to provide immediate financial, technical and material assistance to Mozambique and requested the Secretary-General, in collaboration with the appropriate organizations of the United Nations system, to organize, with immediate effect, all forms of financial, technical and material assistance to enable Mozambique to carry out its policy of economic independence from the racist régime of Southern Rhodesia and enhance its capacity to implement fully the United Nations mandatory sanctions,

Recalling Economic and Social Council resolutions 1987 (LX) of 11 May 1976 and 2020 (LXI) of 3 August 1976, in which the Council strongly endorsed the appeal of the Security Council to the international community to provide immediate financial, technical and material assistance to Mozambique,

Taking note of the report of the United Nations Mission to Mozambique,⁴ which in April 1976 ascertained the financial, material and technical assistance required by Mozambique to pursue its normal development and to overcome the economic difficulties arising from the application of economic sanctions against Southern Rhodesia,

Noting further the report of the Secretary-General to the Economic and Social Council on the mobilization of a

programme of financial, technical and material assistance to Mozambique,⁵

Having studied the report, transmitted by the Secretary-General (A/31/266), reviewing the economic situation in Mozambique as at August 1976 and containing, *inter alia*, an assessment of the status of emergency projects formulated by the Government of Mozambique, as well as estimates of specific food and material requirements for the remainder of 1976 and the outlook for 1977,

1. *Expresses its deep appreciation* of the measures taken by the Secretary-General to organize an effective programme of international assistance to Mozambique;

2. *Notes with satisfaction* the assistance so far contributed or pledged to Mozambique by Member States, regional and intergovernmental organizations and the United Nations system;

3. *Expresses concern* that the total assistance so far contributed or pledged falls far short of the amount required by Mozambique to deal with the special economic problems arising from the implementation of the measures decided upon in Security Council resolution 253 (1968);

4. *Draws the attention* of the international community to the list of emergency projects required by Mozambique and described in the reports submitted by the Secretary-General;

5. *Further draws the attention* of the international community to the assessment contained in the report of the Secretary-General reviewing the economic situation in Mozambique (A/31/266) that, in addition to significant financial assistance, Mozambique will require substantial assistance, in cash or in kind, to meet the food and other material needs listed in tables 2 and 3 of that report;

6. *Urges* all Member States and regional and intergovernmental organizations to respond generously and to provide assistance, bilaterally and multilaterally, whenever possible in the form of grants, to enable Mozambique to bear the cost arising from the implementation of sanctions and to carry out its normal development programmes;

7. *Calls upon* all Member States which have not yet responded to the appeal of the Security Council to provide immediate financial, technical and material assistance to Mozambique, so that Mozambique can carry out its economic development programme normally and enhance its capacity to implement fully the system of sanctions;

8. *Requests* the specialized agencies and other organizations of the United Nations system, including the United Nations Development Programme, the United Nations Children's Fund and the World Food Programme, to continue to assist Mozambique and consider periodically the question of economic assistance to Mozambique;

9. *Requests* the United Nations Special Fund to give special and favourable consideration to Mozambique's application for assistance;

⁴ E/5812 and Corr.1 and E/5812 Add.1.

⁵ E/5872/Rev.1.

10. *Requests the Secretary-General:*

(a) To continue his efforts for the mobilization of resources necessary for an effective programme of financial, material and technical assistance to Mozambique during 1977;

(b) To ensure that adequate financial and budgetary arrangements are made to continue the mobilization of resources and to co-ordinate the international programme of assistance to Mozambique;

(c) To arrange for a new assessment of the economic situation during the first quarter of 1977 and give the resulting report the widest possible circulation;

(d) To keep the situation under constant review and maintain close liaison with Member States, regional and other intergovernmental organizations, specialized agencies and international financial institutions, and to report to the General Assembly at its thirty-second session.

DOCUMENT A/31/338/ADD.2

PART III

*[Original: English]
[18 December 1976]*

1. The Committee continued its consideration of agenda item 12 at its 57th to 59th and 61st to 67th meetings, on 30 November, 1 and 3 December, 7 to 10 December and 13 December 1976. An account of the discussions of the Committee is contained in the relevant summary records (A/C.2/31/SR.57-59 and 61-67).

2. In addition to the parts of the report of the Economic and Social Council (A/31/3) mentioned in part one of the present report, the Committee also had before it the relevant parts of the report of the Economic and Social Council on the work of its resumed sixty-first session (A/31/3/Add.1 (parts I and II)) as well as the following documents:

(a) Letter dated 4 March 1976 from the Chargé d'affaires a.i. of the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/31/58);

(b) Note verbale dated 8 March 1976 from the Permanent Mission of the German Democratic Republic to the United Nations addressed to the Secretary-General (A/31/60);

(c) Letter dated 23 March 1976 from the Permanent Representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General (A/31/67);

(d) Note verbale dated 18 March 1976 from the Permanent Mission of Bulgaria to the United Nations addressed to the Secretary-General (A/31/68);

(e) Letter dated 24 March 1976 from the Permanent Representative of the Federal Republic of Germany to the United Nations addressed to the Secretary-General (A/31/69);

(f) Note verbale dated 24 March 1976 from the Permanent Mission of the Ukrainian Soviet Socialist Republic to the United Nations addressed to the Secretary-General (A/31/70);

(g) Letter dated 8 April 1976 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/31/80);

(h) Letter dated 4 May 1976 from the Permanent Representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General (A/31/87);

(i) Letter dated 23 July 1976 from the Permanent Representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General (A/31/160);

(j) Letter dated 27 July 1976 from the Permanent Representative of the Federal Republic of Germany to the United Nations addressed to the Secretary-General (A/31/165);

(k) Letter dated 29 July 1976 from the Chargé d'affaires a.i. of the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/31/166);

(l) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(m) Note verbale dated 15 September 1976 from the Permanent Mission of the German Democratic Republic to the United Nations addressed to the Secretary-General (A/31/216);

(n) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237);

(o) Report of the Secretary-General on implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region (A/31/259);

(p) Note by the Secretary-General on assistance to Mozambique (A/31/266);

(q) Note by the Secretary-General transmitting the report of the Conference on International Economic Co-operation on its activities as at mid-September 1976 (A/31/282);

(r) Note by the Secretary-General on permanent sovereignty over national resources in the occupied Arab territories (A/31/284);

(s) Report by the Secretary-General on the United Nations Water Conference (A/31/356);

(t) Letter dated 1 October 1976 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General (A/C.2/31/3);

(u) Letter dated 8 October 1976 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General (A/C.2/31/6);

(v) Letter dated 18 October 1976 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General (A/C.2/31/10);

(w) Telegram dated 26 November 1976 from the Director-General of the United Nations Educational, Scientific and Cultural Organization addressed to the Secretary-General (A/C.2/31/14);

(x) Report of the Secretary-General on measures against corrupt practices of transnational and other corporations, their intermediaries and others involved (E/5838 and Corr.1 and E/5838/Add.1);

(y) Report of the Secretary-General on the establishment of a network for the exchange of technological information (E/5839);

(z) Report of the Secretary-General on immediate needs resulting from economic emergency situations (E/5843).

I

Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region

3. At the 38th meeting, on 10 November, the Administrator of the United Nations Development Programme made a statement concerning the report of the Secretary-General on the question (A/31/259).

4. At the 57th meeting, the representative of the Niger, on behalf of Cape Verde, Chad, Egypt, Ethiopia, the Gambia, Mali, Mauritania, Morocco, the Netherlands, the Niger, Pakistan, Saudi Arabia, Senegal, the Sudan, Uganda, the United States of America and the Upper Volta, introduced a draft resolution (A/C.2/31/L/38). Subsequently, Bolivia, Brazil, the Ivory Coast, Japan, Swaziland and Tunisia joined in sponsoring the draft resolution.

5. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.38 without a vote (see para. 50 below, draft resolution I).

II

Recapitalization of the International Bank for Reconstruction and Development and replenishment of the International Development Association

6. At the 58th meeting, the representative of Pakistan, on behalf of the States Members of the United Nations

which are members of the Group of 77, introduced a draft resolution (A/C.2/31/L.35). In introducing the draft resolution, the representative of Pakistan orally revised operative paragraph 6 by inserting the word "substantially" between the words "to expand" and "the capital of the Bank". The draft resolution, incorporating the oral revision, read as follows:

"The General Assembly,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing, respectively, the Declaration and the Programme of Action on the Establishment of a New International Economic Order,

"Recalling also its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation, in particular section II, paragraph 5, in which it stressed that, in order to enlarge the pool of resources available for financing development, there was an urgent need to increase substantially the capital of the World Bank Group, in particular the resources of the International Development Association, to enable it to make additional capital available to the poorest countries on highly concessional terms,

"Taking note of the appeal made by the President of the World Bank at the annual meeting of the Bank held at Manila in October 1976 for a substantial increase in the resources of the International Bank for Reconstruction and Development and the International Development Association, to enable those institutions to continue to expand their lending to developing countries,

"Recalling further its resolution 3387 (XXX) of 25 November 1975 in which the Assembly emphasized the urgent need for the fifth replenishment of the International Development Association to be made at a substantially higher level in real terms,

"I. INTERNATIONAL DEVELOPMENT ASSOCIATION

"1. Expresses concern at the delay in negotiations for the fifth replenishment which threatens the commitment authority of the International Development Association after June 1977;

"2. Urges all developed countries to support the fifth replenishment of the International Development Association;

"3. Emphasizes the critical need for concessionary funds for financing development in developing countries, particularly in the least developed among them;

"4. Considers it essential that negotiations for the fifth replenishment of the International Development Association be completed early next year to replenish the resources of the Association at the \$10 billion level;

"5. Urges that donor countries agree to bridging arrangements so that the commitment authority of the International Development Association will not be disrupted at the end of the current replenishment period, namely, 30 June 1977;

"II. INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT"

"6. *Expresses concern* at the lack of willingness on the part of some developed countries members of the International Bank for Reconstruction and Development to expand substantially the capital of the Bank, thereby jeopardizing its role as an effective development finance institution;

"7. *Calls upon* developed countries members of the International Bank for Reconstruction and Development to agree urgently to increase its capital substantially, in order to enable it to expand its lending to developing countries;

"8. *Expresses concern* over the hardening of the lending terms of the International Bank for Reconstruction and Development and urges that those terms be softened as soon as possible."

7. At the 63rd meeting, Mr. I. Goritza, Vice-Chairman of the Committee, on the basis of informal consultations on draft resolution A/C.2/31/L.35, introduced a draft resolution (A/C.2/31/L.83).

8. The representative of Pakistan, on behalf of the sponsors, informed the Committee that draft resolution A/C.2/31/L.35 had been withdrawn.

9. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.83 without a vote (see para. 50 below, draft resolution II).

10. Statements in explanation of vote were made by the representatives of China, the United States of America, Japan, Pakistan, the Federal Republic of Germany, France and Kuwait.

III

Preparations for a new international development strategy

11. At the 58th meeting, the representative of Pakistan, on behalf of the States Members of the United Nations which are members of the Group of 77, introduced a draft resolution (A/C.2/31/L.36), which read as follows:

"*The General Assembly,*

"*Recalling* its resolution 2626 (XXV) of 24 October 1970, containing the International Development Strategy for the Second United Nations Development Decade, and its resolution 3517 (XXX) of 15 December 1975 on the mid-term review and appraisal of progress in implementing the Strategy,

"*Concerned* at the widening gap in economic development between the developed and developing countries,

"*Conscious* of the need to introduce profound changes in the structures of economic relations between the developed and developing countries,

"*Recalling* in this regard the Declaration and the Programme of Action on the Establishment of a New International Economic Order contained in its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, the Charter of Economic Rights and Duties of States contained in its resolution 3281 (XXIX) of 12 December 1974, and its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

"1. *Requests* the Secretary-General, in consultation with the Committee for Development Planning and other organizations of the United Nations system, in particular the United Nations Conference on Trade and Development and the United Nations Industrial Development Organization, to collate data and information that are relevant to the formulation of a new international development strategy evolved within the framework of the new international economic order and designed as an effective instrument to achieve its objectives;

"2. *Requests* the Secretary-General to report on the above information to the General Assembly at its thirty-second session and decides to consider at that time appropriate action for the preparations for a new international development strategy;

"3. *Also requests* the Secretary-General to ensure that research studies and reports in the field of development and economic co-operation, including those that may be necessary for a new international development strategy, shall be in accordance with the objectives of the new international economic order;

"4. *Further requests* the Secretary-General to utilize appropriate research institutions and expertise in the developing countries in the preparation of the studies and reports mentioned above."

12. At the 66th meeting, Mr. I. Goritza, Vice-Chairman of the Committee, on the basis of informal consultations on draft resolution A/C.2/31/L.36, introduced a draft resolution (A/C.2/31/L.88). Consequently, draft resolution A/C.2/31/L.36 was withdrawn.

13. In introducing the draft resolution, the Vice-Chairman revised operative paragraphs 1 and 2 as follows:

(a) In operative paragraph 1, the words "of the Economic and Social Council" were replaced by the words "as well as the Administrative Committee on Co-ordination" and the words "designed as an effective instrument to achieve the objectives of the above-mentioned resolutions on the establishment of a new international economic order" were replaced by the words "taking fully into account the above-mentioned resolutions on the establishment of a new international economic order and the other above-mentioned resolutions";

(b) In operative paragraph 2, the words "through the Economic and Social Council at its resumed sixty-third session" were inserted between the words "thirty-second session" and "decides to consider".

14. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.88, as orally revised, without a vote (see para. 50 below, draft resolution III).

15. At the 67th meeting, statements in explanation of vote were made by the representatives of the Netherlands, the United States of America, the Federal Republic of Germany, France, Pakistan, the United Kingdom of Great Britain and Northern Ireland, Japan and Sweden.

IV

Establishment of a network for the exchange of technological information

16. At the 58th meeting, the representative of the United States of America introduced a draft resolution (A/C.2/31/L.43) which read as follows:

"The General Assembly,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974, 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 3507 (XXX) of 15 December 1975 on institutional arrangements in the field of the transfer of technology,

"Bearing in mind paragraph 6 of resolution 3507 (XXX) in which it requested the Secretary-General, in collaboration with the United Nations Conference on Trade and Development and the United Nations Industrial Development Organization, to establish an inter-agency task force, which should use the widest possible expertise in the fields of information exchange and the transfer of technology and, taking into account the views expressed in the Committee on Science and Technology for Development, undertake a comprehensive analysis with a view to the preparation of a plan for the establishment of a network for the exchange of technological information, and to submit a report containing preliminary recommendations, through the Economic and Social Council at its sixty-first session, to the General Assembly,

"Noting Economic and Social Council resolution 1902 (LVII) of 1 August 1974 on the role of an international technological information system in the transfer and assessment of technology and in the indigenous growth of appropriate technologies in developing countries,

"Acknowledging that the Economic and Social Council, in its decision 171 (LXI) of 4 August 1976, noted with satisfaction the report of the Secretary-General on the establishment of a network for the exchange of technological information (E/5839) as a first step in the implementation of General Assembly resolution 3507 (XXX), and decided to transmit the report to the Assembly for consideration at its thirty-first session,

"1. Reaffirms the importance of wider dissemination of scientific and technological information for the purpose of allowing developing countries access to research findings relevant to their needs as well as project experience of other developing countries, thus permitting the selection of technologies essential for their industrial growth and promoting the development of their own technological capacity;

"2. Compliments the Secretary-General on the report transmitted by the Economic and Social Council and requests that he convey the thanks of the General Assembly to members of the Interagency Task Force who have undertaken to prepare the plan for the establishment of a network for the exchange of technological information;

"3. Endorses the report and its conclusions (ibid., chap. IV), especially as they relate to the importance of establishing a network useful to all countries;

"4. Requests the Secretary-General and the Inter-agency Task Force to continue their work in accordance with paragraph 6 of General Assembly resolution 3507 (XXX), including preparation and publication of the pilot directory of United Nations information services mentioned in the report (ibid., para. 76 (a)) and to submit further conclusions and recommendations on the establishment of a network for the exchange of technological information to the General Assembly at its thirty-second session;

"5. Further requests the Secretary-General, in consultation with the Interagency Task Force, to establish within the United Nations Secretariat an interim office to serve as the administrative body responsible to the Secretary-General and the Interagency Task Force for carrying out the recommendations of the report; this interim office will be disestablished when the administrative arrangements for the network are put into effect;

"6. Requests the Secretary-General and the Inter-agency Task Force to direct the interim office and to take the following steps: (a) to prepare the pilot directory of United Nations information activities mentioned in the report; and (b) to assure the availability of current inventories of information capabilities at the international, regional and national levels in terms of information sources, means of access to information and information-related services;

"7. Urges the Secretary-General and the Interagency Task Force to direct the interim office to identify by means of these inventories the developing countries that have the capability for participation in the network and those that do not, and to recommend to the Secretary-General and the Interagency Task Force how deficiencies identified by the inventories may be remedied so that every country may take part in the network."

17. At the 65th meeting, the representative of the United States of America, in the light of the informal consultations held, introduced a revised draft resolution (A/C.2/31/L.43/Rev.1). He further orally revised operative paragraph 9 by replacing the words "and requests the Executive Director to continue his work" by the words "and urges the Industrial Development Board to take early decisions to enable the Executive Director to take the necessary measures".

18. A statement of the administrative and financial implications of the revised draft resolution was submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.2/31/L.85).

19. At the same meeting, the representative of Argentina orally proposed the replacement of the words "relevant to their needs" in operative paragraph 1 by the words "which are of interest to them". This amendment was accepted by the sponsor of the draft resolution.

20. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.43/Rev.1, as orally amended, without a vote (see para. 50 below, draft resolution IV).

21. Statements in explanation of vote were made by the representatives of the Union of Soviet Socialist Republics and Mexico.

V

United Nations Conference on Science and Technology for Development

22. At the 59th meeting, the representative of Romania, on behalf of Algeria, Argentina, Australia, Austria, Bangladesh, Benin, Bolivia, Brazil, Ecuador, the Federal Republic of Germany, India, Indonesia, Madagascar, Mexico, the Netherlands, the Philippines, Romania, Spain, Tunisia, Uganda, the United Republic of Tanzania, the United States of America, Venezuela and Yugoslavia, introduced a draft resolution (A/C.2/31/L.50). Iraq, the Libyan Arab Republic, Morocco, Peru, Trinidad and Tobago, the United Arab Emirates, the United Republic of Cameroon and Zaïre joined in sponsoring the draft resolution, which read as follows:

"The General Assembly,

"Recalling section III, paragraph 7, of its resolution 3362 (S-VII) of 16 September 1975, in which it decided that a United Nations Conference on Science and Technology for Development should be held in 1978 or 1979,

"Recalling Economic and Social Council resolutions 1897 (LVII) of 1 August 1974 on the question of convening a United Nations conference on science and technology, 2028 (LXI) of 4 August 1976 on the United Nations Conference on Science and Technology for Development and 2035 (LXI) of 4 August 1976 on the preparatory period of the Conference,

"Recalling further the Declaration and the Programme of Action on the Establishment of a New International Economic Order⁶ and the Charter of Economic Rights and Duties of States,⁷

"1. Endorses Economic and Social Council resolutions 2028 (LXI) and 2035 (LXI);

"2. Decides to convene the United Nations Conference on Science and Technology for Development during 1979 in time for the General Assembly to take action at its thirty-fourth session in the light of the results of the Conference;

"3. Decides that the Conference should be within the framework recommended in paragraphs 2 and 3 of Economic and Social Council resolution 2028 (LXI);

"4. Requests the Secretary-General of the United Nations to appoint a Secretary-General of the Conference at the earliest possible time, as provided in Council resolution 2028 (LXI), paragraph 5, and further requests such appointment to be made at the level of Under-Secretary-General, in order to ensure the appropriate capacity for co-ordination and interaction with Member States and within the specialized agencies and other organizations of the United Nations system;

"5. Decides that the Committee on Science and Technology for Development shall act as the Preparatory Committee for the Conference, open to the participation of all Member States, and further decides that the Preparatory Committee shall hold its first session early in 1977 and submit its report to the General Assembly at its thirty-second session through the Council at its sixty-third session;

"6. Requests the Preparatory Committee to consider the question of the sites and other necessary arrangements for the regional and interregional preparatory meetings and to submit its proposals to the Economic and Social Council at its sixty-second session;

"7. Requests also the Committee on Science and Technology for Development to consider, at its meeting in 1977 as the Preparatory Committee, the draft provisional agenda for its fourth regular session;

"8. Decides to take a final decision on the question of the site of the Conference at its thirty-second session;

"9. Invites the specialized agencies, the International Atomic Energy Agency and the interested organs of the United Nations, especially the United Nations Conference on Trade and Development and the United Nations Industrial Development Organization and the regional commissions to co-operate fully in the preparations for the Conference, as provided by Economic and Social Council resolution 2028 (LXI);

"10. Invites the Secretary-General to request the Administrative Committee on Co-ordination to promote, through its Sub-Committee on Science and Technology, close and permanent contact with the Secretary-General of the Conference;

"11. Requests that for the preparatory work leading to the Conference, the Advisory Committee on the Application of Science and Technology to Development should advise, on request, the Secretary-General of the Conference and the Preparatory Committee on matters pertaining to the Conference, and assist and collaborate, at the request of the Secretary-General of the Conference, in the preparations for the Conference at the regional level;

"12. Requests the Secretary-General of the Conference to seek the co-operation of intergovernmental organizations and non-governmental organizations in con-

⁶ General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).

⁷ General Assembly resolution 3281 (XXIX).

sultative status with the Economic and Social Council which may be in a position to contribute constructively to the preparation of the Conference;

“13. *Invites* Governments to participate fully in the preparations for the Conference, taking into account the provisions of the Economic and Social Council resolutions 2028 (LXI) and 2035 (LXI);

“14. *Requests* the Secretary-General of the United Nations to submit a progress report to the General Assembly at its thirty-second session, through the Economic and Social Council, on the implementation of the present resolution.”

23. At the same meeting, the representative of France orally proposed the following amendments to operative paragraph 6 of the draft resolution:

(a) The insertion of the words “taking into account the time needed for the due completion of the various stages of preparation for the Conference” between the words “to consider” and the words “the question”;

(b) The insertion of the word “time-table” between the words “question of the” and the word “sites”.

24. The representative of France stated that her delegation would join in sponsoring the draft resolution if the above amendments were accepted.

25. At the same meeting, the representative of Canada, in introducing amendments (A/C.2/31/L.69) to draft resolution A/C.2/31/L.50, stated that he wished to withdraw the first amendment, which had called for the addition of a new operative paragraph in the draft resolution to read as follows:

“*Notes with appreciation* the resolution adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its nineteenth session (see A/C.2/31/14), in which it offered, *inter alia*, its full support to the preparation, organization and follow-up of the United Nations Conference on Science and Technology for Development”.

The second amendment, slightly modified, called for the phrase “especially the United Nations Educational, Scientific and Cultural Organization”, which appeared in the second line, to be placed after the words “specialized agencies” in operative paragraph 9 of the draft resolution.

26. The representative of Canada also stated that his delegation would join in sponsoring the draft resolution if his amendment were acceptable.

27. At the 64th meeting, the representative of Romania, on behalf of the original sponsors and Canada, France, Jamaica, Mauritania and Nigeria, introduced a revised draft resolution (A/C.2/31/L.50/Rev.1), which incorporated the amendments proposed by France and Canada (see paras. 23 and 25 above).

28. A statement of the administrative and financial implications of the revised draft resolution was submitted

by the Secretary-General in accordance with rule 153 of the rules of procedure (A/C.2/31/13). In addition, a statement concerning participation at the United Nations Conference on Science and Technology for Development was made by the Secretary of the Committee at the 64th meeting.

29. At the same meeting, the representative of Poland introduced an amendment (A/C.2/31/L.78) to draft resolution A/C.2/31/L.50/Rev.1, which called for the insertion of a new operative paragraph 10, as follows:

“10. *Requests* the Committee on Science and Technology for Development to take fully into account, in the process of preparation of the Conference, the inter-relationship between the scientific/technological fields and other areas of activity of the United Nations system, in particular the economic area, so as to create more favourable conditions for the further promotion of comprehensive international co-operation”.

30. The Committee voted on the draft resolution and the amendment thereto as follows:

(a) The amendment submitted by Poland (A/C.2/31/L.78) was adopted without a vote;

(b) Draft resolution A/C.2/31/L.50/Rev.1, as amended, was adopted without a vote (see para. 50 below, draft resolution V).

31. On the proposal of the representative of Canada, the Committee agreed to express its appreciation to the Director-General of the United Nations Educational, Scientific and Cultural Organization for transmitting to the General Assembly the text of the organization's resolution entitled “General programme resolution on science and technology” (A/C.2/31/14) and for its support in the preparations for the Conference on Science and Technology for Development.

VI

United Nations Water Conference

32. At the 61st meeting, the Secretary-General of the United Nations Water Conference made an introductory statement.

33. At the same meeting, the representative of Argentina orally proposed a draft resolution whereby the General Assembly would take note with appreciation of the statement made by the Secretary-General of the United Nations Water Conference and of the report regarding its preparatory work (A/31/356).

34. Italy and the Sudan joined in sponsoring the draft resolution.

35. At the same meeting, the Committee adopted the draft resolution without a vote (see para. 50 below, draft resolution VI).

VII

*Permanent sovereignty over national resources
in the occupied Arab territories*

36. At the 62nd meeting, the representative of Pakistan, on behalf of Afghanistan, Algeria, Bahrain, Bangladesh, Benin, Botswana, Burundi, Chad, the Comoros, the Congo, Cuba, Cyprus, Democratic Yemen, Egypt, Guinea-Bissau, India, Indonesia, Iraq, Jordan, Kenya, Kuwait, Madagascar, Malaysia, Mali, Mauritania, Morocco, Mozambique, Nigeria, Oman, Pakistan, Peru, the Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, Uganda, the United Arab Emirates, the United Republic of Cameroon, the Upper Volta, Yemen and Yugoslavia, introduced a draft resolution (A/C.2/31/L.54).

37. The Secretary of the Committee made a statement on the administrative and financial implications of the draft resolution.

38. The Committee adopted draft resolution A/C.2/31/L.54 by a roll-call vote of 94 to 2, with 24 abstentions (see para. 50 below, draft resolution VII). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, 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, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Barbados, Belgium, Bolivia, Canada, Costa Rica, Denmark, Dominican Republic, France, Germany, Federal Republic of, Honduras, Iceland, Ireland, Italy, Malawi, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

39. Statements in explanation of vote were made by the representatives of Israel, Portugal, Uruguay, the United States of America, the Netherlands (on behalf of the nine members of the European Economic Community) and Chile.

VIII

Assistance to Sao Tome and Principe

40. At the 59th meeting, the representative of Mauritius, on behalf of Algeria, Angola, Benin, Cape Verde, the Congo, Cuba, Egypt, Guinea-Bissau, Madagascar, Mauritius, Mozambique, Portugal, Rwanda and the United Republic of Tanzania, introduced a draft resolution (A/C.2/31/L.71). Ethiopia, India, the Ivory Coast, Mali, Senegal, Somalia, Togo, the United Republic of Cameroon, the Upper Volta, Yemen, and Zambia joined in sponsoring the draft resolution.

41. At its 61st meeting, the Committee adopted draft resolution A/C.2/31/L.71 without a vote (see para. 50 below, draft resolution VIII).

IX

Assistance to Angola

42. At the 67th meeting, the representative of Pakistan, on behalf of the States Members of the United Nations which are members of the Group of 77, introduced a draft resolution (A/C.2/31/L.87). Portugal also joined subsequently in sponsoring the draft resolution.

43. At the same meeting, following informal consultations, the representative of Pakistan, on behalf of the sponsors, orally revised the draft resolution as follows:

(a) In operative paragraph 3, the words "give favourable consideration to" were replaced by the word "consider".

(b) In operative paragraph 4, the words "the same benefits as" were replaced by the words "benefits comparable to".

44. The representative of China stated that, if the draft resolution were put to a vote, his delegation would not participate in the voting.

45. The Committee adopted draft resolution A/C.2/31/L.87, as orally revised, without a vote (see para. 50 below, draft resolution IX).

46. Statements in explanation of vote were made by the representatives of the German Democratic Republic, the United States of America, the Federal Republic of Germany, Guinea, Italy, Sweden and Finland.

47. At the 58th meeting, the representative of Egypt, on behalf of Algeria, Bahrain, Democratic Yemen, Egypt, Iraq, Jordan, Kuwait, Lebanon, the Libyan Arab Republic, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen, introduced a draft decision (A/C.2/31/L.45) concerning the inclusion of Arabic as an official language of the United Nations Water Conference. In introducing the draft decision, the representative of Egypt drew attention to the fact that the words "an official" were to be inserted between the words "as" and "language".

48. At the same meeting, the Committee adopted the draft decision, as orally revised, without a vote (see para. 51 below, draft decision I).

49. At its 62nd meeting, on the proposal of the Chairman, the Committee adopted, without a vote, two draft decisions (A/C.2/31/L.76), wherein the General Assembly would take note of the report of the Secretary-General on measures against corrupt practices of transnational and other corporations, their intermediaries and others involved (E/5838 and Corr.1 and E/5838/Add.1) and of the report of the Secretary-General on immediate needs resulting from economic emergency situations (E/5843) (see para. 51 below, draft decisions II and III).

Recommendations of the Second Committee

50. The Second Committee recommends to the General Assembly the adoption of draft resolutions I to IX below:

DRAFT RESOLUTION I

Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region

The General Assembly,

Recalling the relevant resolutions of the General Assembly and the Economic and Social Council, particularly Assembly resolutions 3253 (XXIX) of 4 December 1974 and 3512 (XXX) of 15 December 1975 and Council resolution 1918 (LVIII) of 5 May 1975,

Considering that the nature and scope of the needs of the countries of the Sudano-Sahelian region make it necessary for the international community to continue and to strengthen its solidarity action to support the recovery efforts and economic development of those countries,

Noting with satisfaction the decisive role played by the United Nations Sahelian Office in helping to combat the effects of the drought and to implement the medium-term and long-term recovery and rehabilitation programme adopted by the States members of the Permanent Inter-State Committee on Drought Control in the Sahel,

Noting with satisfaction the results of the meeting convened by the Secretary-General and held at Geneva on 1 July 1975, whose purpose was to mobilize the necessary resources to finance priority projects identified by the Permanent Inter-State Committee on Drought Control in the Sahel and its member States,

Having examined the report of the Secretary-General on the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region (A/31/259),

1. *Takes note with satisfaction* of the report of the Secretary-General on the efforts made to implement the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region;

2. *Expresses its profound gratitude* to the Governments, United Nations bodies, intergovernmental organizations, private organizations and individuals that have contributed to the implementation of the medium-term and long-term recovery and rehabilitation programme drawn up by the States members of the Permanent Inter-State Committee on Drought Control in the Sahel;

3. *Takes note* of the establishment of the Club des amis du Sahel, whose purpose is to assist in the implementation of the current programme adopted at Ouagadougou by the States members of the Permanent Inter-State Committee on Drought Control in the Sahel and of the enlarged programme deriving from the economic and social development strategy to be adopted by the Council of Ministers of the Permanent Inter-State Committee;

4. *Urges* all Governments, United Nations bodies, intergovernmental organizations, private organizations and individuals to continue to respond favourably and in a continuing manner, either bilaterally or through the United Nations Sahelian Office or any other intermediary, to the requests formulated by the Permanent Inter-State Committee on Drought Control in the Sahel and by the Governments of the Sudano-Sahelian countries;

5. *Requests* the United Nations Sahelian Office to continue its close co-operation with the Permanent Inter-State Committee on Drought Control in the Sahel and its efforts to ensure co-operation and co-ordination between United Nations programmes and bodies with a view to the implementation of medium-term and long-term assistance programmes;

6. *Requests* the Secretary-General to continue his action aimed at mobilizing the financial resources necessary for the implementation of the medium-term and long-term projects identified by the States members of the Permanent Inter-State Committee on Drought Control in the Sahel;

7. *Also requests* the Secretary-General to report on the implementation of the recovery and rehabilitation programme in the Sudano-Sahelian region to the General Assembly at its thirty-second session through the Governing Council of the United Nations Development Programme and the Economic and Social Council.

DRAFT RESOLUTION II

Recapitalization of the International Bank for Reconstruction and Development and replenishment of the International Development Association

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order,

Recalling also its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation, in particular section II, paragraph 5 thereof, in which it stressed that, in order to enlarge the pool of resources available for financing development, there was an

urgent need to increase substantially the capital of the World Bank Group, in particular the resources of the International Development Association, to enable it to make additional capital available to the poorest countries on highly concessional terms,

Taking note of the statement made by the President of the World Bank Group at the annual meeting of the Bank held at Manila from 4 to 8 October 1976, in which he referred to the need for a substantial increase in the resources of the International Bank for Reconstruction and Development and the International Development Association, to enable those institutions to continue to expand their lending to developing countries,

Recalling further its resolution 3387 (XXX) of 13 November 1975 in which it emphasized that the fifth replenishment of the International Development Association should promote a substantial increase in real terms in the resources of the Association,

I

International Development Association

1. *Expresses concern* at the slow progress in negotiations for the fifth replenishment which threatens the commitment authority of the International Development Association;

2. *Urges* all traditional donors and others to support the fifth replenishment of the International Development Association;

3. *Emphasizes* the critical need for concessionary funds for financing development in developing countries, particularly in the least developed among them;

4. *Considers* it essential that negotiations for the fifth replenishment of the International Development Association be completed early in 1977 to replenish the Association at a substantially higher level than that of the fourth replenishment;

5. *Urges* that donor countries consider arrangements to ensure that the commitment authority of the International Development Association will not be disrupted at the end of the current replenishment period, namely, 30 June 1977:

II

International Bank for Reconstruction and Development

1. *Calls upon* all members of the International Bank for Reconstruction and Development to support urgently a substantial increase in its capital in order to ensure adequate levels of lending to developing countries, thereby enabling it to maintain and enhance its role as an effective development financing institution;

2. *Expresses concern* over the impact of the hardening of the lending terms of the International Bank for Reconstruction and Development and urges that those terms be promptly reviewed.

DRAFT RESOLUTION III

Preparations for a new international development strategy

The General Assembly,

Recalling its resolutions 2626 (XXV) of 24 October 1970, containing the International Development Strategy for the Second United Nations Development Decade, and 3517 (XXX) of 15 December 1975 on the mid-term review and appraisal of progress in the implementation of the Strategy,

Gravely concerned that international economic relations face severe problems and that the economic disparities between the developed and the developing countries have further widened,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling the results achieved at a number of major United Nations conferences held during the Second United Nations Development Decade on world economic and social problems,

Conscious of the need to introduce profound changes in economic relations between the developed and developing countries,

1. *Requests* the Secretary-General, in consultation with the Committee for Development Planning as well as the Administrative Committee on Co-ordination and other organs and organizations concerned of the United Nations system, to collect data and information that are relevant to the formulation of a new international development strategy, taking fully into account the above-mentioned resolutions on the establishment of a new international economic order and the other above-mentioned resolutions;

2. *Requests* the Secretary-General to report on the information requested above to the General Assembly at its thirty-second session, through the Economic and Social Council at its resumed sixty-third session, and decides to consider at that time appropriate action for the preparations for a new international development strategy;

3. *Also requests* the Secretary-General to ensure that research studies and reports in the field of development and economic co-operation, including those that may be necessary for a new international development strategy, are in accordance with the objectives of the above-mentioned resolutions;

4. *Further requests* the Secretary-General to utilize all appropriate research institutions and expertise, especially those of the developing countries, in the preparation of the above-mentioned studies and reports.

DRAFT RESOLUTION IV

Establishment of a network for the exchange of technological information

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

Taking into account resolution 87 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development⁸ concerning strengthening the technological capacity of developing countries,

Bearing in mind its resolution 3507 (XXX) of 15 December 1975 on institutional arrangements in the field of the transfer of technology, particularly paragraphs 2, 5 and 6 thereof,

Noting Economic and Social Council resolution 1902 (LVII) of 1 August 1974 on the role of an international technological information system in the transfer and assessment of technology and in the indigenous growth of appropriate technologies in developing countries,

Acknowledging that the Economic and Social Council, in its decision 171 (LXI) of 4 August 1976, noted with satisfaction the report of the Secretary-General on the establishment of a network for the exchange of technological information (E/5839) as a first step in the implementation of General Assembly resolution 3507 (XXX), and decided to transmit the report to the General Assembly for consideration at its thirty-first session,

1. *Reaffirms* the importance of wider dissemination of scientific and technological information for the purpose of allowing developing countries access to research findings which are of interest to them as well as project experience of other developing countries, thus permitting the selection of technologies essential for their industrial growth and promoting the development of their own technological capacity;

2. *Compliments* the Secretary-General on the report transmitted by the Economic and Social Council and requests that he convey the thanks of the General Assembly to members of the Interagency Task Force who have undertaken to prepare the plan for the establishment of a network for the exchange of technological information;

3. *Takes note with satisfaction* of the report and its conclusions (*ibid.*, chap. IV), especially as they relate to the importance of establishing a network useful to all countries, in particular developing countries;

4. *Requests* the Secretary-General of the United Nations Conference on Trade and Development and the Executive Director of the United Nations Industrial Development Organization, in consultation with the regional commissions

and other appropriate organizations, to intensify their efforts, in their respective fields, to assist in the establishment in developing countries of centres for the transfer and development of technology at the national, subregional and regional levels, in order to provide fundamental elements for the adequate functioning of an international network for the exchange of technological information, through corresponding national, subregional and regional systems of information;

5. *Also requests* the Secretary-General and the Interagency Task Force to continue their work in accordance with paragraph 6 of General Assembly resolution 3507 (XXX), including the preparation and publication of the pilot directory of United Nations information services mentioned in the report (*ibid.*, para. 76 (a)), and to submit further conclusions and recommendations on the establishment of a network for the exchange of technological information to the Assembly at its thirty-second session;

6. *Further requests* the Secretary-General, in consultation with the Interagency Task Force, to provide, within the existing capacity of the Secretariat, the necessary administrative services for carrying out, as far as is possible at present, the recommendations of the report;

7. *Requests* the Secretary-General and the Interagency Task Force to ascertain the availability of current inventories of information capabilities at the national, regional and international levels in terms of information sources, means of access to information and information-related services;

8. *Urges* the Secretary-General and the Interagency Task Force to identify by means of those inventories any deficiencies that might inhibit the setting up of the network and to recommend to the General Assembly at its thirty-second session, through the Economic and Social Council, measures to remedy these deficiencies;

9. *Welcomes* the report of the Executive Director of the United Nations Industrial Development Organization on the establishment of an industrial technological information bank⁹ and urges the Industrial Development Board to take early decisions to enable the Executive Director to take the necessary measures towards making the bank operational and to report on the measures taken to the General Assembly at its thirty-second session through the Economic and Social Council.

DRAFT RESOLUTION V

United Nations Conference on Science and Technology for Development

The General Assembly,

Recalling section III, paragraph 7, of its resolution 3362 (S-VII) of 16 September 1975, in which it decided that a United Nations Conference on Science and Technology for Development should be held in 1978 or 1979,

⁸ 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), part one, sect. A.

⁹ A/31/147.

Recalling Economic and Social Council resolutions 1897 (LVII) of 1 August 1974 on the question of convening a United Nations conference on science and technology, 2028 (LXI) of 4 August 1976 on the United Nations Conference on Science and Technology for Development and 2035 (LXI) of 4 August 1976 on the preparatory period of the Conference,

Recalling further the Declaration and the Programme of Action on the Establishment of a New International Economic Order¹⁰ and the Charter of Economic Rights and Duties of States,¹¹

1. *Endorses* Economic and Social Council resolutions 2028 (LXI) and 2035 (LXI);

2. *Decides* to convene the United Nations Conference on Science and Technology for Development during 1979, in time for the General Assembly to take action at its thirty-fourth session in the light of the results of the Conference;

3. *Decides* that the Conference should be within the framework recommended in paragraphs 2 and 3 of Economic and Social Council resolution 2028 (LXI);

4. *Requests* the Secretary-General to appoint a Secretary-General of the Conference at the earliest possible time, as provided in paragraph 5 of Council resolution 2028 (LXI), and further requests such appointment to be made at the level of Under-Secretary-General, in order to ensure the appropriate capacity for co-ordination and interaction with Member States and within the specialized agencies and other organizations of the United Nations system;

5. *Decides* that the Committee on Science and Technology for Development shall act as the Preparatory Committee for the United Nations Conference on Science and Technology for Development, open to the participation of all States, and further decides that the Preparatory Committee shall hold its first session early in 1977 and submit its report to the General Assembly at its thirty-second session through the Economic and Social Council at its sixty-third session;

6. *Requests* the Preparatory Committee to consider, taking into account the time needed for the due completion of the various stages of preparation for the Conference, the question of the time-table, sites and other necessary arrangements for the regional and interregional preparatory meetings and to submit its proposals to the Economic and Social Council at its sixty-third session;

7. *Also requests* the Committee on Science and Technology for Development to consider, at its meeting in 1977 as the Preparatory Committee, the draft provisional agenda for its fourth regular session;

8. *Decides* to take a final decision on the question of the site of the Conference at its thirty-second session;

9. *Invites* the specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization, the International Atomic Energy Agency and the interested organs of the United Nations, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization and the regional commissions, to co-operate fully in the preparations for the Conference, as provided by Economic and Social Council resolution 2028 (LXI);

10. *Requests* the Committee on Science and Technology for Development to take fully into account, in the process of preparation of the Conference, the interrelationship between the scientific/technological fields and other areas of activity of the United Nations system, in particular the economic area, so as to create more favourable conditions for the further promotion of comprehensive international co-operation;

11. *Invites* the Secretary-General to request the Administrative Committee on Co-ordination to promote, through its Sub-Committee on Science and Technology, close and permanent contact with the Secretary-General of the Conference;

12. *Decides* that, for the preparatory work leading to the Conference, the Advisory Committee on the Application of Science and Technology to Development should advise, on request, the Secretary-General of the Conference and the Preparatory Committee on matters pertaining to the Conference, and should assist and collaborate, at the request of the Secretary-General of the Conference, in the preparations for the Conference at the regional level;

13. *Requests* the Secretary-General of the Conference to seek the co-operation of intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council which may be in a position to contribute constructively to the preparation of the Conference;

14. *Invites* Governments to participate fully in the preparations for the Conference, taking into account the provisions of Economic and Social Council resolutions 2028 (LXI) and 2035 (LXI);

15. *Requests* the Secretary-General of the United Nations to submit a report to the General Assembly at its thirty-second session, through the Economic and Social Council, on the implementation of the present resolution.

DRAFT RESOLUTION VI

United Nations Water Conference

The General Assembly,

Recalling its resolution 3513 (XXX) of 15 December 1975 and its decision 31/422 A of 21 December 1976¹² relating to the arrangements for the United Nations Water Conference,

¹⁰ General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).

¹¹ General Assembly resolution 3281 (XXIX).

¹² Adopted on the recommendation of the Second Committee; see para. 51 below, draft decision I.

Recalling also Economic and Social Council resolutions 1982 (LX) of 19 April 1976 and 1983 (LX) of 23 April 1976,

Takes note with appreciation of the statement made by the Secretary-General of the United Nations Water Conference (61st meeting) and of the report regarding the preparatory work for the Conference (A/31/356).

DRAFT RESOLUTION VII

Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Recalling its resolution 3336 (XXIX) of 17 December 1974 entitled "Permanent sovereignty over national resources in the occupied Arab territories",

Recalling further its resolution 3516 (XXX) of 15 December 1975 on the same subject, in which it was noted that the report of the Secretary-General on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories¹³ was inadequate in that it did not incorporate the necessary substantive and comprehensive studies required in conformity with paragraph 5 of resolution 3336 (XXIX), the related statements made at the twenty-ninth session of the General Assembly on behalf of the sponsors¹⁴ and submitted by the Secretary-General on the administrative and financial implications¹⁵ as well as the recommendation of the Advisory Committee on Administrative and Budgetary Questions,¹⁶

Noting that in its resolution 3516 (XXX) the Secretary-General was requested to submit to the General Assembly at its thirty-first session his final comprehensive report, which should fulfil the above-mentioned requirements, taking into account the related statements on the administrative and financial implications submitted by the Secretary-General¹⁷ and approved by the General Assembly at its thirtieth session,

Taking into account the note by the Secretary-General of 1 November 1976 (A/31/284),

Bearing in mind the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

1. *Reaffirms* the right of the Arab States and peoples whose territories are under Israeli occupation to regain full

and effective control over their natural and all other resources and economic activities, as well as the rights of those States, territories and peoples to the restitution and full compensation for the exploitation, loss and depletion of, and damage to, their natural and all other resources and economic activities;

2. *Takes note* of the regret expressed in the note by the Secretary-General that the submission of the report as requested by the General Assembly in resolutions 3336 (XXIX) and 3516 (XXX) and the related statements will be postponed until the thirty-second session of the Assembly;

3. *Requests* the Secretary-General to take immediately all the measures necessary to secure the submission to the General Assembly at its thirty-second session of his final substantive comprehensive report, which should fulfil all of the above-mentioned requirements;

4. *Requests* the heads of the relevant specialized agencies and United Nations organs, particularly the United Nations Conference on Trade and Development and the Economic Commission for Western Asia, to co-operate actively and adequately with the Secretary-General in the preparation of his final substantive comprehensive report.

DRAFT RESOLUTION VIII

Assistance to Sao Tome and Principe

The General Assembly,

Deeply concerned at the serious economic and social situation in Sao Tome and Principe as the result of the total lack of infrastructures for development inherited from the colonial period,

Further concerned by the adverse effects which the international economic situation has caused to the frail economy of Sao Tome and Principe,

Noting that Sao Tome and Principe has not been included in the list of the most seriously affected countries,

Recalling its resolution 3421 (XXX) of 8 December 1975 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in which it urged the specialized agencies and other organizations within the United Nations system to extend assistance to the newly independent and emerging States,

Recalling further recommendation 99 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development,¹⁸ particularly paragraph 4 thereof, in which the Conference recommended that measures of assistance should be undertaken by the appropriate organs of the United Nations system in favour of the newly independent States of Africa,

¹³ A/10290 and Add.2.

¹⁴ See *Official Records of the General Assembly, Twenty-ninth Session, Second Committee*, 1635th meeting.

¹⁵ A/C.2/L.1385, A/C.5/1649.

¹⁶ *Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 73, document A/9978/Add.1, para. 4.*

¹⁷ A/C.2/L.1494, A/C.5/1759.

¹⁸ 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), part one, sect. A.

1. *Urgently appeals* to Member States and the international institutions concerned, particularly the United Nations Development Programme, the International Bank for Reconstruction and Development, the United Nations Children's Fund, the Food and Agriculture Organization of the United Nations, the World Food Programme, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, to assist the Government of Sao Tome and Principe in an effective and continuous manner so as to enable it to establish the necessary social and economic infrastructures essential for the well-being of the people;

2. *Requests* the Secretary-General to mobilize the financial, technical and economic assistance of the international community, in particular the developed countries and the appropriate organizations of the United Nations system, with a view to meeting the short-term and long-term development needs of this newly independent country;

3. *Requests* the Committee for Development Planning at its thirteenth session, as a matter of priority, to give favourable consideration to the question of the inclusion of Sao Tome and Principe in the list of the least developed countries and to submit its conclusions to the Economic and Social Council at its sixty-third session;

4. *Invites*, in the meantime, Member States, particularly the developed countries, and the organizations of the United Nations system to grant Sao Tome and Principe the same benefits as those enjoyed by the least developed among the developing countries in the light of prevailing conditions in Sao Tome and Principe;

5. *Strongly recommends* that Sao Tome and Principe should be included in the list of the most seriously affected countries;

6. *Further requests* the Secretary-General to keep this matter under review and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION IX

Assistance to Angola

The General Assembly,

Deeply concerned by the widespread destruction and damage caused to the social and economic infrastructure during the course of the struggle for independence in Angola and in defence of its national sovereignty,

Taking note of the inadequate base of socio-economic development in the rural areas inherited from the colonial period,

Considering the urgent problem of absorbing and resettling the large numbers of returning refugees into the permanent fabric of the society,

Further concerned by the adverse effects which the international economic situation continues to impose on the weakened economy of Angola,

Recalling its resolution 3421 (XXX) of 8 December 1975 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in which it urged the specialized agencies and other organizations within the United Nations system to extend assistance to the newly independent and emerging States,

Recalling further recommendation 99 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development,¹⁹ particularly paragraph 4 thereof, in which the Conference recommended that measures of assistance should be undertaken by the appropriate organs of the United Nations system in favour of the newly independent States of Africa,

Welcoming the efforts of the Government and the people of Angola aimed at national reconstruction,

Taking note of the statement made by the Minister for Foreign Affairs of Angola before the General Assembly on 1 December 1976 (84th plenary meeting) proposing the establishment of an international fund for the national reconstruction of Angola,

1. *Requests* the Secretary-General to mobilize an international programme for financial, technical and material assistance with a view to channelling the proceeds into an international reconstruction fund for Angola to meet its long-term and short-term development needs;

2. *Urgently appeals* to all Member States and to the international economic and financial institutions concerned to respond generously to the needs of Angola and to provide assistance on a bilateral and/or multilateral basis;

3. *Requests* the Committee for Development Planning at its thirteenth session, as a matter of priority, to consider the question of the inclusion of Angola in the list of the least developed countries and to submit its conclusions to the Economic and Social Council at its sixty-third session;

4. *Invites*, in the meantime, Member States and the organizations of the United Nations system to grant Angola benefits comparable to those enjoyed by the least developed among the developing countries in the light of prevailing conditions in Angola;

5. *Strongly recommends* that Angola should be included in the list of the most seriously affected countries and be considered by the United Nations Special Fund for urgent assistance;

6. *Further requests* the Secretary-General to keep this matter under review and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

* * *

¹⁹ *Ibid.*

51. The Second Committee also recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Inclusion of Arabic as an official language of the United Nations Water Conference

The General Assembly, recalling Economic and Social Council resolution 1982 (LX) of 19 April 1976, entitled "Participation in the United Nations Water Conference", decides to include Arabic as an official language of the United Nations Water Conference.

DRAFT DECISION II

Measures against corrupt practices of transnational and other corporations, their intermediaries and others involved

The General Assembly takes note of the report of the Secretary-General on measures against corrupt practices of

transnational and other corporations, their intermediaries and others involved (E/5838 and Corr.1 and E/5838/Add.1) prepared pursuant to Assembly resolution 3514 (XXX) of 15 December 1975.

DRAFT DECISION III

Immediate needs resulting from economic emergency situations

The General Assembly takes note of the report of the Secretary-General on immediate needs resulting from economic emergency situations (E/5843) and, as recommended by the Economic and Social Council in decision 177 (LXI) of 5 August 1976, invites the Secretary-General to continue the preparation of proposals pursuant to Assembly resolution 3510 (XXX) of 15 December 1975, in close consultation with the appropriate organizations of the United Nations system, and to report to the Council at its sixty-third session, taking into account the views expressed during the Council's sixty-first session.

DOCUMENT A/31/395

Report of the Third Committee

*[Original: English]
[14 December 1976]*

Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly allocated to the Third Committee certain parts of agenda item 12 entitled "Report of the Economic and Social Council". The following parts of the report of the Council (A/31/3) were referred to the Third Committee: chapters II, III (sects. F, G and L), IV (sect. A), V, VI (sects. B, C and D) and VII (sect. D).

2. At the same meeting, the General Assembly decided that:

(a) Chapters II, IV (sect. A) and V would also be referred to the Second Committee;

(b) Chapters III (sects. F and G) and VI (sects. B, C and D), would also be referred to the Fifth Committee;

(c) Chapter VII (sect. D) would also be referred to the Second and Fifth Committees.

3. The General Assembly also expressed the view that:

(a) Chapter II (General discussion of international economic and social policy, including regional and sectoral developments) might be of interest to the First and Fourth Committees as well as the Special Political Committee;

(b) Chapter III, section A (Assistance to the drought-stricken areas of Ethiopia), section B (Review of the situation in Guatemala in consequence of the earthquake of

4 February 1976) and section C (Measures to be taken following the cyclones in Madagascar) might be of interest to the Third Committee.

4. The following three subjects, which were dealt with in the report of the Economic and Social Council, were taken up by the Committee as separate items:

(a) Decade for Action to Combat Racism and Racial Discrimination [item 69(a)] (chap. III, sect. F);

(b) Report of the United Nations High Commissioner for Refugees [item 78] (chap. III, sect. L);

(c) United Nations Decade for Women [item 75] (chap. VI, sect. D).

5. A summary of the discussion of the parts of the report of the Economic and Social Council concerning items 69, 78 and 75 is contained in the reports of the Third Committee on those items.

6. Parts of the report of the Economic and Social Council referred to the Third Committee which do not form part of independent items are as follows.

Chapter II. General discussion of international economic and social policy, including regional and sectoral developments;

Chapter III. Questions considered without reference to a sessional committee, section G (Procedures for the imple-

mentation of the International Covenant on Economic, Social and Cultural Rights);²⁰

Chapter IV. Questions considered by the Economic Committee, section A (Development planning and projections);

Chapter V. Questions considered by the Special Economic Committee (Development and international economic co-operation: Programme of Action on the Establishment of a New International Economic Order and revision of the International Development Strategy);

Chapter VI. Questions considered by the Social Committee, section B (Human rights questions) and section C (Narcotic drugs): (a) Report of the International Narcotics Control Board; (b) Report of the Commission on Narcotic Drugs; (c) United Nations Fund for Drug Abuse Control;

Chapter VII. Questions considered by the Policy and Programme Co-ordination Committee, section D (Operational activities for development).

7. In connexion with item 12, the Committee also had before it the following documents:

(a) Letter dated 15 March 1976 from the representative of Bulgaria to the Secretary-General (A/31/64);

(b) Letter dated 22 March 1976 from the representative of Chile to the Secretary-General (A/31/74);

(c) Letter dated 28 May 1976 from the representative of Czechoslovakia to the Secretary-General (A/31/99);

(d) Note by the Secretary-General (A/31/253) transmitting the report of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile in pursuance of General Assembly resolution 3448 (XXX) of 9 December 1975;

(e) Letter dated 21 September 1976 from the representative of the Libyan Arab Republic to the Secretary-General (A/C.3/31/1), transmitting a draft resolution entitled "International Year for Disabled Persons";

(f) Letter dated 30 September 1976 from the representative of Chile to the Secretary-General (A/C.3/31/4);

(g) Letter dated 13 October 1976 from the representative of Chile to the Secretary-General (A/C.3/31/5);

(h) Observations of the Government of Chile (A/C.3/31/6 and Add.1) on the report of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile;

(i) Note by the Secretary-General transmitting the text of a letter dated 10 November 1976 from the Delegate of the International Committee of the Red Cross to International Organizations (A/C.3/31/10);

²⁰ See resolution 31/86, adopted by the General Assembly on the recommendation of the Third Committee, under agenda item 81 (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).

(j) Letter dated 16 November 1976 from the representative of Chile to the Secretary-General (A/C.3/31/11);

(k) Letter dated 19 November 1976 from the representative of Chile to the Secretary-General (A/C.3/31/12);

(l) Letter dated 30 November 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General (A/C.3/31/13);

(m) Letter dated 3 December 1976 from the representative of Chile to the Secretary-General (A/C.3/31/14).

8. At its 45th to 48th, 54th to 60th, and 62nd to 68th meetings, held between 10 November to 3 December 1976, the Committee considered chapter VI, section B (Human rights questions) of the report of the Council. The summary records of those meetings contain the views of representatives of Member States and of specialized agencies on the matter.

9. At the 45th meeting, on 10 November, the Director of the Division of Human Rights made an introductory statement regarding those parts of the report of the Council which concerned questions relating to the activities of United Nations organs and bodies in the field of human rights.

10. At the same meeting, the Chairman/Rapporteur of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile introduced the report of the Working Group (A/31/253).

11. At its 60th to 62nd meetings, from 25 to 29 November, the Committee considered chapter VI, section C (Narcotic drugs), of the report of the Council. The summary records of those meetings contain the views of representatives of Member States and of specialized agencies on the matter.

12. At the 60th meeting, on 25 November, the Chief of the Unit for Representation and Liaison, Office for Inter-Agency Affairs and Co-ordination, on behalf of the Executive Director of the United Nations Fund for Drug Abuse Control, made an introductory statement.

Consideration of draft resolutions

Draft resolution A/C.3/31/L.19

13. At the 60th meeting, the representative of the Libyan Arab Republic introduced a draft resolution (A/C.3/31/L.19) entitled "International Year for Disabled Persons", which was sponsored by Austria, Belgium, Cuba, Cyprus, Democratic Yemen, Egypt, France, Ghana, India, Iraq, Ireland, Jordan, the Lao People's Democratic Republic, the Libyan Arab Republic, Madagascar, Malaysia, Mauritania, Morocco, Nepal, Oman, Pakistan, the Philippines, Qatar, Singapore, Somalia, Sweden, the Syrian Arab Republic, Turkey, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, Yemen, Yugoslavia and Zaire, subsequently joined by Chad, Costa Rica, Guinea, Kenya, Mali, Malta, Spain and the United States of America.

14. At the same meeting, the representative of Argentina proposed two oral amendments which called for the following:

(a) In operative paragraph 2 (b), the addition of the word "training" after the word "assistance";

(b) The addition of a new operative paragraph 2 (c) to read as follows:

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

After the sponsors had accepted those amendments, Argentina joined as a sponsor of the draft.

15. At the same meeting, draft resolution A/C.3/31/L.19, as orally revised, was adopted without a vote (see para. 40 below, draft resolution I).

Draft resolutions A/C.3/31/L.26 and Rev.1

16. At the 54th meeting, on 18 November, the representative of the Netherlands introduced a draft resolution (A/C.3/31/L.26) entitled "Protection of human rights in Chile", which was sponsored by Algeria, Australia, Austria, the Congo, Cuba, Cyprus, Democratic Yemen, Denmark, Finland, the Gambia, the German Democratic Republic, Iceland, Iraq, Ireland, the Libyan Arab Republic, Mali, Mexico, Mongolia, Mozambique, the Netherlands, Norway, Poland, Portugal, Senegal, Sri Lanka, Sweden and Yugoslavia, subsequently joined by Benin, Bulgaria, Burundi, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Equatorial Guinea, Guinea-Bissau, Guyana, Hungary, Jamaica, the Lao People's Democratic Republic, Madagascar, Somalia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics. The draft resolution read as follows:

[Text of the first to eleventh preambular paragraphs same as the first to ninth, the eleventh and twelfth preambular paragraphs of draft resolution II contained in paragraph 40 below: text of the operative part same.]

17. At the 56th meeting, on 22 November, the representative of the Netherlands, on behalf of the sponsors, announced the insertion of a new preambular paragraph after the existing ninth preambular paragraph to read as follows:

"Taking note of the statement by the Chilean authorities of 16 November 1976, brought to the attention of the General Assembly by a letter from the Permanent Representative of Chile (A/C.3/31/11)".

A revised text (A/C.3/31/L.26/Rev.1), incorporating that change, was then submitted by the sponsors (see para. 16 above), joined by the United Kingdom.

[For the text, see paragraph 40 below, draft resolution II.]

18. At the 58th meeting, on 23 November, the Director of the Division of Human Rights made a statement on the financial implications of the revised draft resolution.

19. At the same meeting, the representative of Colombia requested a separate vote on the sixth and eleventh preambular paragraphs and on operative paragraphs 2 (a), 4, and 5 (b) and (c). The representatives of China and Singapore stated that their delegations would not participate in the voting. The Committee then voted on the various parts of the draft resolution on which a separate vote had been requested and on the draft resolution as a whole, as follows:

(a) The sixth preambular paragraph was adopted by a roll-call vote of 87 to 13, with 27 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Norway, Papua New Guinea, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Argentina, Bolivia, Brazil, Chile, Costa Rica, Dominican Republic, Guatemala, Haiti, Honduras, Morocco, Nicaragua, Paraguay, Uruguay.

Abstaining: Bhutan, Colombia, Ecuador, Egypt, France, Germany, Federal Republic of, Indonesia, Iran, Israel, Ivory Coast, Japan, Liberia, Malaysia, Nepal, Niger, Nigeria, Panama, Peru, Saudi Arabia, Sierra Leone, Spain, Surinam, Turkey, Uganda, United Republic of Cameroon, United States of America, Zaire.

(b) The eleventh preambular paragraph was adopted by a roll-call vote of 95 to 10, with 19 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Poland, Portugal,

Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, 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, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Argentina, Bolivia, Chile, Costa Rica, Dominican Republic, Guatemala, Honduras, Nicaragua, Paraguay, Uruguay.

Abstaining: Colombia, France, Haiti, Indonesia, Israel, Ivory Coast, Liberia, Malaysia, Nepal, Niger, Panama, Peru, Philippines, Saudi Arabia, Spain, Surinam, Thailand, Uganda, United States of America.

(c) Operative paragraph 2(a) was adopted by a roll-call vote of 93 to 13, with 21 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Nicaragua, Paraguay, Uruguay.

Abstaining: France, Haiti, Indonesia, Israel, Ivory Coast, Liberia, Malawi, Malaysia, Nepal, Niger, Panama, Papua New Guinea, Peru, Philippines, Saudi Arabia, Sierra Leone, Spain, Surinam, Thailand, Turkey, Uganda.

(d) Operative paragraph 4 was adopted by a roll-call vote of 88 to 13, with 27 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahrain, Barbados, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic

Republic, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, 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, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Argentina, Bolivia, Brazil, Chile, Costa Rica, Ecuador, Guatemala, Honduras, Israel, Nicaragua, Paraguay, United States of America, Uruguay.

Abstaining: Bahamas, Colombia, Dominican Republic, Egypt, France, Germany, Federal Republic of, Haiti, Indonesia, Iran, Ivory Coast, Japan, Liberia, Malawi, Malaysia, Mauritania, Morocco, Nepal, Niger, Panama, Peru, Philippines, Saudi Arabia, Spain, Surinam, Thailand, Turkey, Uganda.

(e) Operative paragraph 5(b) was adopted by a roll-call vote of 91 to 10, with 28 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, 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, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Argentina, Bolivia, Brazil, Chile, Costa Rica, Guatemala, Honduras, Nicaragua, Paraguay, Uruguay.

Abstaining: Colombia, Dominican Republic, France, Ghana, Haiti, Indonesia, Israel, Ivory Coast, Japan, Liberia, Malawi, Malaysia, Mauritania, Morocco, Nepal, Niger, Panama, Papua New Guinea, Peru, Philippines, Saudi Arabia, Sierra Leone, Spain, Surinam, Thailand, Turkey, Uganda, United States of America.

(f) Operative paragraph 5(c) was adopted by a roll-call vote of 82 to 16, with 31 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahrain, Benin, Botswana, Bulgaria, Burma, Burundi,

Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, 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, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Argentina, Bolivia, Brazil, Chile, Costa Rica, Ecuador, Egypt, France, Guatemala, Haiti, Honduras, Israel, Nicaragua, Paraguay, United States of America, Uruguay.

Abstaining: Bahamas, Barbados, Belgium, Bhutan, Canada, Colombia, Dominican Republic, Germany, Federal Republic of, Indonesia, Iran, Ivory Coast, Japan, Liberia, Malawi, Malaysia, Mauritania, Morocco, Nepal, Niger, Panama, Papua New Guinea, Peru, Philippines, Saudi Arabia, Sierra Leone, Spain, Surinam, Thailand, Turkey, Uganda, Zaire.

(g) Draft resolution A/C.3/31/L.26/Rev.1 as a whole was adopted by a roll-call vote of 98 to 14, with 18 abstentions (see para. 40 below, draft resolution II). The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, 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, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Argentina, Bolivia, Brazil, Chile, Costa Rica, Dominican Republic, Grenada, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Uruguay

Abstaining: France, Germany, Federal Republic of, Indonesia, Israel, Ivory Coast, Malawi, Malaysia, Morocco, Nepal, Niger, Peru, Philippines, Saudi Arabia, Spain, Surinam, Thailand, Uganda, United States of America.

Draft resolution A/C.3/31/L.29

20. At the 55th meeting, on 19 November 1976, the representative of Uruguay introduced draft resolution A/C.3/31/L.29, entitled "Protection of human rights in Chile", which was sponsored by Grenada, Guatemala, Honduras, Nicaragua, Paraguay and Uruguay, subsequently joined by Argentina and Costa Rica. The draft resolution read as follows:

"The General Assembly,

"Conscious of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all,

"Recalling that, in accordance with the Universal Declaration of Human Rights, everyone has the right to life, liberty and security of person and the right not to be subjected to arbitrary arrest, detention or exile, or to torture or to cruel, inhuman or degrading treatment or punishment,

"Recalling that, in its resolutions 3219 (XXIX) and 3448 (XXX), of 6 November 1974 and 9 December 1975 respectively, the General Assembly expressed its deep concern about the situation of basic human rights and fundamental freedoms in Chile and urged the authorities in that country to take all necessary steps to restore and safeguard those rights and freedoms and fully to respect the provisions of the international instruments to which Chile is a party,

"Recalling Commission on Human Rights resolution 3 (XXXII) of 19 February 1976 and Economic and Social Council resolution 1994 (LX) of 12 May 1976,

"Taking note of the report prepared by the Secretary-General in accordance with General Assembly resolution 3448 (XXX) and, in particular, of the report of the Ad Hoc Working Group on the Situation of Human Rights in Chile,

"Taking note also of the comments of the Government of Chile on the report of the Ad Hoc Working Group on the Situation of Human Rights in Chile,

"Bearing in mind that, on 17 June 1976, the General Assembly of the Organization of American States adopted a resolution on the situation of human rights in Chile,

"1. Calls upon the Chilean authorities to continue to adopt and implement all necessary measures effectively to restore and safeguard basic human rights and fundamental freedoms and fully to respect the provisions of the international instruments to which Chile is a party;

"2. Requests the Government of Chile to continue to extend to the Commission on Human Rights all necessary

co-operation to enable it to carry out its work and at the same time provide adequate safeguards for persons or institutions giving information, testimony or other evidence;

"3. *Invites* the Commission on Human Rights to report to the General Assembly at its thirty-second session on the current situation of human rights in Chile and, in particular, on any developments which may occur to re-establish respect for human rights and fundamental freedoms.

"4. *Requests* the President of the thirty-first session of the General Assembly and the Secretary-General to assist in any way they may deem appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile."

21. At the 58th meeting, on 23 November, following the adoption of draft resolution A/C.3/31/L.26/Rev.1, the representative of Mali proposed that draft resolution A/C.3/31/L.29 should not be put to the vote. The representative of China stated that his delegation would not participate in the voting on the proposal. The Committee adopted the proposal by a roll-call vote of 60 to 40, with 26 abstentions. The voting was as follows:

In favour. Algeria, Austria, Bahrain, Barbados, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Equatorial Guinea, Ethiopia, Finland, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iraq, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Madagascar, Mali, Mexico, Mongolia, Mozambique, Norway, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia.

Against: Argentina, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, France, Germany, Federal Republic of, Grenada, Guatemala, Haiti, Honduras, Indonesia, Israel, Italy, Japan, Luxembourg, Malawi, Malaysia, Mauritania, Morocco, Nepal, Nicaragua, Niger, Paraguay, Peru, Philippines, Saudi Arabia, Singapore, Spain, Surinam, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Afghanistan, Australia, Bahamas, Burma, Chad, Egypt, Fiji, Greece, Iceland, Iran, Ireland, Ivory Coast, Liberia, Malta, Netherlands, New Zealand, Nigeria, Pakistan, Panama, Papua New Guinea, Sierra Leone, Turkey, Uganda, United Republic of Cameroon, Venezuela, Zaire.

Draft resolution A/C.3/31/L.33

22. At the 61st meeting, on 26 November, the representative of France introduced a draft resolution (A/C.3/31/L.33) entitled "Accession to and implementation of the

1971 Convention on Psychotropic Substances", which was sponsored by Denmark, Finland, France, Germany, Federal Republic of, Iraq, Poland, Sweden, Thailand and the United Republic of Cameroon, subsequently joined by Norway, the Philippines and Turkey.

23. At the 62nd meeting, on 29 November, the Committee adopted draft resolution A/C.3/31/L.33 without a vote (see para. 40 below, draft resolution III).

Draft resolutions A/C.3/31/L.34 and A/C.3/31/L.37

24. At the 62nd meeting, the representative of Sweden introduced a draft resolution (A/C.3/31/L.34) entitled "Protection of persons detained on account of their political opinions or convictions", which read as follows:

"The General Assembly,

"Recalling article 19 of the Universal Declaration of Human Rights and article 19 of the International Covenant on Civil and Political Rights, which guarantee to everyone the right to freedom of opinion and expression,

"Recalling also the prohibition against torture and other cruel, inhuman or degrading treatment or punishment which is laid down in article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights and which has been further elaborated in 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 in its resolution 3452 (XXX),

"Further recalling article 10 of the Universal Declaration of Human Rights and article 14 of the International Covenant on Civil and Political Rights which provide that all persons are entitled to a fair hearing by an independent and impartial tribunal in the determination of any criminal charge against them,

"Recognizing the importance of full respect for the basic human rights of all persons detained or imprisoned as a result of their struggle for self-determination, independence, the elimination of *apartheid* and all forms of racial discrimination and the termination of gross and consistent violations of human rights,

"Concerned about the fact that in many parts of the world numerous persons are detained in respect of offences which they committed, or are suspected of having committed, by reason of their political opinions or convictions,

"Noting that these persons are often exposed to special dangers as regards the protection of their human rights and fundamental freedoms,

"Realizing therefore that special attention should be given to the situation of these persons,

"1. Requests all Member States:

"(a) To take effective measures to safeguard the human rights and fundamental freedoms of all persons who are

detained in respect of offences which they committed, or are suspected of having committed, by reason of their political opinions or convictions;

“(b) To ensure, in particular, that such persons are not subjected to torture or other cruel, inhuman or degrading treatment or punishment;

“(c) Also to ensure that such persons receive a fair hearing by an independent and impartial tribunal in the determination of any criminal charge against them;

“2. *Calls upon* all Member States to examine periodically the possibility of releasing such persons as an act of clemency or by way of conditional release or otherwise;

“3. *Requests* the Commission on Human Rights to include on its agenda an item entitled “Protection of persons detained on account of their political opinions or convictions” and to report to the General Assembly through the Economic and Social Council as it deems appropriate.”

25. At the 64th meeting, on 1 December, the representative of Sweden orally revised the text by adding the words “racism and” after the words “and all forms of” in the fourth preambular paragraph and by deleting the word “all” in the beginning of operative paragraphs 1 and 2. He further indicated that he was willing to introduce certain other changes in order to further revise the text, provided that no formal amendments were submitted to it.

26. Amendments to draft resolution A/C.3/31/L.34, submitted by the German Democratic Republic (A/C.3/31/L.43), called for the following changes:

(a) The insertion of the following new paragraph after the first preambular paragraph:

“*Recalling* its resolution 3103 (XXVIII), solemnly proclaiming the basic principles of the legal status of the combatants struggling against colonial and alien domination and racist régimes”;

(b) The combining of the fourth and fifth preambular paragraphs into the following paragraph:

“*Concerned* about the fact that in many parts of the world numerous persons are detained or imprisoned as a result of their struggle for self-determination and national independence, against colonialism, aggression, foreign occupation, *apartheid*, racism and all forms of racial discrimination”;

(c) The replacement, in operative paragraph 1, of the words “*Requests* all” by the word “*Invites*”;

(d) The deletion, in operative paragraph 1 (a), of the last phrase reading “by reason of their political opinions or convictions” and the addition of the words “as a result of their struggle for self-determination, independence, the elimination of *apartheid*, and all forms of racial discrimination and the termination of gross and consistent violations of human rights”;

(e) The replacement of operative paragraph 2 by the following text:

“2. *Demands* an immediate and unconditional release of all persons mentioned in paragraph 1 (a) above”;

(f) The replacement of operative paragraph 3 by the following text:

“3. *Requests* the Commission on Human Rights to give special attention to the question of safeguarding the human rights of all persons who are detained or imprisoned as a result of their struggle for self-determination and national independence, against colonialism, aggression, foreign occupation, *apartheid*, racism and racial discrimination, and the termination of gross and consistent violations of human rights.”

27. At the 63rd meeting, on 30 November, the representative of the Byelorussian Soviet Socialist Republic introduced a draft resolution (A/C.3/31/L.37) entitled “Protection of persons detained or imprisoned as a result of their struggle for self-determination, independence and social progress against colonialism, aggression and foreign occupation, racism, *apartheid* and racial discrimination”, which read as follows:

“*The General Assembly,*

“*Recalling* its resolutions 3246 (XXIX) and 3382 (XXX), which reaffirmed the legitimacy of the struggle of peoples for liberation from colonial and foreign domination by all available means, including armed struggle, and demanded full respect for the basic human rights of all individuals detained or imprisoned as a result of their struggle for self-determination and independence, and their immediate release,

“*Noting with appreciation* the progress achieved in the elimination of colonialism and the realization of the right of peoples to self-determination,

“*Expressing its serious concern* regarding the continuing denial of the right to self-determination of the peoples of Namibia, Zimbabwe and Palestine and other peoples fighting for the realization of their right to self-determination and their liberation from colonialism and racism,

“*Recalling* that the Security Council, in its resolution 392 (1976) once again strongly condemned the policy of *apartheid* as a crime against the conscience and dignity of mankind and a serious breach of international peace and security and emphasized the legitimacy of the struggle of the people of South Africa for the elimination of *apartheid* and racial discrimination,

“*Emphasizing* the necessity of respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

“*Recalling* its resolution 3103 (XXVIII), which solemnly proclaimed the basic principles of the legal status of the combatants struggling against colonial and alien domination and racist régimes,

"1. *Expresses* its solidarity with the fighters for national independence and social progress of peoples, against colonialism, *apartheid*, racism and foreign occupation;

"2. *Emphasizes again* that any attempts to suppress the struggle against colonial domination and racist régimes are incompatible with the Charter of the United Nations and the Universal Declaration of Human Rights;

"3. *Demands* the release of all individuals detained or imprisoned as a result of their struggle for self-determination, independence and social progress of peoples, against colonialism, aggression and foreign occupation, racism, *apartheid* and racial discrimination;

"4. *Insists* that the racist régimes of southern Africa should immediately and unconditionally release all individuals detained or imprisoned for their views or for their opposition to *apartheid*, racism and colonialism;

"5. *Calls upon* Member States to provide support and assistance in all fields to the peoples fighting for their liberation from colonialism, foreign occupation, racism and racial discrimination;

"6. *Requests* the Commission on Human Rights to give particular attention to the question of the release of individuals detained or imprisoned as a result of their participation in the struggle for self-determination and independence of peoples, against colonialism, foreign occupation and domination, racism and racial discrimination;

"7. *Requests* the Commission on Human Rights to submit, through the Economic and Social Council, a report on the implementation of the present resolution to the General Assembly at its thirty-second session."

28. An amendment (A/C.3/31/L.44) to draft resolution A/C.3/31/L.37, submitted by Algeria, Egypt, Iraq and the Syrian Arab Republic, called for the replacement of operative paragraph 4 by the following text:

"4. *Insists* that Israel and the racist minority régimes in southern Africa should immediately and unconditionally release all individuals detained or imprisoned because of their struggle for self-determination and national independence, and against *apartheid*, all forms of racism and racial discrimination, colonialism and foreign occupation".

29. At the 68th meeting, on 3 December, the Committee adopted, without a vote, a draft decision concerning draft resolutions A/C.3/31/L.34 and A/C.3/31/L.37 (see para. 41 below).

Draft resolutions A/C.3/31/L.36 and Rev.1

30. The Committee had before it draft resolution A/C.3/31/L.36, entitled "Emergency assistance for South African refugee students", which was sponsored by

Botswana, Lesotho and Swaziland. The draft resolution read as follows:

"*The General Assembly,*

"...

[Text of the preamble and operative paragraphs 1 and 2 same as corresponding text in draft resolution IV contained in paragraph 40 below];

"3. *Requests* the Secretary-General, as a matter of urgency, to consult with the Governments of Botswana, Lesotho and Swaziland, with a view to taking immediate steps to provide appropriate emergency financial and other forms of assistance for the care, subsistence and education of these refugee students;

"4. *Calls upon* UNESCO, UNDP, UNHCR and other United Nations bodies, as may be appropriate to co-operate fully with the Secretary-General, in the implementation of the programme of assistance;

"5. *Requests* the Secretary-General to keep the situation under review and to report to the General Assembly as and when necessary."

The representative of Mauritius became a sponsor of the draft resolution; he introduced the text at the 63rd meeting and announced that it had been revised by the addition between operative paragraphs 3 and 4 of a new operative paragraph, which read as follows:

"*Urges* all States to respond generously to any appeals which the Secretary-General might make for assistance for those refugees;"

He also announced that Algeria, Bangladesh, the Congo, Cuba, Egypt, Equatorial Guinea, Ghana, Grenada, Guinea-Bissau, India, the Ivory Coast, Kenya, Mozambique, Nepal, Nigeria, Norway, Senegal, Sri Lanka, Sweden, Togo, Uganda, the United Republic of Tanzania, Yugoslavia and Zambia had become sponsors of the draft resolution.

31. At the 66th meeting, on 2 December, the representative of Botswana introduced a revised draft resolution (A/C.3/31/L.36/Rev.1) which was sponsored by Mali and the Sudan in addition to the sponsors of the initial text mentioned above, and subsequently also by Benin and Guyana.

32. At the same meeting, the Committee adopted, without a vote, the revised draft resolution (A/C.3/31/L.36/Rev.1) (see para. 40 below, draft resolution IV).

Draft resolutions A/C.3/31/L.39 and Rev.1

33. At the 63rd meeting, on 30 November, the representative of Algeria introduced a draft resolution (A/C.3/31/L.39) entitled "Measures to improve the situation and ensure the human rights and dignity of migrant workers", which was subsequently also sponsored by Benin, Colombia, Italy, Jamaica, Lesotho, Mali, Mexico, Trinidad

and Tobago, Tunisia and Yugoslavia. The text read as follows:

“The General Assembly,

“...

[Text of the preamble and operative paragraphs 1, 2 (a), 2 (b) and 3 same as corresponding text in draft resolution V contained in paragraph 40 below.]

“2. ...

“(c) Pending the conclusion of such agreements, to adopt the appropriate measures to ensure that the fundamental human rights of all migrant workers, irrespective of their immigration status, are fully respected;

“...

“4. Invites all States to intensify efforts to enlighten public opinion in host countries on the importance of the contribution made by migrant workers to economic and social development and to raising the level of living in such countries;

“5. Calls upon the United Nations organs and specialized agencies, including the ILO, concerned with the question of migrant workers to continue devoting their attention to this question;

“6. Recommends the Commission on Human Rights and the Economic and Social Council to consider this question at their next sessions on the basis of the instruments adopted and the documents and studies prepared by the United Nations and the specialized agencies.”

34. At the 65th meeting, on 1 December, the representative of Morocco introduced amendments (A/C.3/31/L.42) to draft resolution A/C.3/31/L.39 which called for the following:

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

“1. Calls upon all States to ratify the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers”;

(b) the insertion, after operative paragraph 3, of a new paragraph reading as follows:

“4. Further invites Governments of countries of origin to give the widest possible dissemination to information calculated to pre-advise and protect migrants”.

35. At the 66th meeting, on 2 December, the representative of the United Kingdom introduced an oral subamendment to the first of the amendments by Morocco (A/C.3/31/L.42) to replace the word “ratify” by the words “consider ratifying” in the proposed new operative paragraph 1. The subamendment was accepted by Morocco and the Moroccan amendments, as revised, were also accepted

by the sponsors of draft resolution A/C.3/31/L.39, with a modification as to the placement of the first amendment in the text.

36. At the same meeting, the representative of Uruguay orally proposed two amendments to draft resolution A/C.3/31/L.39 which called for the following:

(a) The addition of a new last preambular paragraph to read as follows:

“Taking note of the report of the Seminar on the Human Rights of Migrant Workers, held at Tunis from 12 to 24 November 1975”;

(b) The insertion, between operative paragraphs 5 and 6 of a new paragraph to read as follows:

“Requests the Commission on Human Rights to consider the study of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the exploitation of labour through illicit and clandestine trafficking and to forward it to the General Assembly through the Economic and Social Council”.

37. The sponsors of the draft resolution, joined by the Niger, Senegal, the United Republic of Cameroon and the Upper Volta, submitted a revised text (A/C.3/31/L.39/Rev.1), which read as follows:

“The General Assembly,

“...

[Text of the preamble and operative paragraphs 1 to 7 same as corresponding text in draft resolution V contained in paragraph 40 below.]

“8. Recommends the Commission on Human Rights and the Economic and Social Council to consider this question at their next sessions on the basis of the instruments adopted and the documents and studies prepared by the United Nations and the specialized agencies.”

38. At the 68th meeting, the representative of Algeria, on behalf of the sponsors, further orally revised draft resolution A/C.3/31/L.39/Rev.1 by adding, at the end of operative paragraph 8, the following text:

“including the study of the Special Rapporteur on the exploitation of labour through illicit and clandestine trafficking and the report of the Seminar on the Human Rights of Migrant Workers, held at Tunis from 12 to 24 November 1975”.

39. At the same meeting, the Committee adopted, without a vote, draft resolution A/C.3/31/L.39/Rev.1, as orally revised (see para. 40 below, draft resolution V).

Recommendations of the Third Committee

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

DRAFT RESOLUTION I

International Year for Disabled Persons

The General Assembly,

Reaffirming its deep-rooted faith in human rights and fundamental freedoms, the principles of peace, the dignity and worth of the human person and the promotion of social justice, as proclaimed by the Charter of the United Nations,

Recalling its resolution 2856 (XXVI) of 20 December 1971 proclaiming the Declaration on the Rights of Mentally Retarded Persons,

Recalling its resolution 3447 (XXX) of 9 December 1975 proclaiming the Declaration on the Rights of Disabled Persons,

Recalling its resolution 31/82 of 13 December 1976 on the implementation of the Declaration on the Rights of Disabled Persons,

1. *Proclaims* the year 1981 International Year for Disabled Persons, with the theme "full participation";

2. *Decides* 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 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;

3. *Invites* all Member States and the organizations concerned to give their attention to the establishment of measures and programmes to implement the objectives of the International Year for Disabled Persons;

4. *Requests* the Secretary-General to elaborate, in consultation with Member States, specialized agencies and the organizations concerned, and to submit to the General Assembly at its thirty-second session a draft programme for the International Year for Disabled Persons;

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

DRAFT RESOLUTION II

Protection of human rights in Chile

The General Assembly,

Reiterating its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all,

Recalling that, in accordance with the Universal Declaration of Human Rights,²¹ everyone has the right to life, liberty and the security of person and the right not to be subjected to arbitrary arrest, detention or exile, or to torture or to 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, unanimously adopted in its resolution 3452 (XXX) of 9 December 1975,

Considering that, in its resolution 3448 (XXX) of 9 December 1975, the General Assembly expressed its profound distress at the constant and flagrant violations of human rights which have taken place and continue to take place in Chile, including the institutionalized practice of torture, cruel, inhuman or degrading treatment or punishment, arbitrary arrest, detention and exile,

Reaffirming once more its condemnation of all forms of torture and of cruel, inhuman or degrading treatment or punishment,

Considering that its previous appeals to the Chilean authorities and, likewise, appeals by the Economic and Social Council, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the International Labour Organisation, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization for the restoration and safeguarding of basic human rights and fundamental freedoms in Chile have hitherto remained unheeded,

Bearing in mind resolutions 8 (XXXI) of 27 February 1975,²² and 3 (XXXII) of 19 February 1976²³ of the Commission on Human Rights,

Taking into account resolution 3 B (XXIX) of 31 August 1976²⁴ of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Having considered the reports of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile (A/10285, annex; A/31/253, annex), as well as the documents submitted by the Chilean authorities (A/C.3/31/4-6 and A/C.3/31/6/Add.1),

²¹ General Assembly resolution 217 A (III).

²² See *Official Records of the Economic and Social Council, Fifty-eighth Session, Supplement No. 4*, chap. XXIII.

²³ *Ibid.*, *Sixtieth Session, Supplement No. 3*, chap. XX.

²⁴ See E/CN.4/1218, chap. XVII, part A.

Taking note of the statement by the Chilean authorities of 16 November 1976, brought to the attention of the General Assembly by a letter from the Permanent Representative of Chile (A/C.3/31/11),

Commending the Chairman and the members of the *Ad Hoc* Working Group for the thorough and objective manner in which the report was prepared, despite the refusal of the Chilean authorities to permit the Group to visit the country in accordance with its mandate,

Concluding that constant and flagrant violations of basic human rights and fundamental freedoms continue to take place in Chile,

1. *Expresses its profound indignation* that constant and flagrant violations of human rights have taken place and continue to take place in Chile, in particular the institutionalized practice of torture, cruel, inhuman and degrading treatment or punishment, the disappearance of persons for political reasons, arbitrary arrest, detention, exile and cases of deprivation of Chilean nationality;

2. *Calls once more upon* the Chilean authorities to restore and safeguard, without delay, basic human rights and fundamental freedoms and fully to respect provisions of the international instruments to which Chile is a party and, to this end:

(a) To cease using the state of siege or emergency for the purpose of violating human rights and fundamental freedoms and, having regard to the observations by the *Ad Hoc* Working Group on the Situation of Human Rights in Chile, to re-examine the basis on which the state of siege or emergency is applied with a view to its termination;

(b) To put an end to the practice of torture and other forms of cruel, inhuman or degrading treatment or punishment by Chilean State agencies, particularly the Dirección de Inteligencia Nacional, and to prosecute and punish those who are responsible;

(c) To clarify forthwith the status of individuals whose disappearance is attributable to political reasons;

(d) To release immediately those who have been arbitrarily arrested or detained without charge and those who are in prison solely for political reasons;

(e) To release, furthermore, those who are detained or imprisoned on account of acts or omissions which did not constitute a criminal offence at the time they were committed;

(f) To guarantee fully the right of *habeas corpus* (*amparo*);

(g) To cease the arbitrary deprivation of Chilean nationality and to restore it to those who have been so deprived;

(h) To respect the right of everyone to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

(i) To guarantee the right to intellectual freedom,

3. *Deplores* the fact that, despite previous assurances to the contrary, the Chilean authorities persistently refuse to allow the *Ad Hoc* Working Group to visit the country in accordance with its mandate;

4. *Invites* Member States, United Nations agencies and international organizations to take steps which they may consider appropriate as a contribution to the restoration and safeguarding of human rights and fundamental freedoms in Chile, in accordance with the purposes and principles of the Charter of the United Nations, and welcomes the steps already taken to this end;

5. *Invites* the Commission on Human Rights:

(a) To extend the mandate of the *Ad Hoc* Working Group, as presently constituted, so as to enable it to report to the General Assembly at its thirty-second session, and to the Commission, at its thirty-fourth session, with such additional information as may be necessary;

(b) To formulate recommendations on possible humanitarian, legal and financial aid to those arbitrarily arrested or imprisoned, to those forced to leave the country and to their relatives;

(c) To consider the consequences of the various forms of aid extended to the Chilean authorities;

6. *Requests* the President of the thirty-first session of the General Assembly and the Secretary-General to assist in any way they may consider appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile.

DRAFT RESOLUTION III

Accession to and implementation of the 1971 Convention on Psychotropic Substances

The General Assembly,

Recalling its resolution 3443 (XXX) of 9 December 1975 concerning the 1971 Convention on Psychotropic Substances²⁵ and its resolution 3445 (XXX) of 9 December 1975 on adequate priority for narcotics control,

Noting with satisfaction that the Convention entered into force on 16 August 1976,

Convinced that that event constitutes an important step towards the establishment of effective international control of the licit trade and the prevention of the illicit traffic in psychotropic substances through prompt and satisfactory implementation of the provisions of the Convention at the national and international levels,

Recognizing that, in pursuance of Economic and Social Council resolution 1576 (L) of 20 May 1971, many States have already applied provisionally the control measures provided for in the Convention and have voluntarily

²⁵ See *Official Records of the United Nations Conference for the Adoption of a Protocol on Psychotropic Substances*, vol. I (United Nations publication, Sales No. E.73.XI.3), part four.

co-operated with one another and with the international drug control bodies, particularly by furnishing pertinent information, a course of action which should be continued,

Aware, however, that complete and effective control requires universal accession to the Convention and, in particular, the accession of countries in which psychotropic substances are manufactured,

Realizing that the Convention imposes substantial additional responsibilities on the drug control bodies of the United Nations and on the World Health Organization,

1. *Reiterates its appeal* to all States not yet parties to the 1971 Convention on Psychotropic Substances promptly to take the necessary steps to accede to it and requests the Secretary-General to transmit this appeal to the Governments concerned;

2. *Appeals* to all parties to the Convention and to the international drug control bodies to implement its provisions by adopting suitable legislative and administrative measures, as provided for in the Convention;

3. *Invites* the Secretary-General and the Director-General of the World Health Organization to take into consideration the responsibilities assigned to the drug control bodies of the United Nations and to the World Health Organization by the 1971 Convention on Psychotropic Substances.

DRAFT RESOLUTION IV

Emergency assistance for South African refugee students

The General Assembly,

Recalling its resolution 31/6 I of 9 November 1976 relating to the item entitled "Policies of *apartheid* of the Government of South Africa",

Noting that, in particular, paragraph 12 of the above-mentioned resolution calls upon Member States and the specialized agencies, through emergency joint projects and financial assistance, to help Lesotho and other countries bordering South Africa to ensure the provision of educational facilities to the rapidly growing number of refugee students from South Africa,

Concerned about the continuing influx of refugees, including in particular large numbers of South African students fleeing to the bordering States of Botswana, Lesotho and Swaziland, thus imposing a heavy burden on the limited resources and employment opportunities of these countries,

1. *Reaffirms* that humanitarian assistance by the international community to all those persecuted under repressive and discriminatory legislation in South Africa, Namibia and Southern Rhodesia is appropriate and essential;

2. *Recognizes* the urgent need to organize an effective programme of international assistance to help in dealing with the recent South African student refugee problem in countries bordering South Africa;

3. *Requests* the Secretary-General, as a matter of urgency, to consult with the Governments of Botswana, Lesotho and Swaziland with a view to taking immediate steps to organize and provide appropriate emergency financial and other forms of assistance for the care, subsistence, and education of these refugee students;

4. *Urges* all States to respond generously to any appeals which the Secretary-General might make for assistance for these refugees;

5. *Calls upon* the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme, the Office of the High Commissioner for Refugees, the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme for Southern Africa and other United Nations bodies and organs, as may be appropriate, to co-operate fully with the Secretary-General in the implementation of the programme of assistance;

6. *Requests* the Secretary-General to keep the situation under review and to report to the General Assembly as and when necessary.

DRAFT RESOLUTION V

Measures to improve the situation and ensure the human rights and dignity of all migrant workers

The General Assembly,

Recalling the terms of the Universal Declaration of Human Rights²⁶ and of the International Convention on the Elimination of All Forms of Racial Discrimination,²⁷

Considering the Vienna Convention on Diplomatic Relations of 1961²⁸ and the Vienna Convention on Consular Relations of 1963,²⁹

Considering also the Migrant Workers (Supplementary Provisions) Convention, 1975,³⁰ and the Recommendation concerning Migrant Workers, 1975,³¹ adopted by the General Conference of the International Labour Organisation,

Recalling its resolutions 2920 (XXVII) of 15 November 1972, 3224 (XXIX) of 6 November 1974 and 3449 (XXX) of 9 December 1975 concerning migrant workers, and Economic and Social Council resolution 1749 (LIV) of 16 May 1973, in which the Council affirmed the need for the United Nations to consider the situation of migrant workers in an interrelated manner and in relation with general factors which have a bearing on human rights and human dignity,

²⁶ General Assembly resolution 217 A (III).

²⁷ General Assembly resolution 2106 A (XX), annex.

²⁸ United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

²⁹ *Ibid.*, vol. 596, No. 8638, p. 261.

³⁰ Convention No. 143 (Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers), adopted by the General Conference of the International Labour Organisation on 24 June 1975.

³¹ Recommendation 151, adopted by the General Conference of the International Labour Organisation on 24 June 1975.

Aware that the problem of migrant workers continues to be of major importance to many States, despite the existence of international instruments and despite efforts exerted by certain States, including the adoption of bilateral agreements,

Believing that this problem is becoming more serious in certain regions for political, economic, social and cultural reasons,

Seriously concerned at the *de facto* discrimination frequently suffered by alien workers in some countries despite the legislative and other efforts exerted to prevent and punish it,

Noting with satisfaction the work done in the field of migrant workers by the specialized agencies, particularly the International Labour Organisation, and by other United Nations organs, such as the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. *Calls upon* all States, taking into account the provisions of the relevant instruments adopted by the International Labour Organisation and of the International Convention on the Elimination of All Forms of Racial Discrimination, to take measures to prevent and put an end to all discrimination against migrant workers, and to ensure the implementation of such measures;

2. *Invites* all States:

(a) To extend to migrant workers having regular status in their territories treatment equal to that enjoyed by their own nationals with regard to the protection of human rights and to the provisions of their labour legislation and their social legislation;

(b) To promote and facilitate by all means in their power the implementation of the relevant international instruments and the adoption of bilateral agreements designed, *inter alia*, to eliminate the illicit traffic in alien workers;

(c) To adopt, pending the conclusion of such agreements, the appropriate measures to ensure that the fundamental human rights of all migrant workers, irrespective of their immigration status, are fully respected under their national legislation;

3. *Invites* Governments of host countries to make arrangements for information and reception facilities and to put into effect policies relating to training, health, housing and educational and cultural development for migrant workers and their families, and to guarantee the free

exercise by them of activities calculated to preserve their cultural values;

4. *Further invites* Governments of countries of origin to give the widest possible dissemination to information calculated to pre-advise and protect migrants;

5. *Invites* all States to intensify efforts to enlighten public opinion in host countries on the importance of the contribution made by migrant workers to economic and social development and to raising the level of living in such countries;

6. *Calls upon* all States to give consideration to ratifying the Migrant Workers (Supplementary Provisions) Convention, 1975, adopted by the General Conference of the International Labour Organisation,

7. *Calls upon* the United Nations organs and specialized agencies, including the International Labour Organisation, concerned with the question of migrant workers to continue devoting their attention to this question:

8. *Recommends* that the Commission on Human Rights and the Economic and Social Council should consider this question at their next sessions on the basis of the instruments adopted and the documents and studies prepared by the United Nations and the specialized agencies, including the study by the Special Rapporteur on the exploitation of labour through illicit and clandestine trafficking³² and the report of the Seminar on the Human Rights of Migrant Workers, held at Tunis from 12 to 24 November 1975.³³

* * *

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

“The General Assembly, considering that the Third Committee has taken note of draft resolutions A/C.3/31/L.34 and A/C.3/31/L.37, submitted in connexion with the consideration of item 12 of the agenda, but that the Committee has been unable, for lack of time, to consider them in detail, decides to postpone further consideration of those draft resolutions until its thirty-second session, and to take them up at that session under the item entitled ‘Report of the Economic and Social Council’ ”

³² E/CN.4/Sub.2/L.640.

³³ ST/TAO/HR/50.

DOCUMENT A/31/466

Report of the Fifth Committee

[Original: English/
[22 December 1976]

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to allocate to the Fifth Committee, for its consideration under agenda item 12, the following parts of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3): chapter III, sections D to J; chapter IV, section F; chapter VI, sections B to D; chapter VII, sections A, C, D and F; and chapter VIII, sections G and H.

2. At its 61st meeting, on 21 December 1976, the Committee considered the administrative and budgetary aspects of those sections which it had not already considered under other agenda items during the current session,

namely, chapter III, section I, dealings with natural resources; chapter III, section J, dealing with regional co-operation; chapter VI, section D, dealing with the United Nations Decade for Women, 1976-1985; and chapter VII, section F, dealing with assistance in cases of natural disaster and other disaster situations.

Recommendation of the Fifth Committee

3. At the same meeting, the Fifth Committee decided, without objection, to recommend that the General Assembly should take note of chapter III (sections I and J), chapter VI (section D), and chapter VII (section F), of the report of the Economic and Social Council.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 77th plenary meeting, on 24 November 1976, the General Assembly adopted the draft resolution submitted by the Second Committee in part one of its report (A/31/338, para. 7). For the final text, see resolution 31/17.³⁴

At its 84th plenary meeting, on 1 December 1976, the General Assembly adopted draft resolutions I and II submitted by the Second Committee in part two of its report (A/31/338/Add.1, para. 7). For the final texts, see resolutions 31/42 and 31/43.³⁴

At its 102nd plenary meeting, on 16 December 1976, the General Assembly voted on draft resolutions I to V submitted by the Third Committee in its report (A/31/395, para. 40). Draft resolution I was adopted; draft resolution II was adopted by a recorded vote of 95 to 12, with 25 abstentions; draft resolution III was adopted. An oral amendment submitted by Nigeria, proposing to add to operative paragraph 3 of draft resolution IV the words "and the liberation movements concerned" after the word "Swaziland" was adopted by a vote of 98 to none, with 29 abstentions. Draft resolution IV, as amended, was adopted. Draft resolution V was adopted. For the final texts, see resolutions 31/123 to 31/127.³⁴

At the same meeting, the General Assembly adopted the draft decision submitted by the Third Committee in paragraph 41 of its report (see decision 31/414³⁴).

At its 106th plenary meeting, on 21 December 1976, the General Assembly adopted draft resolutions I to IX submitted by the Second Committee in part three of its report (A/31/338/Add.2, para. 50). Draft resolutions I to VI, VIII and IX were adopted without a vote; draft resolution VII was adopted by a roll-call vote of 107 to 2, with 26 abstentions. For the final texts, see resolutions 31/180 to 31/188.³⁴

At the same meeting, the Assembly adopted draft decisions I to III recommended by the Second Committee in paragraph 51 of its report (A/31/338/Add.2) (see decision 31/422³⁴).

At its 107th plenary meeting, on 22 December 1976, the General Assembly adopted the recommendation of the Fifth Committee in paragraph 3 of its report (A/31/466).

At the same meeting, the Assembly took note of chapters I and VIII (sections A to F) of the report of the Economic and Social Council (A/31/3) (see decision 31/428³⁴).

³⁴ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 12 which are not reproduced in the present fascicle. Unless otherwise indicated, the documents were issued in mimeographed form only.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|----------------------------------|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/3/Add.1 (parts I and II) | Addendum to the report of the Economic and Social Council (resumed sixty-first session) | <i>Ibid.</i> , Supplement No. 3A, chaps VIII and X |
| A/31/58 | Commission on Transnational Corporations: letter dated 4 March 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | |
| A/31/60 | <i>Idem</i> : note verbale dated 8 March 1976 from the mission of the German Democratic Republic to the Secretary-General | |
| A/31/64 | Letter dated 15 March 1976 from the representative of Bulgaria to the Secretary-General | |
| A/31/67 | Commission on Transnational Corporations: letter dated 23 March 1976 from the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the Secretary-General | |
| A/31/68 | <i>Idem</i> : note verbale dated 18 March 1976 from the mission of Bulgaria to the Secretary-General | |
| A/31/69 | <i>Idem</i> : letter dated 24 March 1976 from the representative of the Federal Republic of Germany to the Secretary-General | |
| A/31/70 | <i>Idem</i> : note verbale dated 24 March 1976 from the mission of the Ukrainian Soviet Socialist Republic to the Secretary-General | |
| A/31/74 | Letter dated 22 March 1976 from the representative of Chile to the Secretary-General | |
| A/31/80 | Commission on Transnational Corporations: letter dated 8 April 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | |
| A/31/87 | <i>Idem</i> : letter dated 4 May 1976 from the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the Secretary-General | |
| A/31/99 | Letter dated 28 May 1976 from the representative of Czechoslovakia to the Secretary-General | |
| A/31/160 | Commission on Transnational Corporations: letter dated 23 July 1976 from the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the Secretary-General | |
| A/31/165 | <i>Idem</i> : letter dated 27 July 1976 from the representative of the Federal Republic of Germany to the Secretary-General | |
| A/31/166 | <i>Idem</i> : letter dated 29 July 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries | |
| A/31/216 | Commission on Transnational Corporations: note verbale dated 15 September 1976 from the mission of the German Democratic Republic to the Secretary-General | |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers | |
| A/31/253 | Note by the Secretary-General transmitting the report of the <i>Ad Hoc</i> Working Group on the Situation of Human Rights in Chile | |
| A/31/259 | Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region: report of the Secretary-General | |
| A/31/266 | Assistance to Mozambique: note by the Secretary-General | |
| A/31/282 | Note by the Secretary-General transmitting the report of the Conference on International Economic Co-operation on its activities as at mid-September 1976 | |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|----------------------|---|--|
| A/31/284 | Permanent sovereignty over national resources in the occupied Arab territories: note by the Secretary-General | |
| A/31/356 | United Nations Water Conference: report of the Secretary-General | |
| A/C.2/31/3 | United Nations Conference on Science and Technology for Development: letter dated 1 October 1976 from the representative of Austria to the Secretary-General | |
| A/C.2/31/6 | <i>Idem.</i> letter dated 8 October 1976 from the representative of the Philippines to the Secretary-General | |
| A/C.2/31/10 | <i>Idem.</i> letter dated 18 October 1976 from the representative of Mexico to the Secretary-General | |
| A/C.2/31/13 | <i>Idem.</i> administrative and financial implications of draft resolution A/C.2/31/L.50/Rev.1 note by the Secretary-General | |
| A/C.2/31/14 | <i>Idem.</i> telegram dated 26 November 1976 from the Director-General of the United Nations Educational, Scientific and Cultural Organization to the Secretary-General | |
| A/C.2/31/L.17 | Draft resolution | For the sponsors and the text, see A/31/338, paras. 3 and 7 |
| A/C.2/31/L.27 | Draft resolution | <i>Idem.</i> A/31/338/Add.1, paras. 1 and 7, draft resolution I |
| A/C.2/31/L.35 | Draft resolution | <i>Idem.</i> A/31/338/Add.2, para. 6 |
| A/C.2/31/L.36 | Draft resolution | <i>Idem.</i> para. 11 |
| A/C.2/31/L.37 | Draft resolution | <i>Idem.</i> A/31/338/Add.1, paras. 3 and 7, draft resolution II |
| A/C.2/31/L.38 | Draft resolution | <i>Idem.</i> A/31/338/Add.2, paras. 4 and 50, draft resolution I |
| A/C.2/31/L.43 | Draft resolution | <i>Idem.</i> para. 16 |
| A/C.2/31/L.43/Rev.1 | Revised draft resolution | <i>Idem.</i> paras. 17, 19 and 50, draft resolution IV |
| A/C.2/31/L.45 | Draft decision | <i>Idem.</i> paras. 47 and 51, draft decision I |
| A/C.2/31/L.50 | Draft resolution | <i>Idem.</i> para. 22 |
| A/C.2/31/L.50/Rev.1 | Revised draft resolution | <i>Idem.</i> paras. 27, 29 and 50, draft resolution V |
| A/C.2/31/L.54 | Draft resolution | <i>Idem.</i> paras. 36 and 50, draft resolution VII |
| A/C.2/31/L.69 | Amendments to document A/C.2/31/L.50 | <i>Idem.</i> para. 25 |
| A/C.2/31/L.71 | Draft resolution | <i>Idem.</i> paras. 40 and 50, draft resolution VIII |
| A/C.2/31/L.76 | Draft decisions | <i>Idem.</i> paras. 49 and 51, draft decisions II and III |
| A/C.2/31/L.78 | Amendment to document A/C.2/31/L.50/Rev.1 | <i>Idem.</i> para. 29 |
| A/C.2/31/L.83 | Draft resolution | <i>Idem.</i> paras. 7 and 50, draft resolution II |
| A/C.2/31/L.85 | Administrative and financial implications of draft resolution A/C.2/31/L.43/Rev.1: note by the Secretary-General | |
| A/C.2/31/L.87 | Draft resolution | <i>Idem.</i> paras. 42, 43 and 50, draft resolution IX |
| A/C.2/31/L.88 | Draft resolution | <i>Idem.</i> paras. 12, 13 and 50, draft resolution III |
| A/C.3/31/1 | Letter dated 21 September 1976 from the representative of the Libyan Arab Republic to the Secretary-General | |
| A/C.3/31/4 | Letter dated 30 September 1976 from the representative of Chile to the Secretary-General | |
| A/C.3/31/5 | Letter dated 13 October 1976 from the representative of Chile to the Secretary-General | |
| A/C.3/31/6 and Add.1 | Observations of the Government of Chile on the report of the <i>Ad Hoc</i> Working Group on the Situation of Human Rights in Chile | |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---|---|---|
| A/C.3/31/10 | Note by the Secretary-General transmitting the text of a letter dated 10 November 1976 from the delegate of the International Committee of the Red Cross to International Organizations | |
| A/C.3/31/11 | Letter dated 16 November 1976 from the representative of Chile to the Secretary-General | |
| A/C.3/31/12 | Letter dated 19 November 1976 from the representative of Chile to the Secretary-General | |
| A/C.3/31/13 | Letter dated 30 November 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | |
| A/C.3/31/14 | Letter dated 3 December 1976 from the representative of Chile to the Secretary-General | |
| A/C.3/31/L.19 | Draft resolution | For the sponsors and the text, see A/31/395, paras. 14 and 40, draft resolution I |
| A/C.3/31/L.26 | Draft resolution | <i>Idem</i> , para. 16 |
| A/C.3/31/L.26/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 16, 17 and 40, draft resolution II |
| A/C.3/31/L.29 | Draft resolution | <i>Idem</i> , para. 20 |
| A/C.3/31/L.33 | Draft resolution | <i>Idem</i> , paras. 22 and 40, draft resolution III |
| A/C.3/31/L.34 | Draft resolution | <i>Idem</i> , para. 24 |
| A/C.3/31/L.36 | Draft resolution | <i>Idem</i> , para. 30 |
| A/C.3/31/L.36/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 31 and 40, draft resolution IV |
| A/C.3/31/L.37 | Draft resolution | <i>Idem</i> , para. 27 |
| A/C.3/31/L.39 | Draft resolution | <i>Idem</i> , para. 33 |
| A/C.3/31/L.39/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 37, 38 and 40, draft resolution V |
| A/C.3/31/L.42 | Amendments to document A/C.3/31/L.39 | <i>Idem</i> , para. 34 |
| A/C.3/31/L.43 | Amendments to document A/C.3/31/L.34 | <i>Idem</i> , para. 26 |
| A/C.3/31/L.44 | Amendment to document A/C.3/31/L.37 | <i>Idem</i> , para. 28 |
| E/5838 and Corr.1 and E/5838/Add.1 | Measures against corrupt practices of transnational and other corporations, their intermediaries and others involved: report of the Secretary-General | |
| E/5839 | Establishment of a network for the exchange of technological information: report of the Secretary-General | |
| E/5843 | Immediate needs resulting from economic emergency situations: report of the Secretary-General | |
| <i>Administrative and financial implications of proposals made during the session</i> | | |
| A/C.5/31/70 | Implications of Economic and Social Council decision 195 (LXI): note by the Secretary-General | |
| <i>Implications of draft resolutions IV and V and draft decision I submitted by the Second Committee in document A/31/338/Add.2</i> | | |
| A/C.5/31/82 | Note by the Secretary-General (draft resolution IV) | |
| A/C.5/31/88 | <i>Idem</i> (draft decision I) | |
| A/C.5/31/89 | <i>Idem</i> (draft resolution V) | |
| A/31/8/Add.21 | Report of the Advisory Committee on Administrative and Budgetary Questions (draft resolution V) | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/363 | Report of the Fifth Committee | <i>Ibid.</i> , <i>Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 13:* Report of the International Court of Justice

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 105th plenary meeting, on 20 December 1976, the General Assembly took note of the report of the International Court of Justice (A/31/5) (see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, decision 31/418).

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 13.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/5 | Report of the International Court of Justice (1 August 1974–31 July 1976) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 5</i> |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 105th meeting.



Agenda item 14: * Report of the International Atomic Energy Agency**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 59th to 61st meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth to twenty-ninth sessions (agenda item 15) and thirtieth session (item 14).

DOCUMENT A/31/L.16

India, Poland and Senegal: draft resolution

*[Original: English]
[8 November 1976]*

The General Assembly,

Having received the report of the International Atomic Energy Agency to the General Assembly for the year 1975,¹

Aware that the statement of the Director General of the International Atomic Energy Agency of 9 November 1976² provides additional information on the main developments in the Agency's activities,

Considering the nearly unanimous projection of ever increasing world demand for energy and noting that in 1977, its twentieth anniversary, the International Atomic Energy Agency will hold a major conference on nuclear power and its fuel cycle at Salzburg, Austria, to assess the over-all role to be played by nuclear energy as an alternative energy source presently available,

Appreciating the efforts of the International Atomic Energy Agency in helping developing countries, through its expanded training programmes, to meet their manpower requirements for the management, safety and engineering aspects of their nuclear power projects,

Noting with satisfaction that the report of the *Ad Hoc* Advisory Group on Nuclear Explosions for Peaceful Pur-

poses, set up by the International Atomic Energy Agency, will deal with the economic, technical, safety and legal aspects of nuclear explosions for peaceful purposes as well as the factors involved in the establishment and operation of an international service on nuclear explosions for peaceful purposes,

1. *Takes note* of the report of the International Atomic Energy Agency;

2. *Welcomes* the important steps taken during the year by the International Atomic Energy Agency in concluding safeguards agreements with many States;

3. *Urges* all States to continue to co-operate with the International Atomic Energy Agency and to take all necessary measures to enhance the recognized efforts of the Agency in the fulfilment of its tasks in the various fields of the peaceful uses of atomic energy in accordance with its statute;

4. *Commends* the International Atomic Energy Agency on the role it played in the preparation of the latest survey of uranium resources and demand and urges that such survey should be kept under constant review;

5. *Notes with appreciation* the efforts of the International Atomic Energy Agency in connexion with its work regarding the physical protection of nuclear materials and its detailed study of the concept of regional fuel cycle centres;

¹ International Atomic Energy Agency, *Annual Report for 1975* (Vienna, July 1976); transmitted to the members of the General Assembly by a note of the Secretary-General (A/31/171).

² *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 59th meeting, paras. 92-129.

6. *Requests* the International Atomic Energy Agency to inform the General Assembly at its thirty-second session of the results of the Salzburg conference;

7. *Requests* the Secretary-General to transmit to the Director General of the International Atomic Energy Agency the records of the thirty-first session of the General Assembly relating to the Agency's activities.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 61st plenary meeting, on 10 November 1976, the General Assembly adopted draft resolution A/31/L.16. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolution 31/11.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 14 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/171 | Note by the Secretary-General transmitting to the General Assembly the twentieth report of the International Atomic Energy Agency | Mimeographed. For the report, see International Atomic Energy Agency, <i>Annual Report for 1975</i> (Vienna, July 1976) |



Agenda item 17:* Appointment of the Secretary-General of the United Nations

DOCUMENT A/31/393

**Letter dated 7 December 1976 from the President of the Security Council
to the President of the General Assembly**

*[Original: English]
[7 December 1976]*

I have the honour to inform you that the Security Council, at its 1978th meeting, held in private on 7 December 1976, unanimously adopted resolution 400 (1976) concerning the appointment of the Secretary-General of the United Nations. The resolution reads as follows:

"The Security Council,

"Having considered the question of the recommendation for the appointment of the Secretary-General of the United Nations,

"Recommends to the General Assembly that Mr. Kurt Waldheim be appointed Secretary-General of the United Nations for a second term of office from 1 January 1977 to 31 December 1981."

*(Signed) Ion DATCU
President of the Security Council*

DOCUMENT A/31/L.28

Romania: draft resolution

*[Original: English/French]
[7 December 1976]*

The General Assembly,

Acting in accordance with the recommendation contained in Security Council resolution 400 (1976) of 7 December 1976 (see A/31/393),

Expressing its appreciation for the effective and dedicated service rendered to the United Nations by Mr. Kurt Waldheim during his first term of office,

Appoints Mr. Kurt Waldheim as Secretary-General of the United Nations for a second term of office beginning on 1 January 1977 and ending on 31 December 1981.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 93rd plenary meeting, held on 8 December 1976, the General Assembly adopted by acclamation draft resolution A/31/L.28. For the final text, see resolution 31/60.¹

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 93rd meeting.

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.



Agenda item 20:* Election of twelve members of the World Food Council

DOCUMENT A/31/365

Note by the Secretary-General

*[Original: French]
[29 November 1976]*

1. The General Assembly, in paragraph 8 of its resolution 3348 (XXIX) of 17 December 1974, decided that the World Food Council should consist of 36 members to be nominated by the Economic and Social Council and elected by the General Assembly for a term of three years, taking into consideration balanced geographical representation, with one third of the members retiring every year and the retiring members being eligible for re-election. The term of office of the following members expires on 31 December 1976: Australia, Colombia, Cuba, France, Guatemala, Guinea, India, Libyan Arab Republic, Mali, Pakistan, Romania and Union of Soviet Socialist Republics.

2. By its decision 200 (LXI) of 15 November 1976, the Economic and Social Council, acting in pursuance of paragraph 8 of resolution 3348 (XXIX), decided to nominate the following 12 States for election by the General Assembly to membership on the World Food Council:

- (a) *African States*: Ivory Coast, Madagascar and Nigeria;
- (b) *Asian States*: Pakistan and Philippines;
- (c) *Latin American States*: Cuba, Guatemala and Jamaica;
- (d) *Socialist States of Eastern Europe*: Poland and Union of Soviet Socialist Republics;
- (e) *Western European and other States*: Australia and France.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 84th plenary meeting, on 1 December 1976, the General Assembly, on the basis of the nominations by the Economic and Social Council, elected Australia, Cuba, France, Guatemala, the Ivory Coast, Jamaica, Madagascar, Nigeria, Pakistan, the Philippines, Poland and the Union of Soviet Socialist Republics members of the World Food Council for a three-year term beginning on 1 January 1977 (see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, decision 31/309).

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first session, Plenary Meetings*, 84th meeting.



Agenda item 22:* Election of seven members of the Committee for Programme and Co-ordination

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 40th meeting.

DOCUMENT A/31/226

Note by the Secretary-General

*[Original: English]
[24 September 1976]*

1. The Working Group on United Nations Programme and Budget Machinery, which submitted its report to the General Assembly at the thirtieth session (A/10117 and Corr.1), recommended, among other things, that the terms of reference of the Committee for Programme and Co-ordination should be changed and that the Committee should be responsible to both the Economic and Social Council and the Assembly and that it should consist of 21 States Members of the United Nations, elected by the Assembly upon the recommendation of the Council on the basis of equitable geographical distribution.

2. In resolution 3392 (XXX) of 20 November 1975 on review of the intergovernmental and expert machinery dealing with the formulation, review and approval of programmes and budgets, the General Assembly, *inter alia*, referred to the Economic and Social Council the recommendations of the Working Group and recommended that the Council should take the necessary measures to implement the recommendations for strengthening the Committee for Programme and Co-ordination and improving its work.

3. The Economic and Social Council, in resolution 2008 (LX) of 14 May 1976, approved the consolidated terms of reference for the Committee for Programme and Co-ordination. In accordance with its terms of reference, the Committee shall function as the main subsidiary organ of the Council and the General Assembly for planning, programming and co-ordination. It shall consist of 21 members to be nominated by the Council and elected by the Assembly for a term of office of three years on the basis of equitable geographical distribution as follows:

Five from African States;
Four from Asian States;
Four from Latin American States;
Three from socialist States of Eastern Europe;
Five from Western European and other States.

4. At present the Committee consists of the following States:

| <i>Membership in 1976</i> | <i>Term expires on 31 December</i> |
|---|--|
| Argentina | 1976 |
| Belgium | 1978 |
| Brazil | 1977 |
| Bulgaria | 1978 |
| Byelorussian Soviet Socialist Republic | 1978 |
| Chile | 1978 |
| Denmark | 1978 |
| France | 1976 |
| Haiti | 1976 |
| India | 1977 |
| Indonesia | 1977 |
| Japan | 1977 |
| Kenya | 1977 |
| Pakistan | 1978 |
| Togo | 1976 |
| Uganda | 1976 |
| Union of Soviet Socialist Republics | 1976 |
| United Kingdom of Great Britain and Northern Ireland | 1978 |
| United Republic of Tanzania | 1977 |
| United States of America | 1976 |
| Zaire | 1977 |

5. To fill the seats being vacated by those States whose term of office expires on 31 December 1976, the Economic and Social Council, by its decision 157 (LX) of 12 May 1976, nominated the following seven Member States for election by the General Assembly at its thirty-first session, for a term of three years:

Argentina
Colombia
France
Sudan
Uganda
Union of Soviet Socialist Republics
United States of America

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 40th plenary meeting, on 21 October 1976, the General Assembly, upon the recommendation of the Economic and Social Council, elected the following seven States as members of the Committee for Programme and Co-ordination for a term of office of three years: Argentina, Colombia, France, Sudan, Uganda, the Union of Soviet Socialist Republics and the United States of America.



Agenda item 23: * Election of the members of the International Law Commission**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 60th and 68th meetings.

** This question was previously discussed by the General Assembly at the twenty-sixth session (agenda item 20).

DOCUMENTS A/31/134 AND ADD.1-8

Memorandum by the Secretary-General containing the list of candidates*

*[Original: English]
[14 July 1976]*

DOCUMENT A/31/134

I. Introduction

1. As the term of office of the present members of the International Law Commission is due to expire at the end of 1976, the General Assembly will be required to elect the members of the Commission at its thirty-first regular session. In accordance with the provisions of articles 5 and 6 of the statute of the Commission, the Secretary-General, on 2 January 1976, transmitted to the Governments of all States Members of the United Nations a note verbale requesting them to submit in writing, by 1 June 1976, the names of the candidates whom they might wish to nominate for election to the Commission as well as statements of qualifications of such candidates.

2. In pursuance of article 6 of the statute of the Commission, the Secretary-General has the honour to transmit to the Governments of States Members of the United Nations a list of the names of candidates submitted by 1 June 1976. The list, including also the names of the sponsoring Member States, appears in section IV of the present document. In this respect, the Secretary-General wishes to draw the attention of the Assembly to the fact that a certain number of Governments of Member States,

while observing the maximum limit of four set out in article 4 of the statute of the Commission have nevertheless nominated as candidates nationals of other States in excess of the number specified in that article. In so doing, those Governments have followed a practice that has evolved since the time of the second election in 1953, stemming apparently from the corresponding article in the Statute of the International Court of Justice regarding the elections of Judges of the Court.

II. Composition of the International Law Commission

3. The International Law Commission, established under General Assembly resolution 174 (II) of 21 November 1947, consists at the present time of the following 25 members, all of whose terms of office expire on 31 December 1976:

Mr. Roberto Ago (Italy);
Mr. Mohammed Bedjaoui (Algeria);
Mr. Ali Suat Bilge (Turkey);
Mr. Juan José Calle y Calle (Peru);
Mr. Jorge Castañeda (Mexico);
Mr. Abdullah El-Erian (Egypt);
Mr. Edvard Hambro (Norway);
Mr. Richard D. Kearney (United States of America);
Mr. Alfredo Martínez Moreno (El Salvador);
Mr. Frank X. J. C. Njenga (Kenya);
Mr. Christopher Walter Pinto (Sri Lanka);

* The statements of qualifications of the candidates were issued under the symbol A/31/135 and Corr.2 and 3.

Mr. R. Q. Quentin-Baxter (New Zealand);
 Mr. Alfred Ramangasoavina (Madagascar);
 Mr. Paul Reuter (France);
 Mr. Zenon Rossides (Cyprus);
 Mr. Milan Šahović (Yugoslavia);
 Mr. José Sette Câmara (Brazil);
 Mr. Abdul Hakim Tabibi (Afghanistan);
 Mr. Arnold J. P. Tammes (Netherlands);
 Mr. Doudou Thiam (Senegal);
 Mr. Senjin Tsuruoka (Japan);
 Mr. N. A. Ushakov (Union of Soviet Socialist Republics);
 Mr. Endre Ustor (Hungary);
 Sir Francis Vallat (United Kingdom of Great Britain and Northern Ireland);
 Mr. Mustafa Kamil Yasseen (Iraq).

4. In accordance with General Assembly resolution 1103 (XI) of 18 December 1956, the membership of the Commission was increased from 15 to 21; by General Assembly resolution 1647 (XVI) of 6 November 1961, the membership of the Commission was brought up to 25. During the discussion in the Sixth Committee, at the eleventh session of the General Assembly, of agenda item 59 entitled "Question of amending article 2 of the Statute of the International Law Commission to increase the membership of the Commission", delegations reached an agreement with regard to the allocation of seats on the Commission. The substance of this agreement was stated in the report of the Sixth Committee to the General Assembly on the agenda item in question, to be as follows:

"The Chairman stated that there was a 'gentleman's agreement', among delegations representing the main forms of civilization and main legal systems, that the six additional seats on the Commission should be allocated as follows: three to nationals from African and Asian Members of the United Nations; one to a national from Western Europe; one to a national from Eastern Europe; and one, in alternation, to a national from Latin America and a national from the British Commonwealth countries not otherwise included in any recognized regional grouping.¹ It was also understood that the distribution as between different forms of civilization and legal systems would be maintained in respect of the existing fifteen seats."²

5. At the time the agreement referred to above was reached, the "existing fifteen seats" mentioned therein were distributed among nationals from States Members of the United Nations as follows: five seats were held by nationals of the permanent members of the Security Council; two seats were held by nationals from Asian States; one seat was held by a national from an Eastern European State; four seats were held by nationals from Latin American States; three seats were held by nationals from Western European States.

6. At its sixteenth session the General Assembly, having increased the membership of the Commission from 21 to

25, elected the members of the Commission on the understanding that the four additional seats were to be allocated to nationals from African States. The election resulted in a distribution of seats among nationals from States Members of the United Nations, including nationals from four permanent members of the Security Council, as follows: 10 seats for nationals of African and Asian States; 3 seats for nationals from Eastern European States; 4 seats for nationals from Latin American States; 7 seats for nationals from Western European and other States and the alternating seat for a national from a British Commonwealth State.

7. The last election by the General Assembly of the members of the International Law Commission took place at the 1986th plenary meeting of the General Assembly, on 17 November 1971. The 25 members elected at that meeting are listed below, with an indication of the changes since that date in the composition of the Commission as a result of the filling by the Commission itself of casual vacancies caused by the death and the resignation of members:

Mr. Roberto Ago (Italy);
 Mr. Gonzalo Alcívar (Ecuador) [died: replaced by Mr. Juan José Calle y Calle (Peru)];
 Mr. Milan Bartoš (Yugoslavia) [died: replaced by Mr. Milan Šahović (Yugoslavia)];
 Mr. Mohammed Bedjaoui (Algeria);
 Mr. Suat Bilge (Turkey);
 Mr. Jorge Castañeda (Mexico);
 Mr. Abdullah Ali El-Erian (Egypt);
 Mr. Taslim O. Elias (Nigeria) [resigned: replaced by Mr. Frank X. J. C. Njenga (Kenya)];
 Mr. Edvard Hambro (Norway);
 Mr. Richard D. Kearney (United States of America);
 Mr. Nagendra Singh (India) [resigned: replaced by Mr. Christopher Walter Pinto (Sri Lanka)];
 Mr. R. Q. Quentin-Baxter (New Zealand);
 Mr. Alfred Ramangasoavina (Madagascar);
 Mr. Paul Reuter (France);
 Mr. Zenon Rossides (Cyprus);
 Mr. José María Ruda (Argentina) [resigned: replaced by Mr. Alfredo Martínez Moreno (El Salvador)];
 Mr. José Sette Câmara (Brazil);
 Mr. Abdul Hakim Tabibi (Afghanistan);
 Mr. Arnold J. P. Tammes (Netherlands);
 Mr. Doudou Thiam (Senegal);
 Mr. Senjin Tsuruoka (Japan);
 Mr. N. A. Ushakov (Union of Soviet Socialist Republics);
 Mr. Endre Ustor (Hungary);
 Sir Humphrey Waldock (United Kingdom of Great Britain and Northern Ireland) [resigned: replaced by Sir Francis Vallat (United Kingdom of Great Britain and Northern Ireland)];
 Mr. Mustafa Kamil Yasseen (Iraq).

III. Conduct of the election

8. In conformity with the provisions of chapter I of the statute of the Commission, the 25 members of the Commission are to be elected for a period of five years with effect from 1 January 1977. The vote will be taken in accordance with rules 92 and 94 of the rules of procedure of the General Assembly.

¹ In the 1966 election, this alternating seat was filled by a national of a Latin American State. In the 1971 election, it was filled by a national of a British Commonwealth State.

² *Official Records of the General Assembly, Eleventh Session, Annexes*, agenda item 59, document A/3427, para. 13.

9. Electors should bear in mind that the persons to be elected to the Commission should individually possess the qualifications required—that is to say, be “persons of recognized competence in international law” (article 2, para. 1 of the statute of the Commission)—and that, “in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured” (article 8 of the statute of the Commission).

10. On the day of the election, a list, prepared and submitted by the Secretary-General in accordance with article 7 of the statute of the Commission and comprising in alphabetical order the names of all the candidates duly nominated, will be printed in the *Journal of the United Nations*. The names of such candidates will also appear on the voting papers which will be distributed before the election. Only those candidates whose names appear on the list will be eligible for election (articles 3 and 7 of the statute of the Commission).

11. The election will be held by secret ballot (rule 92 of the rules of procedure of the General Assembly). Each elector will mark with a cross the names of the candidates for whom it is desired to vote. No elector may vote for more than 25 candidates.

12. The 25 candidates who obtain the greatest number of votes and at least a majority of the votes of the Members present and voting will be elected (article 9 of the statute of the Commission).

13. No two members of the Commission may be nationals of the same State. In the event of more than one national of the same State obtaining a sufficient number of votes for election, the one who obtains the greatest number of votes is elected, and, if the votes are equally divided, the elder or eldest candidate is elected. In case of dual nationality a candidate is deemed to be a national of the State in which he ordinarily exercises civil and political rights (article 2, paras. 2 and 3 and article 9, para. 2 of the statute of the Commission).

14. If 25 candidates are not elected in the first ballot, there will be additional ballots to fill the places still remaining vacant, but the voting will be restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice that of the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible person. If three such unrestricted ballots are inconclusive, the next three ballots will be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice that of the places remaining to be filled, and the following three ballots thereafter will be unrestricted, and so on until the places have been filled (rule 94 of the rules of procedure of the General Assembly).

15. Immediately after the election, the Secretary-General will notify the persons elected and ask them if they are prepared to accept membership in the Commission.

IV. List of candidates

| <i>Name and nationality</i> | <i>Nominated by</i> |
|---|---|
| Ago, Roberto (Italy) | Italy Brazil France Japan Mexico |
| Ahmed, Khalafalla El Rasheed Mohamed (Sudan) | Sudan |
| Al Katifi, Abdul Hussain (Iraq) | Iraq Spain |
| Balanda, Mikuin Leliel (Zaire) | Zaire |
| Bedjaoui, Mohammed (Algeria) | Algeria Cyprus Peru |
| Bilge, Ali Suat (Turkey) | Turkey |
| Bolintineanu, Alexandru (Romania) | Romania |
| Calle y Calle, Juan José (Peru) | Peru Algeria Brazil France |
| Castañeda, Jorge (Mexico) | Mexico Brazil Dominican Republic Iceland India Italy Union of Soviet Socialist Republics |
| Castro-Rial, Juan Manuel (Spain) | Spain Guatemala Haiti Iraq Uruguay |
| Dadzie, Emmanuel Kodjoe (Ghana) | Ghana |
| Díaz González, Leonardo (Venezuela) | Venezuela Dominican Republic |
| El-Erian, Abdullah Ali (Egypt) | Egypt |
| El-Fadel, Mohammed (Syrian Arab Republic) | Syrian Arab Republic |
| Francis, Laurel B. (Jamaica) | Jamaica |
| Gana, Abdelkrim (Tunisia) | Tunisia |
| García Bauer, Carlos (Guatemala) | Guatemala Spain |
| Gobbi, Hugo Juan (Argentina) | Argentina Haiti |

| <i>Name and nationality</i> | <i>Nominated by</i> | <i>Name and nationality</i> | <i>Nominated by</i> |
|---|--|--|---|
| Hambro, Edvard (Norway) | Norway Finland Iceland Sweden United Kingdom of Great Britain and Northern Ireland | Schwebel, Stephen M. (United States of America) | United States of America |
| Holguín Holguín, Carlos (Colombia) | Colombia | Sette Câmara, José (Brazil) | Brazil Dominican Republic Haiti Italy Kenya Mexico Peru |
| Illueca, Jorge (Panama) | Panama | Sucharitkul, Sompong (Thailand) | Thailand Indonesia Japan Malaysia Philippines Singapore |
| Jagota, S. P. (India) | India Bhutan Canada Ethiopia Finland France Ghana Iceland Iran Kenya Malaysia Mexico Nepal | Tabibi, Abdul Hakim (Afghanistan) | Afghanistan Bolivia El Salvador Union of Soviet Socialist Republics |
| Martínez Moreno, Alfredo (El Salvador) | El Salvador | Tsuruoka, Senjin (Japan) | Japan Bhutan Costa Rica Dominican Republic Indonesia Italy Liberia Malaysia Nepal Pakistan Papua New Guinea Poland |
| Munim, F. K. M. A. (Bangladesh) | Bangladesh | Ushakov, N. A. (Union of Soviet Socialist Republics) | Union of Soviet Socialist Republics |
| Njenga, Frank X. J. C. (Kenya) | Kenya El Salvador Ethiopia Iceland India | Vallat, Sir Francis (United Kingdom of Great Britain and Northern Ireland) | United Kingdom of Great Britain and Northern Ireland Bhutan |
| Orrego Vicuña, Francisco (Chile) | Chile | Verosta, Stephan (Austria) | Austria Finland |
| Osman, Jaalle Abdullahi Said (Somalia) | Somalia | Yankov, Alexander (Bulgaria) | Bulgaria Poland |
| Pinto, Christopher Walter (Sri Lanka) | Sri Lanka Netherlands United Kingdom of Great Britain and Northern Ireland | Yoko, Yakembe (Zaire) | Zaire |
| Quentin-Baxter, R. Q. (New Zealand) | New Zealand | | |
| Ratsirahonana, Norbert Lala (Madagascar) | Madagascar | | |
| Reuter, Paul (France) | France India Peru | | |
| Riphagen, Willem (Netherlands) | Netherlands Belgium Luxembourg Sri Lanka | | |
| Rossides, Zenon (Cyprus) | Cyprus Algeria | | |
| Sahović, Milan (Yugoslavia) | Yugoslavia | | |

DOCUMENT A/31/134/ADD.1

[Original: English/French/Spanish]
[29 July 1976]

The Secretary-General has the honour to submit to the General Assembly the following communications, dated 9 and 22 June and 1, 15, 16 and 22 July 1976:

A. Note verbale dated 9 June 1976 from the Permanent Mission of Ecuador

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Secretary-General of the

United Nations and, on express orders from its Government, has the honour to nominate the Japanese jurist, Mr. Senjin Tsuruoka, as a candidate for election to the International Law Commission, in accordance with article 4 of the statute of that body.

*B. Letter dated 22 June 1976 from the
Permanent Representative of Surinam*

I have the honour to inform you that the Government of the Republic of Surinam, in accordance with articles 4, 5 and 10 of the statute of the International Law Commission, nominates the following candidates for election to that Commission:

Ambassador José Sette Câmara of Brazil,
Ambassador Jorge Castañeda of Mexico,
Professor Willem Riphagen of the Kingdom of the Netherlands,
Ambassador Leonardo Díaz Gonzales of Venezuela.

*C. Letter dated 1 July 1976 from the Chargé d'affaires a.i.
of the Permanent Mission of the Lao People's Democratic Republic*

I have the honour to transmit to you herewith note No. 831/AE.OI of 27 May 1976 from the Deputy Prime Minister and Minister for Foreign Affairs of the Lao People's Democratic Republic:

"The Deputy Prime Minister, Minister for Foreign Affairs of the Lao People's Democratic Republic, presents his compliments to the Secretary-General of the United Nations and, with reference to his note LE 112/11/1976 concerning the forthcoming election of the members of the International Law Commission, has the honour to inform him that the Government of the Lao People's Democratic Republic intends, subject to possible substitution as provided in article 5 of the Statute of the Commission, to nominate the following candidates for election:

- "1. Mr. S. P. Jagota, candidate of India;
- "2. Mr. C. W. Pinto, candidate of Sri Lanka;
- "3. Mr. Milan Šahović, candidate of Yugoslavia;
- "4. Mr. Willem Riphagen, candidate of the Netherlands."

*D. Telegram dated 15 July 1976 from the
Ministry of Foreign Affairs of Thailand*

Further to the Ministry of Foreign Affairs of Thailand's note No. 0602/3563 of 27 January 1976 nominating Dr. Sompong Sucharitkul, Ambassador of Thailand to Japan, as candidate for election to the International Law Commission, I have the honour to inform Your Excellency that the Thai Government has decided to nominate Mr. C. W. Pinto of Sri Lanka, as non-national candidate for the said election.

*E. Note verbale dated 16 July 1976 from the
Permanent Mission of Sri Lanka*

The Permanent Mission of Sri Lanka to the United Nations presents its compliments to the Secretariat of the

United Nations and has the honour to inform the latter that the Government of Sri Lanka has decided to nominate Dr. Sompong Sucharitkul (Thailand) as a non-national candidate for election to the International Law Commission during the elections to be held at the thirty-first session of the General Assembly.

*F. Note verbale dated 22 July 1976 from the Chargé
d'affaires of the Permanent Mission of Kenya*

The Chargé d'affaires of the Republic of Kenya to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to the elections of candidates for membership of the International Law Commission to be held during the thirty-first session of the General Assembly has the honour to inform as follows:

"The Government of the Republic of Kenya has decided in accordance with article 4 of the Statute of the International Law Commission to nominate Ambassador Christopher Walter Pinto of Sri Lanka as its non-national candidate for the purposes of those elections."

DOCUMENT A/31/134/ADD.2

*[Original: English/French/Spanish]
[8 September 1976]*

The Secretary-General has the honour to submit to the General Assembly the following communications, dated 20, 29 and 30 July and 3, 4, 5, 18, 27 and 31 August 1976:

*A. Letter dated 20 July 1976 from the
Permanent Representative of Argentina*

I have the honour to inform you that the Government of Argentina has decided to withdraw the nomination of Dr. Hugo Juan Gobbi as a candidate for election to the International Law Commission.

*B. Note verbale dated 29 July 1976 from the
Permanent Representative of Iran*

The Permanent Representative of Iran to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to his note dated 2 January 1976, has the honour to inform him that the Government of Iran has decided to nominate His Excellency Mr. Abdul Hakim Tabibi from Afghanistan as its non-national candidate for election to the International Law Commission, at the elections to be held during the thirty-first session of the General Assembly.

*C. Letter dated 29 July 1976 from the
Permanent Representative of Thailand*

I have been instructed today by my Government to inform Your Excellency that the Thai Government has decided to nominate Professor R. Q. Quentin-Baxter of New Zealand as its non-national candidate for election to the International Law Commission.

*D. Note verbale dated 30 July 1976 from the
Permanent Mission of Sri Lanka*

The Permanent Mission of Sri Lanka to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to inform the latter that the Government of Sri Lanka has decided to nominate Mr. Frank X. Njenga (Kenya) as a non-national candidate for election to the International Law Commission during the elections to be held at the thirty-first session of the General Assembly.

*E. Note verbale dated 3 August 1976 from the
Permanent Representative of New Zealand*

Further to the note of 23 January from the Ministry of Foreign Affairs nominating Professor R. Q. Quentin-Baxter for re-election to the International Law Commission, the Permanent Representative has the honour to advise that the Government of New Zealand wishes to nominate Dr. Sompong Sucharitkul of Thailand as a non-national candidate for election to the International Law Commission.

*F. Note verbale dated 4 August 1976 from the
Permanent Mission of Mauritius*

The Permanent Mission of Mauritius to the United Nations presents its compliments to His Excellency the Secretary-General of the United Nations and, with reference to the forthcoming election of the members of the International Law Commission at the thirty-first session of the General Assembly, has the honour to inform him that the Government of Mauritius has decided to nominate His Excellency Dr. S. P. Jagota (India) as a non-national candidate for such election.

*G. Note verbale dated 5 August 1976 from the
Permanent Representative of Senegal*

The Permanent Representative of the Republic of Senegal to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to inform him that the Government of Senegal has decided to nominate Dr. Riphagen (Netherlands) as a non-national candidate for the International Law Commission in the elections to be held during the thirty-first session of the General Assembly of the United Nations.

*H. Letter dated 18 August 1976 from the Chargé
d'affaires a.i. of the Permanent Mission of Indonesia*

With reference to our letters dated 8 and 26 May 1976, I have the honour to inform you that the Government of Indonesia has also decided to nominate Mr. C. W. Pinto of Sri Lanka, in addition to Ambassador Sompong Sucharitkul of Thailand and Mr. Senjin Tsuruoka of Japan, as a non-national candidate for election to the International Law Commission at the thirty-first regular session of the General Assembly.

*I. Note verbale received on 27 August 1976 from the
Chargé d'affaires a.i. of the Permanent Mission of Ecuador*

The Alternate Permanent Representative of Ecuador to the United Nations presents his compliments to the

Secretary-General of the United Nations and has the honour to state that the Government of Ecuador has decided to nominate His Excellency Dr. S. P. Jagota, Joint Secretary and Legal Adviser of the Ministry of External Affairs of the Government of India, as its non-national candidate for election to the International Law Commission at the thirty-first regular session of the General Assembly.

*J. Letter dated 27 August 1976 from the Chargé
d'affaires a.i. of the Permanent Mission of the Philippines*

I have the honour to refer to the Mission's note of 3 May 1976 and to inform you that the Philippine Government is also nominating Mr. C. W. Pinto of Sri Lanka, Mr. Senjin Tsuruoka of Japan and Mr. Juan Manuel Castro-Rial of Spain for membership in the International Law Commission at the elections during the thirty-first session of the General Assembly in accordance with article 4 of the Statute of the International Law Commission.

*K. Note verbale dated 31 August 1976 from the
Permanent Representative of Australia*

The Permanent Representative of Australia to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the Secretary-General's note of 2 January 1976 which invited nominations of candidates for election to the International Law Commission. The Permanent Representative wishes to advise that he had been instructed by his Government to nominate Mr. Robert Q. Quentin-Baxter of New Zealand under article 4 of the Statute of the International Law Commission as a non-national candidate for the purposes of the election which will be held during the thirty-first regular session of the General Assembly.

*L. Note verbale dated 31 August 1976 from the
Permanent Mission of Canada*

The Permanent Mission of Canada to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to his note of 2 January concerning the nomination of candidates for election to the International Law Commission at the thirty-first session of the General Assembly. The Permanent Mission of Canada has the honour to inform the Secretary-General that the Government of Canada wishes . . . to nominate herewith, as a national of another State, Professor R. Q. Quentin-Baxter, a current member of the International Law Commission and Chairman of its Drafting Committee, for re-election to the International Law Commission in the elections to take place during the thirty-first regular session of the General Assembly.

DOCUMENT A/31/134/ADD.3

*[Original: Spanish]
[18 October 1976]*

The Secretary-General has the honour to submit to the General Assembly the following communication dated 8 October 1976 from the Permanent Representative of Colombia:

"I should like to inform you that the Government of Colombia has decided to withdraw the nomination of

Dr. Carlos Holguín as a candidate for membership in the International Law Commission at the elections to be held during the current session of the General Assembly of the United Nations. Accordingly, I would request you to inform the other Members of the United Nations of this decision of the Government of Colombia.”

DOCUMENT A/31/134/ADD.4

*[Original: English]
[1 November 1976]*

The Secretary-General has the honour to submit to the General Assembly the following communication dated 19 October 1976 from the Permanent Mission of Yugoslavia:

“The Permanent Mission of the Socialist Federal Republic of Yugoslavia to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that the Government of the Socialist Federal Republic of Yugoslavia has decided to nominate His Excellency Mr. Zenon Rossides, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Cyprus to the United Nations, as a non-national candidate for membership in the International Law Commission.”

DOCUMENT A/31/134/ADD.5

*[Original: English/French/Spanish]
[5 November 1976]*

The Secretary-General has the honour to submit to the General Assembly the following communications, dated 25 October, 1 November and 4 November 1976:

A. Note verbale dated 25 October 1976 from the Permanent Mission of Colombia

The Permanent Mission of Colombia to the United Nations presents its compliments to the Secretary-General of the United Nations and, pursuant to article 4 of the statute of the International Law Commission, proposes the following candidates for election as members of the Commission:

Mr. José Sette-Câmara (Brazil);
Mr. S. P. Jagota (India);
Mr. Frank X. J. C. Njenga (Kenya);
Mr. Jorge Illueca (Panama).

B. Note verbale dated 1 November 1976 from the Permanent Mission of Cyprus

The Permanent Mission of the Republic of Cyprus to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that the Government of the Republic of Cyprus has decided to nominate His Excellency Mr. Jorge Castañeda of Mexico as a non-national candidate for membership in the International Law Commission.

C. Communication dated 4 November 1976 from the Permanent Mission of Haiti

The Permanent Mission of Haiti to the United Nations has the honour to inform the Secretary-General that the Government of Haiti has decided to withdraw the name of Mr. Hugo Juan Gobbi (Argentina) as a candidate for membership in the International Law Commission in the elections to be held at the thirty-first session of the General Assembly. The Permanent Mission of Haiti had submitted Mr. Gobbi's candidature in a note verbale dated 1 June 1976.

DOCUMENT A/31/134/ADD.6

*[Original: English]
[9 November 1976]*

The Secretary-General has the honour to submit to the General Assembly the following communications, dated 4 and 5 November 1976:

A. Note verbale dated 4 November 1976 from the Permanent Mission of Cyprus

The Permanent Mission of the Republic of Cyprus to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that the Government of the Republic of Cyprus has decided to nominate Mr. Milan Šahović of Yugoslavia as a non-national candidate for membership in the International Law Commission.

B. Note verbale dated 5 November 1976 from the Permanent Representative of Poland

The Permanent Representative of the Polish People's Republic to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to inform him that the Polish Government has decided to nominate H.E. Dr. S. P. Jagota, Joint Secretary and Legal Adviser, Ministry of External Affairs of India, for election to the International Law Commission at the thirty-first regular session of the General Assembly.

DOCUMENT A/31/134/ADD.7

*[Original: English]
[11 November 1976]*

The Secretary-General has the honour to submit to the General Assembly the following communications, dated 8 and 10 November 1976:

A. Note verbale dated 8 November 1976 from the Permanent Mission of Greece

The Permanent Mission of Greece to the United Nations presents its compliments to the Secretary-General of the

United Nations and, on behalf of the Greek Government, has the honour to nominate H.E. Mr. Zenon Rossides of Cyprus as a non-national candidate for membership in the International Law Commission.

DOCUMENT A/31/134/ADD.8

[Original: French]
[16 November 1976]

*B. Communication dated 10 November 1976 from the
Permanent Mission of Romania*

The Permanent Mission of the Socialist Republic of Romania to the United Nations has the honour to inform the Secretary-General of the United Nations that the Government of the Socialist Republic of Romania has decided to withdraw the name of Mr. Alexandru Bolintineanu (Romania) as a candidate for membership in the International Law Commission in the elections to be held at the thirty-first session of the General Assembly.

The Secretary-General has the honour to submit to the General Assembly the following communication, dated 12 November 1976, from the Permanent Mission of Tunisia:

"The Permanent Mission of Tunisia to the United Nations presents its compliments to the Secretary-General of the United Nations and, referring to its note of 10 March 1976, has the honour to inform him that the Tunisian Government has decided to withdraw the candidature for election to the International Law Commission of Mr. Abdelkrim Gana, Ambassador, Director of Consular Affairs in the Ministry of Foreign Affairs at Tunis."

DOCUMENT A/31/328/REV.1

**Note by the Secretary-General containing the
revised list of candidates**

[Original: English]
[16 November 1976]

1. The Secretary-General has the honour to recall that, in accordance with the statute of the International Law Commission, he communicated to the Governments of Member States, in document A/31/134, the list of the names of candidates for election to the Commission submitted by 1 June 1976, including also the names of the nominating Member States. Subsequent to that date, the Secretary-General received additional information concerning both candidates already on that list and new candidates. The additional information is to be found in documents A/31/134/Add.1-8, A/31/157 and Add.1 and 2, A/31/203 and A/31/263.

2. At its 60th plenary meeting, on 10 November 1976, the General Assembly, at the suggestion of the President, requested the Secretary-General to issue, in a separate document, a list which, on the basis of the latest information available, would contain the names of the persons nominated as candidates, whether their names had been submitted before or after 1 June 1976. The present document is a revised version of that issued in compliance with the Assembly's request (see annex).

3. *Curricula vitae* of the candidates have been circulated in documents A/31/135 and Corr.2 and 3, A/31/157 and A/31/203.

ANNEX

List of candidates

Ago, Roberto (Italy)
Ahmed, Khalafalla El Rasheed Mohamed (Sudan)
Al Katifi, Abdul Hussain (Iraq)

Bedjaoui, Mohammed (Algeria)
Bilge, Ali Suat (Turkey)
Calle y Calle, Juan José (Peru)
Castañeda, Jorge (Mexico)
Castro-Rial, Juan Manuel (Spain)
Dadzie, Emmanuel Kodjoe (Ghana)
Díaz González, Leonardo (Venezuela)
El-Erian, Abdullah Ali (Egypt)
El-Fadel, Mohammed (Syrian Arab Republic)
Francis, Laurel B. (Jamaica)
García-Bauer, Carlos (Guatemala)
Hambro, Edvard (Norway)
Illueca, Jorge (Panama)
Jagota, S. P. (India)
Martínez Moreno, Alfredo (El Salvador)
Munim, F. K. M. A. (Bangladesh)
Njenga, Frank X. J. C. (Kenya)
Orrego Vicuña, Francisco (Chile)
Osman, Jaalle Abdullahi Said (Somalia)
Pinto, Christopher Walter (Sri Lanka)
Quentin-Baxter, R. Q. (New Zealand)
Ratsirahonana, Norbert Lala (Madagascar)
Reuter, Paul (France)
Riphagen, Willem (Netherlands)
Rossides, Zenon (Cyprus)
Šahović, Milan (Yugoslavia)
Schwebel, Stephen M. (United States of America)
Sette Câmara, José (Brazil)
Sucharitkul, Sompong (Thailand)
Tabibi, Abdul Hakim (Afghanistan)
Thiam, Doudou (Senegal)^a
Tsuruoka, Senjin (Japan)
Umba-di-Lutete (Zaire)^a
Ushakov, N. A. (Union of Soviet Socialist Republics)
Vallat, Sir Francis (United Kingdom of Great Britain and Northern Ireland)
Verosta, Stephan (Austria)
Yankov, Alexander (Bulgaria)

^a Nominated after 1 June 1976.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 68th plenary meeting, on 17 November 1976, in accordance with its resolution 174 (II) of 21 November 1947 and with the provisions of the statute of the International Law Commission annexed thereto, as amended by Assembly resolutions 1103 (XI) of 18 December 1956 and 1647 (XVI) of 6 November 1961, the General Assembly elected the 25 members of the International Law Commission for a period of five years beginning on 1 January 1977 (see decision 31/308³).

The following were elected:

Mr. Roberto AGO (Italy);
 Mr. Mohammed BEDJAOUI (Algeria);
 Mr. Juan José CALLE Y CALLE (Peru);
 Mr. Jorge CASTAÑEDA (Mexico);
 Mr. Emmanuel Kodjoe DADZIE (Ghana);
 Mr. Leonardo DIAZ GONZALEZ (Venezuela);
 Mr. Abdullah Ali EL-ERIAN (Egypt);
 Mr. Laurel B. FRANCIS (Jamaica);
 Mr. Edvard HAMBRO (Norway);
 Mr. S. P. JAGOTA (India);
 Mr. Frank X. J. C. NJENGA (Kenya);
 Mr. Christopher Walter PINTO (Sri Lanka);
 Mr. R. Q. QUENTIN-BAXTER (New Zealand);
 Mr. Paul REUTER (France);
 Mr. Willem RIPHAGEN (Netherlands);
 Mr. MILAN ŠAHOVIĆ (Yugoslavia);
 Mr. Stephen M. SCHWEBEL (United States of America);
 Mr. José SETTE CÂMARA (Brazil);
 Mr. Sompong SUCHARITKUL (Thailand);
 Mr. Doudou THIAM (Senegal);
 Mr. Senjin TSURUOKA (Japan);
 Mr. N. A. USHAKOV (Union of Soviet Socialist Republics);
 Sir Francis VALLAT (United Kingdom of Great Britain and Northern Ireland);
 Mr. Stephan VEROSTA (Austria);
 Mr. Alexander YANKOV (Bulgaria).

³ *Ibid.*, Thirty-first Session, Supplement No. 39.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 23 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------------|---|------------------------------------|
| A/31/135 and Corr.2 and 3 | Note by the Secretary-General containing <i>curricula vitae</i> of candidates | Mimeographed |
| A/31/157 and Add.1 and 2 | Note by the Secretary-General | Ditto |
| A/31/203 | Note by the Secretary-General containing the <i>curriculum vitae</i> of one of the candidates | Ditto |
| A/31/263 | Note by the Secretary-General | Ditto |
| A/31/328 | Note by the Secretary-General containing the list of candidates | Replaced by A/31/328/Rev.1 |



Agenda item 25:* Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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-first Session, Fourth Committee*, 10th to 29th, 31st and 32nd meetings; *ibid.*, *Fifth Committee*, 39th, 50th and 53rd meetings; and *ibid.*, *Plenary Meetings*, 82nd, 83rd, 85th, 86th, 97th, 102nd and 104th meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 23), twenty-seventh session (item 22), twenty-eighth, twenty-ninth and thirtieth sessions (item 23).

*** For the questions dealt with by the Special Committee in its report and considered by the General Assembly as separate agenda items, see the annex fascicles relating to agenda items 84, 85, 86, 87 and 88 and 12.

DOCUMENT A/31/362

Report of the Fourth Committee on Territories not considered separately

*[Original: English]
[29 November 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled:

“Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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”.

At the same meeting, the General Assembly decided to allocate to the Fourth Committee those chapters of the report of the Special Committee relating to specific

Territories, so that the Assembly might consider in plenary meetings the question of the implementation of the Declaration as a whole. The report of the Special Committee on its work during 1976 comprised the following documents: A/31/23 (part I) and Corr.1, A/31/23 (parts II-V), A/31/23/Add.1-5, Add.5/Corr.1 and Add.6-10; those chapters of the report which dealt with specific Territories (chapters VIII to XXXI) were contained in documents A/31/23/Add.2-5, Add.5/Corr.1 and Add.6-10.¹

2. The chapters of the Special Committee's report relating to specific Territories which were not considered separately, under other agenda items (chapters XI to XXI), dealt with the following Territories:

| <i>Territory</i> | <i>Relevant chapter of the report of the Special Committee</i> |
|--|--|
| Spanish Sahara | XI (A/31/23/Add.5 and Corr.1) |
| Timor | XII (A/31/23/Add.6) |
| Gibraltar | XIII (A/31/23/Add.7 (part I)) |
| French Somaliland ^a | XIV (A/31/23/Add.7 (part II)) |
| Cocos (Keeling) Islands | XV (see A/31/23/Add.8 (part I)) |
| New Hebrides | XVI (<i>ibid.</i>) |
| Tokelau Islands | XVII (A/31/23/Add.8 (part II)) |
| Brunei | XVIII (see A/31/23/Add.8 (part III)) |
| Gilbert Islands, Pitcairn and Tuvalu | XIX (<i>ibid.</i>) |
| St. Helena | XX (<i>ibid.</i>) |
| Solomon Islands | XXI (<i>ibid.</i>) |
| American Samoa | XXII (<i>ibid.</i>) |
| Guam | XXIII (<i>ibid.</i>) |
| Trust Territory of the Pacific Islands | XXIV (<i>ibid.</i>) |
| Antigua, Dominica, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent | XXV (see A/31/23/Add.9 (part I)) |
| Belize | XXVI (<i>ibid.</i>) |
| Bermuda | XXVII (<i>ibid.</i>) |
| British Virgin Islands | XXVIII (A/31/23/Add.9 (part II)) |
| Cayman Islands, Montserrat and Turks and Caicos Islands | XXIX (see A/31/23/Add.9 (part III)) |
| Falkland Islands (Malvinas) | XXX (<i>ibid.</i>) |
| United States Virgin Islands | XXXI (<i>ibid.</i>) |

^a See chapter XIV, foot-note 1, of the Special Committee's report for an explanation concerning the new designation of the Territory.

3. At its 3rd meeting, on 5 October 1976, the Fourth Committee decided to hold a general debate covering agenda items 25, 84, 88 and 12, 89 and 90, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

4. The Fourth Committee considered item 25 at its 10th to 29th, 31st and 32nd meetings, between 26 October and 25 November 1976.

5. At the 10th meeting, on 26 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 the chapters of the report of that Committee referred to in paragraph 2 above. The Fourth Committee also had before it the following communications addressed to the Secretary-General:

(a) Letter dated 22 December 1975 from the Permanent Representative of Indonesia to the United Nations (A/31/

42-S/11923) and letter dated 15 June 1976 from the Deputy Permanent Representative of Indonesia to the United Nations (A/31/109-S/12097);

(b) Letter dated 6 February 1976 from the Permanent Representative of Algeria (A/31/48-S/11971); letter dated 8 March 1976 from the Chargé d'affaires a.i. of the Permanent Mission of Algeria (A/31/59-S/12002); letters dated 17 May and 23 June 1976 from the Permanent Representative of Algeria (A/31/91-S/12076 and A/31/112-S/12108); letter dated 13 July 1976 from the Chargé d'affaires a.i. of the Permanent Mission of Algeria (A/31/136-S/12141); and letter dated 26 October 1976 from the Permanent Representative of Algeria to the United Nations (A/31/283);

(c) Letter dated 13 February 1976 from the Permanent Representative of Madagascar to the United Nations (A/31/52-S/11981);

(d) Letter dated 23 February 1976 from the Permanent Representative of Argentina to the United Nations (A/31/55);

(e) Letter dated 26 February 1976 from the Permanent Representative of Spain to the United Nations (A/31/56-S/11997);

(f) Letters dated 14 and 24 June and 15 July 1976 from the Permanent Representative of Mauritania to the United Nations (A/31/106-S/12095, A/31/114-S/12116 and A/31/138-S/12143);

(g) Letters dated 2 July and 26 October 1976 from the representatives of France and the United Kingdom of Great Britain and Northern Ireland to the United Nations (A/31/121 and A/31/286);

(h) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(i) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237);

(j) Note verbale dated 15 October 1976 from the Permanent Representative of Somalia to the United Nations (A/31/269);

(k) Letter dated 28 October 1976 from the Permanent Representative of Morocco to the United Nations (A/31/306).

6. At its 15th meeting, on 4 November, during the discussion on Belize, the Fourth Committee heard a statement by Mr. Carl L. B. Rogers, Deputy Premier and Minister for Internal Affairs and Health of Belize.

7. At its 14th meeting, on 3 November, on the proposal of the representative of Democratic Yemen and following a statement by the Secretary of the Committee concerning the related administrative and financial implications, the

¹ Chapters VIII (A/31/23/Add.2) and IX (A/31/23/Add.3) were considered by the Fourth Committee under agenda items 85 and 86.

Committee decided that the statements concerning the question of French Somaliland made during the meeting should be reproduced *in extenso* in the record of the meeting. Subsequently, at its 17th meeting, on 8 November, on the proposal of the representative of Democratic Yemen and following a statement by the Chairman concerning the related administrative and financial implications, the Committee decided that all the statements on the question of French Somaliland made by the representative of the administering Power and the representatives of Ethiopia and Somalia, as well as the statements made by the representatives of the national liberation movements and the petitioners concerned, should be reproduced *in extenso* in the records of the relevant meetings.

8. At its 22nd meeting, on 11 November, on the proposal of the representatives of the United Republic of Tanzania and Madagascar and following a statement by the Chairman concerning the related administrative and financial implications, the Committee decided that the statements relating to the question of Western Sahara made during the meeting should be reproduced *in extenso* in the record of the meeting. At its 23rd meeting, on 12 November, at the request of the representative of Spain, the Committee decided that the statement made by that representative on the question of Western Sahara should be reproduced *in extenso* in the record of the meeting. At the same meeting, the Committee, on the proposal of the representative of the United Republic of Tanzania, decided that the statements made during the meeting by the representatives of Morocco, Mauritania and Algeria on the aforementioned question should also be reproduced *in extenso* in the record of the meeting.

9. During the Committee's consideration of that part of the item relating to French Somaliland, Mr. Warsama Assowe Dhabar, representative of the Front de libération de la Côte des Somalis (FLCS), and Mr. Ahmed Bourhan Omar, representative of the Mouvement de libération de Djibouti (MLD), 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.

10. Mr. Warsama Assowe Dhabar made statements at the 14th, 17th and 21st meetings, on 3, 8 and 11 November. Mr. Ahmed Bourhan Omar made a statement at the 17th meeting.

11. The Committee granted the following requests for hearing in connexion with its consideration of the item:

| Petitioner | Meeting at which request for hearing was granted |
|--|--|
| Mr. Mahmud Saedon A. Othman, Head of the Foreign Affairs Bureau, Partai Rakyat Brunei (PRB) (People's Party of Brunei) (A/C.4/31/3) | 10th |
| Mr. Mohamed Abdelaziz, Secretary-General, Frente Popular para la Liberación de Saguia el Hamra y de Río de Oro (Frente POLISARIO) (A/C.4/31/4) | 10th |
| Mr. José Ramos-Horta, member of the Central Committee, Executive Committee and Political-Military Committee, Frente Revolucionária de Timor Leste Independente (FRETILIN) (A/C.4/31/7) | 10th |

| | |
|---|------|
| Mr. Hassan Gouled Aptidon, Président, Ligue populaire africaine pour l'indépendance (LPAI) (A/C.4/31/8) | 10th |
| Mr. Mohamed Kamil Ali, Président, Mouvement populaire de libération (MPL) (A/C.4/31/8/Add.1) | 10th |
| Mr. Ahmed Youssouf Houmed, Secretary-General, Union nationale pour l'indépendance (UNI) (A/C.4/31/8/Add.2) | 10th |
| Mr. Abdallah Mohamed Kamil, President of the Government Council of the French Territory of the Afars and Issas (A/C.4/31/8/Add.3) | 11th |
| Mr. Hassan Youssouf Mahamoud ^b | 20th |

^b See para. 12 below.

12. At the 13th meeting, on 2 November, Mr. Mari Alkatiri of FRETILIN made a statement. At the 14th meeting, on 3 November, Mr. Abdallah Mohamed Kamil, President of the Government Council of the French Territory of the Afars and Issas, made a statement. At the 17th meeting, on 8 November, statements were made by Mr. Mohamed Kamil Ali, of MPL, and Mr. Ahmed Dini Ahmed of LPAI. At the 20th meeting, on 10 November, Mr. Abdallah Mohamed Kamil replied to a question put to him by a member of the Committee, and Mr. Ahmed Youssouf Houmed of UNI made a statement. At the same meeting, following a procedural discussion, the Committee, by a vote of 20 to 1, with 86 abstentions, decided to hear Mr. Hassan Youssouf Mahamoud at that meeting. Accordingly, Mr. Hassan Youssouf Mahamoud made a statement concerning the question of French Somaliland at the aforementioned meeting. At the 22nd meeting, on 11 November, Mr. Mohamed Abdelaziz of the Frente POLISARIO made a statement. No representatives of PRB appeared before the Committee.

13. The general debate covering the items referred to in paragraph 3 above took place at the 11th to 24th and 27th meetings, between 28 October and 17 November.

14. Under item 25, the Fourth Committee adopted 15 draft resolutions and four draft consensuses concerning the following Territories:

- I. Western Sahara
- II. Solomon Islands
- III. Gilbert Islands
- IV. Tokelau Islands
- V. Falkland Islands (Malvinas)
- VI. Belize
- VII. New Hebrides
- VIII. Bermuda, Cayman Islands, Montserrat and Turks and Caicos Islands
- IX. St. Helena (consensus)
- X. Tuvalu (consensus)
- XI. Timor
- XII. British Virgin Islands
- XIII. American Samoa
- XIV. Gibraltar (consensus)
- XV. Cocos (Keeling) Islands (consensus)
- XVI. Brunei
- XVII. United States Virgin Islands
- XVIII. Guam
- XIX. French Somaliland

An account of the Committee's consideration of the draft resolutions and the draft consensuses is given in sections I to XIX below.

15. At its 28th meeting, on 18 November, the Committee took decisions concerning the questions of Pitcairn and of Antigua, Dominica, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent, as reflected in paragraph 73 below. In taking these decisions, the Committee noted that, subject to any directives which the General Assembly might give in that connexion, the Special Committee had decided to give consideration to the latter group of Territories at the following session.

I. *Western Sahara*

16. At the 22nd meeting, the Chairman drew attention to a draft resolution prepared by him concerning Western Sahara (A/C.4/31/L.13).

17. At its 23rd meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.13 without objection (see para. 71 below, draft resolution I).

II. *Solomon Islands*

18. At the 19th meeting, the Chairman drew attention to a draft resolution concerning the Solomon Islands (A/C.4/31/L.3).

19. At the 21st meeting, the representative of Papua New Guinea introduced draft resolution A/C.4/31/L.3, which was finally sponsored by the following Member States: Australia, Austria, Canada, Fiji, India, Indonesia, Iraq, Ivory Coast, Japan, Malaysia, Mozambique, New Zealand, Papua New Guinea, Philippines, Sierra Leone, Singapore, Thailand, Trinidad and Tobago, Uganda and United Republic of Tanzania.

20. At its 25th meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.3 without objection (see para. 71 below, draft resolution II).

III. *Gilbert Islands*

21. At the 21st meeting, the representative of Sierra Leone introduced a draft resolution concerning the Gilbert Islands (A/C.4/31/L.7), which was finally sponsored by the following Member States: Australia, Denmark, Fiji, India, Indonesia, Iraq, Ivory Coast, Jamaica, Japan, Liberia, Malaysia, Mali, Mozambique, New Zealand, Papua New Guinea, Philippines, Senegal, Sierra Leone, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Republic of Tanzania and Yugoslavia.

22. At its 25th meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted draft resolution A/C.4/31/L.7 without objection (see para. 71 below, draft resolution III).

IV. *Tokelau Islands*

23. At the 23rd meeting, the Chairman drew attention to a draft resolution concerning the Tokelau Islands (A/C.4/31/L.14).

24. At the 24th meeting, the representative of Iran introduced draft resolution A/C.4/31/L.14, which was

finally sponsored by the following Member States: Argentina, Australia, Austria, Congo, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Malaysia, Mozambique, Papua New Guinea, Philippines, Sierra Leone, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon and United Republic of Tanzania.

25. At its 25th meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted draft resolution A/C.4/31/L.14 without objection (see para. 71 below, draft resolution IV).

V. *Falkland Islands (Malvinas)*

26. At the 22nd meeting, the representative of Iraq introduced a draft resolution concerning the Falkland Islands (Malvinas) (A/C.4/31/L.8), sponsored by Benin, Bolivia, Burundi, Colombia, Cuba, Cyprus, the Dominican Republic, Ecuador, Iraq, Mali, Mexico, Mozambique, Panama, Peru, Senegal, Sudan, Uruguay and Venezuela. The draft resolution in its revised form (A/C.4/31/L.8/Rev.1) was finally sponsored by the following Member States: Benin, Bolivia, Burundi, Colombia, Cuba, Cyprus, Dominican Republic, Ecuador, Egypt, Iraq, Mali, Mexico, Mozambique, Panama, Peru, Senegal, Syrian Arab Republic, Uganda, Uruguay and Venezuela.

27. At its 25th meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.8/Rev.1 by a recorded vote of 94 to 1, with 32 abstentions (see para. 71 below, draft resolution V). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Togo, 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, Yemen, Yugoslavia, Zambia.

Against: United Kingdom of Great Britain and Northern Ireland.

Abstaining: Australia, Austria, Bahamas, Barbados, Belgium, Botswana, Canada, Denmark, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Guyana, Iceland, Ireland, Italy, Jamaica, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Papua New

Guinea, Portugal, Sierra Leone, Singapore, Sweden, Trinidad and Tobago, United States of America, Zaire.

VI. Belize

28. At the 22nd meeting, the Chairman drew attention to a draft resolution concerning Belize (A/C.4/31/L.10).

29. At the 26th meeting, the representative of Kuwait introduced draft resolution A/C.4/31/L.10, which was finally sponsored by the following Member States: Afghanistan, Algeria, Australia, Austria, Bahamas, Barbados, Benin, Bhutan, Burundi, Canada, Chad, Congo, Cuba, Denmark, Equatorial Guinea, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, India, Iraq, Ivory Coast, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Madagascar, Malaysia, Mali, Mozambique, Nepal, New Zealand, Oman, Romania, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Surinam, Sweden, Trinidad and Tobago, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire and Zambia. In his statement, the representative of Kuwait submitted, on behalf of the sponsors, an oral revision to the text of the draft resolution by which, in the fourth preambular paragraph, the words "in pursuance of paragraph 6 of resolution 3432 (XXX)" were deleted.

30. At the same meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.10, as orally revised, by a recorded vote of 111 to 9, with 15 abstentions (see para. 71 below, draft resolution VI). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Surinam, Swaziland, 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, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Bolivia, Chile, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Paraguay, Uruguay.

Abstaining: Argentina, Brazil, Colombia, Dominican Republic, Ecuador, Israel, Japan, Mauritania, Mexico,

Morocco, Pakistan, Peru, Spain, United States of America, Venezuela.

VII. New Hebrides

31. At the 25th meeting, the Chairman drew attention to a draft resolution concerning the New Hebrides (A/C.4/31/L.19), which was sponsored by the following Member States: Australia, Ghana, Indonesia, Japan, Malaysia, New Zealand, Papua New Guinea, Philippines, Sierra Leone and United Republic of Tanzania.

32. On 16 November, a revised text of the draft resolution (A/C.4/31/L.19/Rev.1) was circulated by the sponsors, now including the Ivory Coast and Mozambique, in which the fifth preambular paragraph, which had read:

"Having heard the statement of the representative of the Government of the United Kingdom of Great Britain and Northern Ireland, as an administering Power, relating to developments in the New Hebrides",

was replaced by:

"Having heard the statements of the representatives of the Governments of France and of the United Kingdom of Great Britain and Northern Ireland, as the administering Powers, relating to developments in the New Hebrides".

33. At its 27th meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted revised draft resolution A/C.4/31/L.19/Rev.1 without objection (see para. 71 below, draft resolution VII).

VIII. Bermuda, Cayman Islands, Montserrat and Turks and Caicos Islands

34. At the 25th meeting, the representative of Barbados introduced a draft resolution concerning Bermuda, the Cayman Islands, Montserrat and the Turks and Caicos Islands (A/C.4/31/L.20), which was sponsored by the following Member States: Bahamas, Barbados, Belgium, Canada, Guyana, India, Trinidad and Tobago and United Kingdom of Great Britain and Northern Ireland.

35. In his statement, the representative of Barbados submitted, on behalf of the sponsors, now joined by Australia, Benin, Guinea, the Ivory Coast, Jamaica and Mozambique, the following oral revisions to the draft resolution:

(a) The ninth preambular paragraph, which had read:

"Aware of the special circumstances of the geographical location and economic conditions of the Territories concerned and stressing the necessity of diversifying their economies as a matter of priority in order to reduce their dependence on fluctuating economic activities",

was replaced by:

"Aware of the special circumstances of the geographical location and economic conditions of the Territories

concerned and stressing the necessity of diversifying and strengthening further their economies as a matter of priority in order to promote economic stability and to reduce their dependence on fluctuating economic activities”;

(b) In operative paragraph 2, the phrase “should they so wish” was deleted;

(c) Operative paragraph 5, which had read:

“5. *Calls upon* the administering Power to take all possible steps, in consultation with the local authorities as appropriate, to diversify the economies of the Territories listed above and to work out concrete programmes of assistance and economic development for those Territories”;

was replaced by:

“5. *Calls upon* the administering Power to expand its programme of budgetary and development aid and to take all possible steps, in consultation with the local authorities as appropriate, to diversify and strengthen further the economies of the Territories listed above and to work out concrete programmes of assistance and economic development for those Territories”.

36. At its 27th meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted revised draft resolution A/C.4/31/L.20/Rev.1 without objection (see para. 71 below, draft resolution VIII).

IX. *St. Helena*

37. At the 25th meeting, the Chairman drew attention to a draft consensus concerning St. Helena (A/C.4/31/L.17).

38. At the same meeting, the Secretary of the Committee made a statement under the terms of rule 153 of the rules of procedure of the General Assembly concerning the administrative and financial implications of the recommendation contained in the draft consensus.

39. At its 27th meeting, the Fourth Committee adopted draft consensus A/C.4/31/L.17 without objection (see para. 72 below, draft consensus I).

X. *Tuvalu*

40. At the 25th meeting, the Chairman drew attention to a draft consensus concerning Tuvalu (A/C.4/31/L.18).

41. At its 27th meeting, the Fourth Committee adopted draft consensus A/C.4/31/L.18 without objection (see para. 72 below, draft consensus II).

XI. *Timor*

42. On 10 November, a draft resolution concerning Timor (A/C.4/31/L.5) was submitted on behalf of the

following Member States: Algeria, Benin, Congo, Cuba, Democratic Kampuchea, Guinea, Guinea-Bissau and Mozambique. A statement by the Secretary-General (A/C.4/31/L.9), submitted in accordance with rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, was circulated on the same date. The draft resolution (A/C.4/31/L.5) read as follows:

“*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,

“*Recalling* General Assembly resolution 3485 (XXX) of 12 December 1975 and Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976.

“*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/31/23/Add.6),

“*Bearing in mind* the political declaration of the Fifth Conference of Heads of State or Government of Non-Aligned Countries in connexion with the question of East Timor (A/31/197, annex I, para. 36),

“*Having heard* the statement of the representative of Portugal (13th meeting),

“*Having also heard* the statement of the representative of the Frente Revolucionária de Timor Leste Independente (FRETILIN) (13th meeting),

“*Mindful* that all States should, in conformity with Article 2, paragraph 4, of the Charter of the United Nations, 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 critical situation resulting from the military intervention of the armed forces of Indonesia in East Timor,

“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. *Condemns* the persistent refusal of the Government of Indonesia to comply with the provisions of General Assembly resolution 3485 (XXX) 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. *Calls upon* the Government of Indonesia to cease hostilities against the forces of the Frente Revolucionária de Timor Leste Independente (FRETILIN) and to withdraw all Indonesian forces from the Territory in compliance with the relevant United Nations resolutions;

"5. *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 take all effective steps for the immediate 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;

"6. *Calls upon* all States to respect the unity and territorial integrity of East Timor;

"7. *Decides* to invite the representative of FRETILIN to participate as appropriate in its proceedings relating to East Timor, including those 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;

"8. *Requests* the Special Committee 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 on the Granting of Independence to Colonial Countries and Peoples and to report to the General Assembly at its thirty-second session;

"9. *Decides* to include in the agenda of its thirty-second session an item entitled 'Question of East Timor'."

43. At the 21st meeting, the representative of Guinea-Bissau, on behalf of the sponsors, withdrew the draft resolution (A/C.4/31/L.5).

44. At the 25th meeting, the representatives of Guinea-Bissau, the United Republic of Tanzania and Benin introduced a draft resolution concerning Timor (A/C.4/31/L.15), which was sponsored by the following Member States: Algeria, Benin, Congo, Cuba, Democratic Kampuchea, Guinea, Guinea-Bissau, Mali, Mozambique and United Republic of Tanzania.

45. At the same meeting, the Chairman drew attention to a statement by the Secretary-General (A/C.4/31/L.21), submitted in accordance with rule 153 of the rules of procedure of the General Assembly, concerning the administrative and financial implications of the draft resolution under consideration.

46. At its 27th meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.15 by a roll-call vote of 61 to 18, with 49 abstentions (see para. 71 below, draft resolution IX). The voting was as follows:

In favour: Albania, Algeria, Benin, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Congo, Cuba, Cyprus, Czecho-

slovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Equatorial Guinea, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Ivory Coast, Jamaica, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Mali, Mexico, Mongolia, Mozambique, Niger, Nigeria, Pakistan, Panama, Poland, Portugal, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Swaziland, Sweden, Togo, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zambia.

Against: Bangladesh, Chile, India, Indonesia, Iran, Japan, Jordan, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Philippines, Saudi Arabia, Surinam, Thailand, Tunisia, United States of America.

Abstaining: Afghanistan, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Canada, Costa Rica, Denmark, Dominican Republic, Egypt, El Salvador, Fiji, Finland, France, Germany, Federal Republic of, Grenada, Guatemala, Honduras, Iraq, Ireland, Israel, Italy, Kuwait, Lebanon, Nepal, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Qatar, Singapore, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire.

XII. *British Virgin Islands*

47. At the 21st meeting, the Chairman drew attention to a draft resolution concerning the British Virgin Islands (A/C.4/31/L.6), sponsored by India, the Ivory Coast, Jamaica, Japan, Liberia, Senegal, Sierra Leone, Trinidad and Tobago, the United Republic of Tanzania and Yugoslavia.

48. At the 22nd meeting, the representative of Sierra Leone introduced a revised text (A/C.4/31/L.6/Rev.1) of the draft resolution, which was finally sponsored by the following Member States: Australia, Congo, Denmark, Fiji, Grenada, India, Ivory Coast, Jamaica, Japan, Kenya, Liberia, Mozambique, Senegal, Sierra Leone, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Republic of Cameroon, and United Republic of Tanzania.

49. The revised draft resolution (A/C.4/31/L.6/Rev.1) contained the following new paragraph which was added as operative paragraph 2:

"2. *Reaffirms* the inalienable right of the people of the British Virgin Islands to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples".

50. At the 25th meeting, the Secretary of the Committee made a statement, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the administrative and financial implications of the recommendation contained in the draft resolution.

51. At the 27th meeting, the representative of the United Republic of Tanzania, on behalf of the sponsors,

submitted an oral revision to the text of the revised draft resolution by which, in the last preambular paragraph, the words “and the expression of his Government’s readiness to grant independence to the British Virgin Islands if the majority of its inhabitants so desire” were deleted.

52. At its 28th meeting, the Fourth Committee adopted revised draft resolution A/C.4/31/L.6/Rev.1, as orally revised, without objection (see para. 71 below, draft resolution X).

XIII. *American Samoa*

53. At the 26th meeting, the Chairman drew attention to a draft resolution concerning American Samoa (A/C.4/31/L.22), which was finally sponsored by the following Member States: Australia, Grenada, Indonesia, Japan, Malaysia, New Zealand, Papua New Guinea, Philippines, Sierra Leone and United Republic of Tanzania.

54. At the 28th meeting, the representative of Australia, on behalf of the sponsors, submitted the following oral revisions to the text of the draft resolution:

(a) The fourth preambular paragraph was deleted;

(b) At the end of operative paragraph 2, the following words were added: “contained in General Assembly resolution 1514 (XV)”.

55. At the same meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted draft resolution A/C.4/31/L.22, as orally revised, without objection (see para. 71 below, draft resolution XI).

XIV. *Gibraltar*

56. At the 26th meeting, the Chairman drew attention to a draft consensus concerning Gibraltar (A/C.4/31/L.23).

57. At its 28th meeting, the Fourth Committee adopted draft consensus A/C.4/31/L.23 without objection (see para. 72 below, draft consensus III).

XV. *Cocos (Keeling) Islands*

58. At the 26th meeting, the Chairman drew attention to a draft consensus concerning the Cocos (Keeling) Islands (A/C.4/31/L.24).

59. At its 28th meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted draft consensus A/C.4/31/L.24 without objection (see para. 72 below, draft consensus IV).

XVI. *Brunei*

60. At the 22nd meeting, the Chairman drew attention to a draft resolution concerning Brunei (A/C.4/31/L.12).

61. At the 26th meeting, the representative of Malaysia introduced draft resolution A/C.4/31/L.12, which was finally sponsored by the following Member States: Egypt, Indonesia, Iraq, Jordan, Kuwait, Libyan Arab Republic, Madagascar, Malaysia, Mozambique, Philippines, Syrian Arab Republic and United Republic of Tanzania.

62. At the 28th meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted draft resolution A/C.4/31/L.12 by 107 votes to none, with 15 abstentions (see para. 71 below, draft resolution XII).

XVII. *United States Virgin Islands*

63. At the 28th meeting, the Chairman drew attention to a draft resolution concerning the United States Virgin Islands (A/C.4/31/L.25), which was sponsored by the following Member States: Dominican Republic, Ivory Coast and Sierra Leone.

64. At the same meeting, the representative of the Ivory Coast, on behalf of the sponsors, submitted an oral revision to the text of the draft resolution, by which the fourth preambular paragraph was deleted.

65. At its 29th meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted draft resolution A/C.4/31/L.25, as orally revised, without objection (see para. 71 below, draft resolution XIII).

XVIII. *Guam*

66. At the 31st meeting, the Chairman drew attention to a draft resolution concerning Guam (A/C.4/31/L.26), which was finally sponsored by the following Member States: Benin, Comoros, Cuba, Iraq, Lao People’s Democratic Republic and Libyan Arab Republic.

67. At its 32nd meeting, following a statement by the Secretary of the Committee, under the terms of rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications, the Fourth Committee adopted draft resolution A/C.4/31/L.26 by a recorded vote of 60 to 21, with 42 abstentions (see para. 71 below, draft resolution XIV). The voting was as follows:

In favour. Afghanistan, Albania, Algeria, Bahrain, Barbados, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, China, Comoros, Congo, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iraq, Jamaica, Kenya, Kuwait, Lao People’s Democratic Republic, Libyan Arab Republic, Madagascar, Mali, Mexico, Mongolia, Mozambique, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Poland, Sao Tome and Principe, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Uganda.

Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Yugoslavia, Zambia.

Against: Australia, Belgium, Canada, Chile, Denmark, Dominican Republic, France, Germany, Federal Republic of, Grenada, Haiti, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Nicaragua, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Argentina, Austria, Bahamas, Bolivia, Brazil, Burma, Chad, Colombia, Costa Rica, El Salvador, Fiji, Finland, Gabon, Greece, Guatemala, Honduras, Iceland, Indonesia, Iran, Ivory Coast, Jordan, Lesotho, Liberia, Malawi, Malaysia, Nepal, Norway, Oman, Paraguay, Philippines, Portugal, Qatar, Saudi Arabia, Singapore, Spain, Surinam, Sweden, Thailand, Tunisia, Turkey, Upper Volta, Zaire.

XIX. *French Somaliland*

68. At the 31st meeting, the representative of Egypt introduced a draft resolution concerning French Somaliland (A/C.4/31/L.27), which was finally sponsored by the following Member States: Algeria, Benin, Burundi, Cape Verde, Chad, Congo, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Yemen and Zambia.

69. At the 32nd meeting, the Chairman drew attention to a statement by the Secretary-General (A/C.4/31/L.28), submitted in accordance with rule 153 of the rules of procedure of the General Assembly, concerning the related administrative and financial implications of the draft resolution under consideration.

70. At the same meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.27 by a recorded vote of 111 to none, with 18 abstentions (see para. 71 below, draft resolution XV). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Austria, Bahamas, Bahrain, Barbados, Benin, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Poland, Portugal, Romania, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Surinam, Swaziland, 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 Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Belgium, Canada, Chile, Denmark, Dominican Republic, Germany, Federal Republic of, Greece, Guatemala, Haiti, Ireland, Israel, Italy, Luxembourg, Netherlands, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Recommendations of the Fourth Committee

71. The Fourth Committee recommends to the General Assembly the adoption of draft resolutions I to XV below

DRAFT RESOLUTION I

Question of Western Sahara

The General Assembly,

Having considered the question of Western Sahara,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Considering the decision of the Assembly of Heads of State and Government of the Organization of African Unity, at its thirteenth ordinary session, held at Port Louis from 2 to 6 July 1976, to hold an extraordinary session devoted to the question of Western Sahara (see A/31/136-S/12141, annex II, resolution AHG/Res. 81 (XIII)).

Taking note of the part regarding Western Sahara of the Political Declaration adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (A/31/197, annex I, para. 35),

Recalling its previous resolutions concerning the Territory,

Recalling also its resolution 3412 (XXX) of 28 November 1975 regarding co-operation between the United Nations and the Organization of African Unity,

1. *Reaffirms* its commitment to the principle of self-determination of peoples in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Takes note* of the decision taken by the Assembly of Heads of State and Government of the Organization of African Unity to convene an extraordinary session with a view to finding a just and lasting solution to the problem of Western Sahara;

3. *Decides* to postpone consideration of the question of Western Sahara until its thirty-second session;

4. *Requests* the Administrative Secretary-General of the Organization of African Unity to inform the Secretary-General of the United Nations of the progress achieved in the implementation of the decisions of the Organization of African Unity concerning Western Sahara, and invites the Secretary-General of the United Nations to report on that information to the General Assembly at its thirty-second session.

DRAFT RESOLUTION II

Question of the Solomon Islands

The General Assembly,

Having considered the question of the Solomon Islands,

Having examined the relevant 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 (A/31/23/Add.8 (part III), chap. XXI),

Having heard the statement of the administering Power (11th meeting),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the Territory,

Recalling also its resolution 3431 (XXX) of 8 December 1975 on the question of the Solomon Islands,

Noting with satisfaction that the Solomon Islands achieved full internal self-government on 2 January 1976 and that the Governments of the United Kingdom of Great Britain and Northern Ireland and the Solomon Islands agree that the Territory should proceed to early independence,

Noting also with satisfaction the development assistance provided by the United Kingdom, as the administering Power, Australia and New Zealand, as well as the assistance of the United Nations Development Programme in the economic development of the Territory during 1976,

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 Solomon Islands;

2. *Reaffirms* the inalienable right of the people of the Solomon Islands to self-determination and independence, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Requests* the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to continue to assist the people of the Solomon Islands towards the achievement of independence;

4. *Further requests* the administering Power, in consultation with the people of the Solomon Islands, to continue

its efforts towards diversification of the economy of the Territory;

5. *Stresses* the responsibility of the United Nations to render all possible assistance to the people of the Solomon Islands in their efforts to consolidate their national independence and, to that end, invites the specialized agencies and the institutions associated with the United Nations to work out concrete programmes of assistance to the Solomon Islands;

6. *Requests* the Special Committee to keep the situation in the Territory under review.

DRAFT RESOLUTION III

Question of the Gilbert Islands

The General Assembly,

Having considered the question of the Gilbert Islands,

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/31/23 (part II), chap. III, and A/31/23/Add.8 (part III), chap. XIX),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the Territory,

Having heard the statement of the administering Power relating to developments in the Territory (11th meeting),

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 Gilbert Islands (A/31/23/Add.8 (part III), chap. XIX);

2. *Reaffirms* the inalienable right of the people of the Gilbert Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Requests* the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to continue to take measures to expedite the process of decolonization in the Territory in accordance with the relevant recommendations of the Special Committee, including in particular the observations of the United Nations Visiting Mission dispatched to the Territory in 1974;²

4. *Requests* that steps be taken towards diversification of the economy of the Territory and that the administering Power continue to enlist the assistance of the specialized

² See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 23*, chap. XXI, annex I.

agencies and the organizations within the United Nations system in the development and strengthening of the economy of the Territory;

5. *Requests* the Special Committee to continue to seek the best ways and means for the implementation of the Declaration with respect to the Gilbert Islands, including the possible dispatch of a further visiting mission in consultation with the administering Power, and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION IV

Question of Tokelau

The General Assembly,

Having considered the question of the Tokelau Islands,

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/31/23 (part II), chap. III, and A/31/23/Add.8 (part II)), including in particular the report of the United Nations Visiting Mission dispatched to the Territory in June 1976 (A/31/23/Add.8 (part II), annex) at the invitation of the Government of New Zealand, as the administering Power, and the people of the Tokelau Islands,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 3428 (XXX) of 8 December 1975, on the question of the Tokelau Islands,

Having heard the statement of the administering Power (12th meeting),

Having also heard the statement of one of the members of the Visiting Mission (24th meeting),

Mindful of the responsibility of the United Nations to help the people of the Tokelau Islands to realize their aspirations in accordance with the objectives set forth in the Declaration,

Aware of the special problems facing the Territory by virtue of its isolation, small size and meagre resources,

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 Tokelau Islands (A/31/23/Add.8 (part II));

2. *Reaffirms* the inalienable right of the people of the Tokelau Islands to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Commends* the conclusions and recommendations contained in the report of the United Nations Visiting

Mission dispatched to the Tokelau Islands in 1976 (*ibid.*, annex, paras. 381-421) to the Government of New Zealand, as the administering Power, and to the people of the Tokelau Islands for their consideration;

4. *Expresses its appreciation* to the members of the Visiting Mission for the constructive work which they accomplished, and to the administering Power, the *fonos* (councils) and the people of the Tokelau Islands for the close co-operation and assistance extended to the Mission;

5. *Decides* that, in accordance with the wishes of the people of the Tokelau Islands, as expressed through their representatives, and in conformity with the recommendation of the Visiting Mission, the Territory shall henceforth be known as "Tokelau";

6. *Expresses the view* that measures to promote the economic development of Tokelau are an important element in the process of self-determination, and the hope that the administering Power will continue to intensify and expand its programme of budgetary support and development aid to the Territory;

7. *Requests* the administering Power, in the light of the conclusions and recommendations of the Visiting Mission, to continue to enlist the assistance of the specialized agencies and other organizations within the United Nations system, as well as other regional and international bodies, in the strengthening and development of the economy of the Territory;

8. *Requests* the specialized agencies and other organizations to consider the methods and scale of their operations, in order to ensure that they shall be able to respond appropriately to the requirements of such small and isolated Territories as Tokelau;

9. *Requests* the administering Power to take the necessary measures to intensify programmes of political education, as well as to ensure the preservation of the identity and the cultural heritage of the people of Tokelau;

10. *Requests* the Special Committee to continue to examine this question at its next session in the light of the findings of the Visiting Mission, including the possible dispatch of a second visiting mission to Tokelau, as appropriate and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-second session.

DRAFT RESOLUTION V

Question of the Falkland Islands (Malvinas)

The General Assembly,

Having considered the question of the Falkland Islands (Malvinas),

Recalling its resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965 and 3160 (XXVIII) of 14 December 1973,

Bearing in mind the paragraphs related to this question contained in the Political Declaration adopted by the

Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Lima from 25 to 30 August 1975,³ and in the Political Declaration adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (A/31/197, annex I, para. 119),

Having regard to 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 Falkland Islands (Malvinas) (A/31/23/Add.9 (part III), chap. XXX) and, in particular, the conclusions and recommendations of the Special Committee concerning the Territory (*ibid.*, para. 8),

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 Falkland Islands (Malvinas) and, in particular, the conclusions and recommendations of the Special Committee concerning the Territory;

2. *Expresses its gratitude* for the continuous efforts made by the Government of Argentina, in accordance with the relevant decisions of the General Assembly, to facilitate the process of decolonization and to promote the well-being of the population of the islands;

3. *Requests* the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to expedite the negotiations concerning the dispute over sovereignty as requested in General Assembly resolutions 2065 (XX) and 3160 (XXVIII);

4. *Calls upon* the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process recommended in the above-mentioned resolutions;

5. *Requests* both Governments to report to the Secretary-General and to the General Assembly as soon as possible on the results of the negotiations.

DRAFT RESOLUTION VI

Question of Belize

The General Assembly,

Having considered the question of Belize,

Having examined the relevant 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 (A/31/23/Add.9 (part I), chap. XXVI),

Recalling its resolution 3432 (XXX) of 8 December 1975,

Having heard the statements of the representatives of the United Kingdom of Great Britain and Northern Ireland (15th meeting) and Guatemala (19th and 26th meetings),

Having also heard the statement of the representative of Belize (15th meeting),

Reaffirming the principles established in the Declaration on the Granting of Independence to Colonial Countries and Peoples, set out in its resolution 1514 (XV) of 14 December 1960, in particular, that all peoples have the right to self-determination, by virtue of which right they freely determine their political status and freely pursue their economic, social and cultural development,

Noting that negotiations have taken place between the Government of the United Kingdom, as the administering Power, acting in close consultation with the Government of Belize, and the Government of Guatemala, pursuant to the provisions of paragraphs 4 and 5 of resolution 3432 (XXX),

Regretting that these negotiations have not resulted in the removal of such obstacles as have hitherto prevented the people of Belize from exercising freely and without fear their inalienable right to self-determination and independence,

1. *Reaffirms* the inalienable right of the people of Belize to self-determination and independence;

2. *Reaffirms* that the inviolability and territorial integrity of Belize must be preserved;

3. *Calls upon* all States to respect the right of the people of Belize to self-determination, independence and territorial integrity, to facilitate the attainment of their goal of a secure and early independence and to refrain from any action that would threaten the territorial integrity of Belize;

4. *Calls also upon* the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, acting in close consultation with the Government of Belize, and the Government of Guatemala to pursue vigorously their negotiations in accordance with the principles of General Assembly resolution 3432 (XXX), in order to reach an early conclusion;

5. *Requests* the two Governments concerned to report to the General Assembly at its thirty-second session on such agreements as may have been reached in the negotiations referred to above;

6. *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 its examination of the question.

DRAFT RESOLUTION VII

Question of the New Hebrides

The General Assembly,

Having considered the question of the New Hebrides,

³ A/10217 and Corr.1, annex, para. 87.

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/31/23 (part II), chap. III, and A/31/23/Add.8 (part I), chap. XVI),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the Territory, including General Assembly resolutions 3290 (XXIX) of 13 December 1974 and 3433 (XXX) of 8 December 1975,

Aware that France, as an administering Power, has not participated in the discussions of the Special Committee relating to the Territory,

Having heard the statements of the representatives of the Governments of France (27th meeting) and the United Kingdom of Great Britain and Northern Ireland (11th meeting), as the administering Powers, relating to developments in the New Hebrides,

Noting the joint communiqué issued by the Governments of France and the United Kingdom on 7 October 1976 (A/31/286), in which the administering Powers state that it is their joint policy to promote the democratic evolution of the New Hebrides in accordance with the principle of self-determination,

Conscious of the need to accelerate progress towards the full implementation of the Declaration with respect to the New Hebrides,

Bearing in mind the constructive results achieved as a consequence of previous visiting missions to colonial Territories, and reiterating its conviction that the dispatch of such a mission to the New Hebrides is essential for securing adequate and first-hand information in regard to the conditions prevailing in the Territory and to the views, wishes and aspirations of the people therein with respect to their future status,

Aware of the special circumstances of the geographical location and economic conditions of the New Hebrides, and stressing the necessity of diversifying its economy as a matter of priority,

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 New Hebrides (A/31/23/Add.8 (part I), chap. XVI);

2. *Reaffirms* the inalienable right of the people of the Territory to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms its conviction* that questions of territorial size, geographical isolation and limited resources should in no way delay the implementation of the Declaration with respect to the New Hebrides;

4. *Notes with satisfaction* the establishment of the Representative Assembly of the New Hebrides and the declared intention of the administering Powers to increase progressively the responsibilities enjoyed by that Assembly, in accordance with the wishes of the people of the Territory;

5. *Reiterates* its request that the two administering Powers should continue to take measures to expedite the process of decolonization in the New Hebrides;

6. *Requests* the administering Powers to take all appropriate steps to strengthen the economy of the New Hebrides and to work out concrete programmes of assistance and economic development for the Territory;

7. *Requests* the administering Powers to continue to enlist the assistance of the specialized agencies and other organizations within the United Nations system in accelerating progress in all sectors of the national life of the Territory;

8. *Requests* the Governments of France and the United Kingdom of Great Britain and Northern Ireland to co-operate with the Special Committee and to consider permitting access by a United Nations visiting mission to the New Hebrides, and to report on this aspect to the Special Committee when it next considers the question of the New Hebrides;

9. *Requests* the Special Committee to continue to seek the best ways and means for the implementation of the Declaration with respect to the New Hebrides, including the possible dispatch of a visiting mission in consultation with the administering Powers, and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION VIII

Question of Bermuda, the Cayman Islands, Montserrat, and the Turks and Caicos Islands

The General Assembly.

Having considered the question of Bermuda, the Cayman Islands, Montserrat and the Turks and Caicos Islands,

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/31/23 (part II), chap. III, A/31/23/Add.9 (part I), chap. XXVII, and A/31/23/Add.9 (part III), chap. XXIX),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the Territories listed above, in particular General Assembly resolutions 3425 (XXX) and 3427 (XXX) of 8 December 1975,

Taking into account the statement of the administering Power relating to the Territories listed above (11th meeting),

Noting the continued readiness of the administering Power to grant independence to the peoples of the Territories under its administration on the basis of their express wishes and aspirations in that regard, and its declared policy of fostering the growth of free and democratic political institutions in those Territories,

Conscious of the need to accelerate progress towards the full implementation of the Declaration with respect to the Territories concerned,

Bearing in mind the constructive results achieved as a consequence of the United Nations Visiting Mission dispatched to Montserrat in 1975,⁴ and reiterating its conviction that the dispatch of such missions to colonial Territories is essential for securing adequate and first-hand information in regard to the political, economic and social conditions in those Territories and to the views, wishes and aspirations of the peoples therein,

Mindful that those Territories require the continued attention and assistance of the United Nations in the achievement by their peoples of the objectives embodied in the Charter of the United Nations and in the Declaration,

Aware of the special circumstances of the geographical location and economic conditions of the Territories concerned, and stressing the necessity of diversifying and strengthening further their economies as a matter of priority in order to promote economic stability and to reduce their dependence on fluctuating economic activities,

1. *Approves* the 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 relating to Bermuda, the Cayman Islands, Montserrat and the Turks and Caicos Islands (A/31/23/Add.9 (part I), chap. XXVII, and A/31/23/Add.9 (part III), chap. XXIX);

2. *Reaffirms* the inalienable right of the peoples of those Territories to self-determination and to independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms its conviction* that questions of territorial size, geographical isolation and limited resources should in no way delay the implementation of the Declaration with respect to the Territories concerned;

4. *Calls upon* the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, in consultation with the freely elected representatives of the peoples, to continue to take all the necessary steps to ensure the full and speedy attainment of the goals set forth in the Declaration with respect to the Territories;

5. *Calls upon* the administering Power to expand its programme of budgetary and development aid and to take all possible steps, in consultation with the local authorities as appropriate, to diversify and strengthen further the economies of the Territories listed above and to work out concrete programmes of assistance and economic development for those Territories;

⁴ See *Official Records of the General Assembly, Thirtieth Session, Supplement No. 23*, chap. XXVIII, annex.

6. *Urges* the administering Power, with the co-operation of the Governments of the Territories concerned, to safeguard the inalienable right of the peoples of those Territories to the enjoyment of their natural resources by taking effective measures which guarantee the rights of the peoples to own and dispose of those natural resources and to establish and maintain control of their future development;

7. *Welcomes* the positive attitude of the administering Power with respect to the receiving of United Nations visiting missions in the Territories under its administration and requests the Chairman of the Special Committee to continue his consultation with a view to the dispatch of such missions, as appropriate;

8. *Requests* the administering Power to continue to enlist the assistance of the specialized agencies and other organizations within the United Nations system in accelerating progress in all sectors of the national life of those Territories;

9. *Requests* the Special Committee to continue to seek the best ways and means for the implementation of the Declaration with respect to Bermuda, the Cayman Islands, Montserrat and the Turks and Caicos Islands, including the possible dispatch of visiting missions in consultation with the administering Power, and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION IX

Question of 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,

Recalling its resolution 3485 (XXX) of 12 December 1975 and Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976,

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/31/23/Add.6),

Bearing in mind the part regarding the question of East Timor of the Political Declaration adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (A/31/197, annex I, para. 36),

Having heard the statement of the representative of Portugal (13th meeting),

Having also heard the statement of the representative of the Frente Revolucionária de Timor Leste Independente (*ibid.*),

Mindful that all States should, in conformity with Article 2, paragraph 4, of the Charter of the United Nations, 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 critical situation resulting from the military intervention of the armed forces of Indonesia in East Timor,

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 resolution 3485 (XXX) and Security Council resolutions 384 (1975) and 389 (1976);

3. *Affirms* the principles stated in the part regarding the question of East Timor of the Political Declaration adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries;

4. *Strongly deplores* the persistent refusal of the Government of Indonesia to comply with the provisions of General Assembly resolution 3485 (XXX) and Security Council resolutions 384 (1975) and 389 (1976);

5. *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;

6. *Calls upon* the Government of Indonesia to withdraw all its forces from the Territory;

7. *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 immediate 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;

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 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 to the General Assembly at its thirty-second session;

9. *Decides* to include in the provisional agenda of its thirty-second session an item entitled "Question of East Timor".

DRAFT RESOLUTION X

Question of the British Virgin Islands

The General Assembly,

Having considered the question of the British Virgin Islands,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the Territory,

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/31/23 (part II), chap. III, and A/31/23/Add.9 (part II)), including in particular the report of the United Nations Visiting Mission dispatched to the Territory in May 1976 at the invitation of the administering Power, the Government of the United Kingdom of Great Britain and Northern Ireland (A/31/23/Add.9 (part II), annex),

Having heard the statement of the administering Power (11th meeting),

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 British Virgin Islands (A/31/23/Add.9 (part II));

2. *Reaffirms* the inalienable right of the people of the British Virgin Islands to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Notes with satisfaction* the conclusions and recommendations of the United Nations Visiting Mission dispatched to the Territory in May 1976 (*ibid.*, annex, paras. 154-170), and expresses its appreciation to the members of the Visiting Mission for the constructive work accomplished and to the administering Power and the Government of the British Virgin Islands for the close co-operation and assistance extended to the Mission;

4. *Requests* the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to continue to take all necessary measures, in consultation with the Government of the British Virgin Islands, to expedite the process of decolonization in the Territory in accordance with the relevant provisions of the Charter of the United Nations and the Declaration;

5. *Endorses* the view of the Visiting Mission that measures to promote the economic development of the British Virgin Islands are an important element in the process of self-determination and expresses the hope that the administering Power will continue to intensify and expand its programme of budgetary and development aid;

6. *Requests* the administering Power, in the light of the conclusions and recommendations of the Visiting Mission, to continue to enlist the assistance of the specialized agencies and other organizations within the United Nations system in the development and strengthening of the economy of the Territory, and requests those agencies and organizations to respond appropriately to the development needs of the British Virgin Islands;

7. *Further requests* the administering Power, in consultation with the Government of the British Virgin Islands, to

pay particular attention to the training of qualified local personnel;

8. *Requests* the Special Committee to continue the full examination of this question at its next session in the light of the findings of the Visiting Mission, including the possible dispatch of a further mission to the British Virgin Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-second session.

DRAFT RESOLUTION XI

Question of American Samoa

The General Assembly,

Having considered the question of American Samoa,

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/31/23 (part II), chap. III, and A/31/23/Add.8 (part III), chap. XXII),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to American Samoa,

Conscious of the need to promote progress towards the full implementation of the Declaration with respect to American Samoa,

Bearing in mind the constructive results achieved as a consequence of previous visiting missions to Non-Self-Governing Territories, and reiterating its conviction that the dispatch of such missions is essential for securing adequate and first-hand information in regard to the conditions prevailing in those Territories and to the views, wishes and aspirations of the peoples therein with respect to their future status,

Mindful that American Samoa requires the continued attention and assistance of the United Nations in the achievement by its people of the objectives embodied in the Charter of the United Nations and in the Declaration,

Aware of the special circumstances of the geographical location and economic conditions of American Samoa, and stressing the necessity of diversifying its economy as a matter of priority in order to reduce its dependence on fluctuating economic activities,

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 American Samoa (A/31/23/Add.8 (part III), chap. XXII);

2. *Reaffirms* the inalienable right of the people of American Samoa to self-determination and independence in accordance with the Declaration on the Granting of

Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV);

3. *Reaffirms* its conviction that questions of territorial size, geographical location and limited resources should in no way delay the implementation of the Declaration with respect to American Samoa;

4. *Calls upon* the Government of the United States of America, as the administering Power, in consultation with the freely elected representatives of the people, to continue to take all the necessary steps to ensure the full and speedy attainment of the goals set forth in the Declaration with respect to the Territory;

5. *Calls upon* the administering Power to take all possible steps to diversify the economy of American Samoa and to work out concrete programmes of assistance and economic development for the Territory;

6. *Requests* the administering Power to consider favourably inviting a United Nations mission to visit American Samoa for the purpose of observing conditions in the Territory and learning first-hand of the aspirations of the people concerning their political status;

7. *Urges* the administering Power, with the co-operation of the Government of American Samoa, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures to guarantee the rights of the people to own and dispose of those natural resources and to establish and maintain control of their future development;

8. *Requests* the administering Power to continue to enlist the assistance of the specialized agencies and other organizations within the United Nations system in accelerating progress in all sectors of the national life of American Samoa;

9. *Requests* the Special Committee to continue to seek the best ways and means for the implementation of the Declaration with respect to American Samoa, including the possible dispatch of a visiting mission in consultation with the administering Power, and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION XII

Question of Brunei

The General Assembly,

Having considered the question of Brunei,

Having examined the relevant 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 (A/31/23/Add.8 (part III), chap. XVIII),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as other

relevant resolutions and decisions of the United Nations relating to the Territory, including in particular the consensus on the question adopted by the General Assembly on 13 December 1974,⁵

Recalling also its resolution 3424 (XXX) of 8 December 1975,

1. *Reaffirms* the inalienable right of the people of Brunei to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *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 Brunei;

3. *Notes* that no progress has been achieved so far in the implementation of General Assembly resolution 3424 (XXX);

4. *Calls upon* all parties concerned to work towards the early implementation of resolution 3424 (XXX);

5. *Calls again upon* the Government of the United Kingdom of Great Britain and Northern Ireland, consistent with its responsibility as the administering Power, to take all steps within its competence to facilitate expeditiously the holding of free and democratic elections by the appropriate government authorities in Brunei in consultation with and under the supervision of the United Nations, in accordance with the inalienable right of the people of Brunei to self-determination and independence, and further calls, prior to the elections, for the lifting of the ban on all political parties and the return of all political exiles to Brunei so that they may participate freely and fully in the elections;

6. *Calls upon* the administering Power, in conformity with the provisions of the relevant resolutions of the General Assembly, to extend full co-operation to the Special Committee;

7. *Requests* the Special Committee to continue to keep the situation in the Territory under review and to report thereon to the General Assembly at its thirty-second session.

DRAFT RESOLUTION XIII

Question of the United States Virgin Islands

The General Assembly,

Having considered the question of the United States Virgin Islands,

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/31/23 (part II), chap. III, and A/31/23/Add.9 (part III), chap. XXXI),

⁵ *Ibid.*, Twenty-ninth Session, Supplement No. 31, p. 117, item 23.

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the United States Virgin Islands,

Conscious of the need to promote progress towards the full implementation of the Declaration with respect to the United States Virgin Islands,

Bearing in mind the constructive results achieved as a consequence of previous visiting missions to Non-Self-Governing Territories, and reiterating its conviction that the dispatch of such missions is essential for securing adequate and first-hand information in regard to the conditions prevailing in those Territories and to the views, wishes and aspirations of the peoples therein with respect to their future status,

Mindful that the United States Virgin Islands requires the continued attention and assistance of the United Nations in the achievement by its people of the objectives embodied in the Charter of the United Nations and in the Declaration,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and stressing the necessity of diversifying its economy as a matter of priority, in order to reduce its dependence on fluctuating economic activities,

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 United States Virgin Islands (A/31/23/Add.9 (part III), chap. XXXI);

2. *Reaffirms* the inalienable right of the people of the United States Virgin Islands to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms its conviction* that questions of territorial size, geographical location and limited resources should in no way delay the implementation of the Declaration with respect to the Territory;

4. *Calls upon* the Government of the United States of America, as the administering Power, in consultation with the freely elected representatives of the people, to continue to take all the necessary steps to ensure the full and speedy attainment of the goals set forth in the Declaration with respect to the United States Virgin Islands;

5. *Calls upon* the administering Power to take all possible steps to diversify the economy of the Territory and to work out concrete programmes of assistance and economic development for the United States Virgin Islands;

6. *Requests* the administering Power to consider favourably inviting a United Nations mission to visit the United States Virgin Islands for the purpose of observing conditions in the Territory and learning first-hand of the aspirations of the people concerning their political status;

7. *Urges* the administering Power, with the co-operation of the Government of the Territory, to safeguard the inalienable right of the people of the Territory to the enjoyment of its natural resources by taking effective measures which guarantee the rights of the people to own and dispose of those natural resources and to establish and maintain control of their future development;

8. *Requests* the administering Power to continue to enlist the assistance of the specialized agencies and other organizations within the United Nations system in accelerating progress in all sectors of the national life of the United States Virgin Islands;

9. *Requests* the Special Committee to continue to seek the best ways and means for the implementation of the Declaration with respect to the United States Virgin Islands, including the possible dispatch of a visiting mission in consultation with the administering Power, and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION XIV

Question of Guam

The General Assembly,

Having considered the question of Guam,

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/31/23 (part II), chap. III, A/31/23 (part IV), annex IV, and A/31/23/Add.8 (part III), chap. XXIII),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to Guam, in particular General Assembly resolutions 3429 (XXX) of 8 December 1975 and 3481 (XXX) of 11 December 1975,

Conscious of the need to accelerate progress towards the full implementation of the Declaration with respect to Guam,

Deploring the policy of the administering Power in continuing to maintain military installations on Guam, in contravention of the relevant resolutions of the General Assembly,

Bearing in mind the constructive results achieved as a consequence of previous visiting missions to colonial Territories and reiterating its conviction that the dispatch of such missions is essential for securing adequate and first-hand information in regard to the conditions prevailing in those Territories and to the views, wishes and aspirations of the peoples therein with respect to their future status,

Mindful that Guam requires the continued attention and assistance of the United Nations in the achievement by its people of the objectives embodied in the Charter of the United Nations and in the Declaration,

Aware of the special circumstances of the geographical location and economic conditions of Guam, and stressing the necessity of diversifying its economy as a matter of priority in order to reduce its dependence on fluctuating economic activities,

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 Guam (A/31/23/Add.8 (part III) chap. XXIII);

2. *Reaffirms* the inalienable right of the people of Guam to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms its conviction* that questions of territorial size, geographical location and limited resources should in no way delay the implementation of the Declaration with respect to the Territory;

4. *Calls upon* the Government of the United States of America, as the administering Power, in consultation with the freely elected representatives of the people, to continue to take all the necessary steps to ensure the full and speedy attainment of the goals set forth in the Declaration with respect to Guam;

5. *Strongly deprecates* the establishment of military installations on Guam as being incompatible with the purposes and principles of the Charter of the United Nations and of General Assembly resolution 1514 (XV);

6. *Calls upon* the administering Power to take all possible steps to diversify the economy of the Territory and to work out concrete programmes of assistance and economic development for Guam;

7. *Calls upon* the administering Power to reconsider its attitude towards receiving United Nations visiting missions and to permit access by such a mission to the Territory;

8. *Urges* the administering Power, with the co-operation of the Government of Guam, to safeguard the inalienable right of the people of the Territory to the enjoyment of its natural resources by taking effective measures which guarantee the rights of the people to own and dispose of those natural resources and to establish and maintain control of their future development;

9. *Requests* the administering Power to continue to enlist the assistance of the specialized agencies and other organizations within the United Nations system in accelerating progress in all sectors of the national life of Guam;

10. *Requests* the Special Committee to continue to seek the best ways and means for the implementation of the Declaration with respect to Guam, including the possible dispatch of a visiting mission in consultation with the administering Power, and to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION XV

Question of French Somaliland

The General Assembly,

Having considered the question of so-called French Somaliland (Djibouti),

Having examined the relevant 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 (A/31/23/Add.7 (part II)),

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Recalling also its resolutions 2228 (XXI) of 20 December 1966, 2356 (XXII) of 19 December 1967 and 3480 (XXX) of 11 December 1975 on so-called French Somaliland (Djibouti),

Having heard the statements of the representatives of the liberation movements, the Front de libération de la Côte des Somalis (14th, 17th and 21st meetings) and the Mouvement de libération de Djibouti (17th meeting),

Having also heard the statements of the President of the Government Council of the Territory (14th and 20th meetings), as well as those of the representatives of the political parties, namely, the Ligue populaire africaine pour l'indépendance (17th meeting), the Union nationale pour l'indépendance (20th meeting) and the Mouvement populaire de libération (17th meeting), and of a petitioner (20th meeting),

Taking note of the solemn declarations of the leaders of the delegations of Ethiopia and Somalia before the Council of Ministers of the Organization of African Unity at its twenty-seventh ordinary session, held at Port Louis from 24 June to 3 July 1976, and before the Fourth Committee of the General Assembly (14th, 17th, 20th, 21st and 23rd meetings), affirming that their respective Governments would recognize, respect and honour the independence, sovereignty and territorial integrity of so-called French Somaliland (Djibouti) after its accession to independence,

Taking note also of the resolution on the question of so-called French Somaliland (Djibouti) adopted by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Lima from 25 to 30 August 1975,⁶ and of the part regarding that question contained in the Political Declaration adopted by the Fifth Conference to Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (A/31/197, annex I, para. 37),

Having heard the statement of the representative of France, as the administering Power (14th meeting), and in particular the expressed commitment of his Government to lead the Territory to independence in 1977,

1. *Reaffirms* the inalienable right of the people of so-called French Somaliland (Djibouti) to self-determination and independence;

2. *Reaffirms also* its unqualified support of the right of the people of so-called French Somaliland (Djibouti) to immediate and unconditional independence, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Calls upon* the Government of France to implement scrupulously and equitably, under democratic conditions, the programme for the independence of so-called French Somaliland (Djibouti), as outlined by the representative of France in his statement before the Fourth Committee of the General Assembly (14th meeting), within the indicated time frame, namely, the summer of 1977;

4. *Urges* the leaders of the Government Council of the Territory, as well as the representatives of the liberation movements, the Front de libération de la Côte des Somalis and the Mouvement de libération de Djibouti, and of the political parties and groups, to enter into the broadest possible discussions on neutral grounds, under the auspices of the Organization of African Unity, with a view to resolving their differences, and to agree on a common political platform before the holding of a referendum, in conformity with the resolution adopted by the Council of Ministers at its twenty-seventh ordinary session⁷ and subsequently approved by the Assembly of Heads of State and Government at its thirteenth ordinary session;

5. *Also calls upon* the Government of France to co-operate fully with the Organization of African Unity in its effort to convene, in accordance with the decision of the Assembly of Heads of State and Government, a round-table conference for the speedy implementation of the request contained in paragraph 4 above;

6. *Requests* the Government of France to consider the result of the referendum in its totality, thus respecting the territorial integrity of the future State;

7. *Demands* that the Government of France withdraw its military base from the Territory without delay;

8. *Further calls upon* the Government of France to allow and facilitate the return to the Territory of all refugees who are *bona fide* citizens of the Territory, in accordance with the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa of 10 September 1969⁸ and the Convention relating to the Status of Refugees of 1951;⁹

9. *Requests* the Government of France, in order to ensure the implementation of the request contained in paragraph 8 above, to set up an *ad hoc* committee in accordance with the recommendation of the Fact-Finding Mission of the Organization of African Unity;¹⁰

10. *Reaffirms* its resolution 3480 (XXX);

⁷ A/31/196 and Corr.1, annex, resolution CM/Res. 480 (XXVII).

⁸ Organization of African Unity, document CM/267/Rev.1.

⁹ United Nations, *Treaty Series*, vol. 189, No. 2545, p. 137.

¹⁰ Organization of African Unity, document CM/759/XXVII.

⁶ A/10217 and Corr.1, annex I, resolution I.

11. *Endorses* all resolutions adopted by the Organization of African Unity on the question of so-called French Somaliland (Djibouti) and, in particular, resolutions CM/Res.431/Rev.1 (XXV)¹¹ and CM/Res.480 (XXVII),¹² as well as the declaration adopted by the Organization of African Unity Co-ordinating Committee for the Liberation of Africa, as approved by the Council of Ministers at its twenty-seventh ordinary session and the Assembly of Heads of State and Government at its thirteenth ordinary session, and welcomes the solemn declarations by the leaders of the delegations of Ethiopia and Somalia before the Council of Ministers of the Organization of African Unity and before the Fourth Committee of the General Assembly that their Governments would recognize, respect and honour the independence and sovereignty of so-called French Somaliland (Djibouti) and its territorial integrity after its accession to independence;

12. *Calls upon* all States to refrain from interfering in the internal affairs of the Territory and to abstain from any action likely to impede or adversely affect the current process of the country's accession to independence;

13. *Welcomes* the statements by the representatives of the people of so-called French Somaliland (Djibouti) in which they declared that the Territory would become a member of the United Nations and of the Organization of African Unity immediately after independence,

14. *Endorses* the decisions of the Organization of African Unity and the United Nations to send representatives to observe the referendum and all subsequent stages of the independence process to ensure that the principle of self-determination in the Territory is carried out smoothly and in the most democratic manner;

15. *Urges* all Member States, the specialized agencies and other organizations within the United Nations system, in co-operation with the administering Power, to render all possible moral and material assistance to the people of the Territory.

72. The Fourth Committee recommends to the General Assembly the adoption of the following draft consensuses:

DRAFT CONSENSUS I

Question of St. Helena

The General Assembly, having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power (11th meeting), and having examined the relevant 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 (A/31/23/Add.8 (part III), chap. XX), reaffirms the inalienable right of the people of St. Helena to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960. Noting the commitment

of the Government of the United Kingdom to respect the wishes of the people of the Territory in relation to their advance towards self-determination, and to carry out a policy aimed at implementing the consensus on St. Helena adopted by the Assembly on 8 December 1975,¹³ the General Assembly reaffirms that continued development assistance from the administering Power, together with any assistance that the international community may be in a position to provide, constitutes an important means of developing the economic potential of the Territory and of enhancing the capacity of its people to realize fully the goals set forth in the relevant provisions of the Charter of the United Nations. The General Assembly also notes the positive attitude of the administering Power with respect to the question of receiving visiting missions and requests the Chairman of the Special Committee to continue his consultations in that regard with a view to the dispatch of such a mission to the Territory, as appropriate. The General Assembly requests the Special Committee, in continued co-operation with the administering Power, to seek the best ways and means to implement the Declaration with respect to St. Helena and to report thereon to the Assembly at its thirty-second session.

DRAFT CONSENSUS II

Question of Tuvalu

The General Assembly, having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power (11th meeting), and having examined the relevant 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 (A/31/23/Add.8 (part III), chap. XIX), reaffirms the inalienable right of the people of Tuvalu to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960. The General Assembly notes that, following the referendum held in the former Territory of the Gilbert and Ellice Islands in August 1974 and observed in part by a United Nations visiting mission,¹⁴ the separation of the Ellice Islands from the former Territory was satisfactorily completed and the new Territory, Tuvalu, was brought into being on 1 January 1976 with well-established institutions of self-government. Further noting that discussions on the future of the Territory are taking place at present, the General Assembly urges the administering Power to continue to assist the people of the Territory to realize their aspirations in accordance with their right to self-determination. The General Assembly requests the Special Committee, in continued co-operation with the administering Power, to seek the best ways and means to implement the Declaration with respect to the Territory and to report thereon to the Assembly at its thirty-second session.

¹³ *Official Records of the General Assembly, Thirtieth Session, Supplement No. 34*, p. 119, item 23.

¹⁴ *Ibid.*, *Twenty-ninth Session, Supplement No. 23*, chap. XXI, annex I.

¹¹ See A/10297, annex I.

¹² See A/31/196 and Corr.1, annex.

DRAFT CONSENSUS III

Question of Gibraltar

The General Assembly, noting that, since the approval of its resolution 3286 (XXIX) of 13 December 1974, talks—which are still continuing—have been held between the Governments of Spain and of the United Kingdom of Great Britain and Northern Ireland on the question of Gibraltar, urges both Governments to make possible without delay, taking due account of current circumstances, the initiation of the negotiations envisaged in the consensus adopted by the Assembly on 14 December 1973¹⁵ with the object of reaching a lasting solution to the problem of Gibraltar, in the light of the relevant resolutions of the Assembly and in the spirit of the Charter of the United Nations.

DRAFT CONSENSUS IV

Question of the Cocos (Keeling) Islands

The General Assembly, having examined the relevant 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 (A/31/23/Add.8 (part I), chap. XV), and having heard the statement of the representative of the administering Power (26th meeting), on the implementation of the relevant provisions 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, with regard to the Cocos (Keeling) Islands, notes with appreciation the close co-operation of Australia, as the administering Power concerned, in the relevant work of the Special Committee, and its continued preparedness to receive a further visiting mission to the Territory at an appropriate

¹⁵ *Ibid.*, Twenty-eighth Session, Supplement No. 30, p. 111, agenda item 23.

time. Bearing in mind the responsibility of the administering Power to create such conditions as will enable the people of the Territory to determine fully their future political status, the General Assembly notes the measures taken so far by the Government of Australia in the light of the conclusions and recommendations contained in the report of the 1974 visiting mission to the Territory.¹⁶ The General Assembly also notes that the Government of Australia is reviewing recent developments in the Territory. The General Assembly views with concern the division of opinion among the people of the Territory concerning their future and expresses the hope that, in the light of that review, the administering Power will take steps to remedy this division and assess what measures might best be taken, having regard to the obligations of the administering Power, with a view to enabling the people of the Territory to exercise their right to self-determination in accordance with the principles of the Charter and the Declaration. The General Assembly requests the Special Committee, in continued co-operation with the administering Power, to seek the best ways and means to implement the Declaration with respect to the Territory, in the light of the detailed information to be provided by the administering Power in 1977, and to report thereon to the Assembly at its thirty-second session.

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73. The Fourth Committee also recommends to the General Assembly the adoption of the following draft decision:

The General Assembly decides to defer until its thirty-second session consideration of the questions of Pitcairn and of Antigua, Dominica, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent.

¹⁶ *Ibid.*, Twenty-ninth Session, Supplement No. 23, chap. XX, annex, sect. E.

DOCUMENT A/31/L.29 AND ADD.1-3*

Algeria, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Comoros, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iraq, Jamaica, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mongolia, Mozambique, Nigeria, Oman, Romania, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Cameroon, United Republic of Tanzania, Yugoslavia and Zambia: draft resolution

[Original: English]
[10 December 1976]

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
The General Assembly.

* Document A/31/L.29/Add.1, of 13 December 1976, was issued to add Algeria, Chad, Egypt, Ethiopia, Iraq, Lesotho, Mozambique, Nigeria and the United Republic of Cameroon to the list of sponsors of the draft resolution; document A/31/L.29/Add.2, of 16 December 1976, was issued to add Guinea and Somalia; and document A/31/L.29/Add.3, of 17 December 1976, was issued to add Sao Tome and Principe.

Having examined 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/31/23 (part I) and Corr.1, A/31/23 (parts II and III) and Add.1-5, Add.5/Corr.1 and Add.6-10),

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 all its previous resolutions concerning the implementation of the Declaration, in particular resolution 3481 (XXX) of 11 December 1975, as well as the relevant resolutions of the Security Council,

Condemning the continued colonialist and racist repression of millions of Africans, in Namibia by the Government of South Africa through its persistent, illegal occupation of the international Territory, and in Zimbabwe by the illegal racist minority régime;

Deeply conscious of the pressing need to take all the necessary measures to bring about the speedy and complete elimination of the last vestiges of colonialism, particularly with respect to Namibia and Zimbabwe, where efforts to perpetuate illegal racist minority rule have brought untold suffering and bloodshed to the peoples of those Territories,

Strongly deprecating the policies of those States which, in defiance of the relevant resolutions of the United Nations, continue to collaborate with the Government of South Africa and with the illegal racist minority régime in Southern Rhodesia, thus perpetuating their domination of the peoples in the Territories concerned,

Noting that the success of the national liberation struggle and the resultant international situation have provided the international community with a unique opportunity to make a decisive contribution towards the elimination of the remaining vestiges of colonialism in Africa,

Noting with satisfaction the work accomplished by the Special Committee with a view to securing the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations, in particular the important consultations undertaken by the *Ad Hoc* Group established by the Special Committee at its 1029th meeting on 1 April 1976 (see A/31/23/Add.1), as well as the constructive results achieved as a consequence of the visiting missions to the British Virgin Islands (see A/31/23/Add.9 (part II)), and Tokelau (see A/31/23/Add.8 (part II)),

Noting also with satisfaction the co-operation and active participation of the administering Powers concerned in the relevant work of the Special Committee, as well as the continued readiness of the Governments of Australia, New Zealand and the United Kingdom of Great Britain and Northern Ireland to receive United Nations visiting missions in the Territories under their administration, and deeply deploring the negative attitude of those administering Powers which, despite the repeated appeals addressed to them by the General Assembly and the Special Committee, persist in their refusal to co-operate with the Special Committee in the discharge of the mandate entrusted to it by the Assembly,

Reiterating its conviction that the total eradication of racial discrimination, *apartheid* and violations of the basic human rights of the peoples in colonial Territories will be achieved with the greatest speed by the faithful and complete implementation of the Declaration,

1. *Reaffirms* its resolutions 1514 (XV) and 2621 (XXV) and all other resolutions on decolonization, and calls upon the administering Powers, in accordance with those resolutions, to take all the necessary steps to enable the dependent peoples of the Territories concerned to exercise fully and without further delay their inalienable right to self-determination and independence;

2. *Declares once again* that the continuation of colonialism in all its forms and manifestations—including racism, *apartheid*, the exploitation by foreign and other interests of economic and human resources, and the waging of colonial wars to suppress the national liberation movements of the colonial Territories in Africa—is incompatible with the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples and poses a serious threat to international peace and security;

3. *Reaffirms* its determination to take all necessary steps with a view to the complete and speedy eradication of colonialism and to the faithful and strict observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the guiding principles of the Universal Declaration of Human Rights;

4. *Affirms once again* its recognition of the legitimacy of the struggle of the peoples under colonial and alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal;

5. *Approves* 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 covering its work during 1976, including the programme of work envisaged for 1977 (A/31/23 (part I) and Corr.1, paras. 149-161);

6. *Calls upon* all States, in particular the administering Powers, and the specialized agencies and other organizations within the United Nations system to give effect to the recommendations contained in the report of the Special Committee for the speedy implementation of the Declaration and the relevant resolutions of the United Nations;

7. *Condemns* the intensified activities of foreign economic and other interests which are impeding the implementation of the Declaration with respect to the colonial Territories, particularly in southern Africa;

8. *Strongly condemns* all collaboration in both the nuclear and military fields with the Government of South Africa and calls upon all States concerned to refrain from extending to that Government, directly or indirectly, any facilities or collaboration which increase its nuclear and military potential;

9. *Requests* all States, directly and through their action in the specialized agencies and other organizations within the United Nations system, to withhold assistance of any kind from the Government of South Africa and from the illegal racist minority régime in Southern Rhodesia 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 the legitimacy of the domination of the Territories by those régimes;

10. *Calls upon* the colonial Powers to withdraw immediately and unconditionally their military bases and installations from colonial Territories and to refrain from establishing new ones;

11. *Urges* all States, directly and through their action in the specialized agencies and other organizations within the United Nations system, to provide all moral and material assistance to the oppressed peoples of Namibia and Zimbabwe and, with respect to the other Territories, requests the administering Powers, in consultation with the Governments of the Territories under their administration, to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of these Territories;

12. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of General Assembly resolution 1514 (XV) in all Territories which have not yet attained independence and, in particular:

(a) To formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly at its thirty-second session;

(b) To make concrete suggestions which could assist the Security Council in considering appropriate measures under the Charter with regard to developments in colonial Territories that are likely to threaten international peace and security;

(c) To continue to examine the compliance of Member States with the Declaration and with other relevant resolutions on decolonization, particularly those relating to Namibia and Southern Rhodesia;

(d) To continue to pay particular attention to the small Territories, including the sending of visiting missions thereto, as appropriate, and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of these Territories to exercise their right to self-determination, freedom and independence;

(e) To take all necessary steps to enlist world-wide support among Governments, as well as national and international organizations having a special interest in the field of decolonization, in the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations, particularly as concerns the oppressed peoples of Namibia and Zimbabwe;

13. *Calls upon* the administering Powers to co-operate, or continue to co-operate, with the Special Committee in the discharge of its mandate and, in particular, to participate in the work of the Committee relating to the Territories under their administration and to permit the access of visiting missions to the Territories in order to secure first-hand information and ascertain the wishes and aspirations of their inhabitants;

14. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the various resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

DOCUMENT A/31/L.30 AND ADD.1-3*

Algeria, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Comoros, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mongolia, Mozambique, Nigeria, Oman, Romania, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Yugoslavia and Zambia: draft resolution

[Original: English]
[10 December 1976]

Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Imple-

mentation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the question of publicity for the work of the United Nations in the field of decolonization (A/31/23 (part II), chap. II),

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, including in particular General Assembly resolution 3482 (XXX) of 11 December 1975,

Reiterating the importance of publicity as an instrument for furthering the aims and purposes of the Declaration and

* Document A/31/L.30/Add.1, of 13 December 1976, was issued to add Algeria, Chad, Egypt, Ethiopia, Iraq, the Lao People's Democratic Republic, Lesotho, Mozambique, Nigeria, Tunisia and the United Republic of Cameroon to the list of sponsors of the draft resolution. Document A/31/L.30/Add.2, of 16 December 1976, was issued to add Gabon, Guinea and Somalia; and document A/31/L.30/Add.3, of 17 December 1976, was issued to add Sao Tome and Principe.

mindful of the pressing need for taking all possible steps to acquaint world public opinion with all aspects of the problems of decolonization with a view to assisting effectively the peoples of the colonial Territories to achieve self-determination, freedom and independence,

Aware of the increasingly important role being played in the widespread dissemination of relevant information by a number of non-governmental organizations having a special interest in the field of 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 question of publicity for the work of the United Nations in the field of decolonization;

2. *Reaffirms* the importance of effecting the widest possible dissemination of information on the evils and dangers of colonialism, on the determined efforts of the colonial peoples to achieve self-determination, freedom and independence and on the assistance being provided by the international community towards the elimination of the remaining vestiges of colonialism in all its forms;

3. *Requests* the Secretary-General, having regard to the suggestions of the Special Committee, to continue to take concrete measures through all the media at his disposal, including publications, radio and television, to give widespread and continuous publicity to the work of the United Nations in the field of decolonization and, *inter alia*:

(a) To continue, in consultation with the Special Committee, to collect, prepare and disseminate basic material, studies and articles relating to the problems of decoloni-

zation through the Office of Public Information of the Secretariat and the unit on information relating to decolonization established in pursuance of General Assembly resolution 3164 (XXVIII) of 14 December 1973 and, in particular, to continue to publish the periodical *Objective: Justice* and other publications, special articles and studies of the Office of Public Information and to select from among them appropriate material for wider dissemination by means of reprints in various languages;

(b) To seek the full co-operation of the administering Powers concerned in the discharge of the tasks referred to above;

(c) To intensify the activities of all information centres, particularly those located in western Europe;

(d) To maintain a close working relationship with the Organization of African Unity by holding periodic consultations and by systematically exchanging relevant information with that organization;

(e) To enlist the support of non-governmental organizations having a special interest in the field of decolonization in the dissemination of the relevant information;

(f) To report to the Special Committee on the measures taken in implementation of the present resolution;

4. *Invites* all States, the specialized agencies and other organizations within the United Nations system and non-governmental organizations having a special interest in the field of decolonization to undertake or intensify, in co-operation with the Secretary-General and within their respective spheres of competence, the large-scale dissemination of the information referred to in paragraph 2 above.

DOCUMENT A/31/L.31 AND ADD.1-3*

Algeria, Benin, Bulgaria, Burundi, Congo, Cuba, Czechoslovakia, Egypt, Ethiopia, Finland, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, India, Indonesia, Iraq, Jamaica, Kenya, Liberia, Libyan Arab Republic, Madagascar, Mexico, Mongolia, Mozambique, Nigeria, Norway, Romania, Sao Tome and Principe, Somalia, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Yugoslavia and Zambia: draft resolution

[Original: English]
[14 December 1976]

International Conference in Support of the Peoples of Zimbabwe and Namibia

The General Assembly,

Deeply concerned at the situation obtaining in Zimbabwe and Namibia as a result of the continued oppression and

domination of their peoples by the illegal racist minority régime of Southern Rhodesia and the racist régime of South Africa in defiance of the decisions of the Security Council and the General Assembly,

Mindful of the special responsibility of the United Nations to support the struggle of the people of Zimbabwe and Namibia to exercise their inalienable right to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Having approved the report of the Special Committee on the Situation with regard to the Implementation of the

* Document A/31/L.31/Add.1, of 15 December 1976, was issued to add Egypt, Ethiopia, Somalia and the Sudan to the list of sponsors of the draft resolution; document A/31/L.31/Add.2, of 16 December 1976, was issued to add the Congo, Jamaica and the Syrian Arab Republic; and document A/31/L.31/Add.3, of 17 December 1976, was issued to add Algeria, Bulgaria, Czechoslovakia, the German Democratic Republic, Mongolia, Norway, Sao Tome and Principe, Togo, Uganda and the United Republic of Cameroon.

Declaration on the Granting of Independence to Colonial Countries and Peoples, including in particular the findings of the *Ad Hoc* Group established by the Special Committee at its 1029th meeting on 1 April 1976 (A/31/23/Add.1, para. 17 and annex I),

Deeply conscious of the urgent and continuing need to arouse world public opinion with a view to assisting effectively the peoples of Zimbabwe and Namibia to self-determination, freedom and independence, and to intensify the widespread dissemination of information on the struggle for liberation being waged by the peoples of these Territories and their national liberation movements against the repressive, colonialist and racist domination of their countries by the minority régimes concerned,

Bearing in mind the constructive results of the International Conference of Experts for the Support of Victims of Colonialism and *Apartheid* in Southern Africa, held at Oslo from 9 to 14 April 1973,¹⁷

Noting the recommendation by the Special Committee that the United Nations should convene during 1977 an international conference in support of the peoples of Zimbabwe and Namibia (A/31/23/Add.1, para. 16) and the endorsement of this recommendation by the United Nations Council for Namibia,

¹⁷ For the report of the Conference, see document A/9061, annex.

Noting the statement of the Government of Mozambique that it would welcome a decision by the General Assembly to hold a conference at Maputo,

1. *Decides* that the International Conference in Support of the Peoples of Zimbabwe and Namibia shall be held during 1977 for the purpose of mobilizing world-wide support for and assistance to the peoples of those Territories in their struggle for self-determination and independence;

2. *Welcomes* the fact that the Government of Mozambique is prepared to hold the Conference at Maputo;

3. *Requests* the Secretary-General, in co-operation 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 and the United Nations Council for Namibia, to organize the said Conference at Maputo, in consultation with the Organization of African Unity, and authorizes the Secretary-General to provide the necessary staff and services for the Conference;

4. *Requests* the Secretary-General to give the widest possible publicity to the Conference through all the media at his disposal, including press releases, radio and television;

5. *Requests* the Special Committee and the United Nations Council for Namibia to report to the General Assembly at its thirty-second session on the results of the Conference.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 85th plenary meeting, on 1 December 1976, the General Assembly considered draft resolutions I to XV and draft consensuses I to IV submitted by the Fourth Committee in its report (A/31/326, paras. 71 and 72).

Draft resolutions I to IV were adopted without a vote; draft resolution V was adopted by a recorded vote of 102 to 1, with 32 abstentions; draft resolution VI was adopted by a roll-call vote of 115 to 8, with 15 abstentions; draft resolutions VII and VIII were adopted without a vote; draft resolution IX was adopted by a recorded vote of 68 to 20, with 49 abstentions; draft resolutions X and XI were adopted without a vote; draft resolution XII was adopted by a recorded vote of 120 to none, with 14 abstentions; draft resolution XIII was adopted without a vote and draft resolutions XIV and XV were adopted by recorded votes of 61 to 22, with 42 abstentions, and 117 to none, with 19 abstentions, respectively. For the final texts, see resolutions 31/45 to 31/59.¹⁸

The Assembly then adopted draft consensuses I to IV (see decisions 31/406 A to D¹⁸).

At the same meeting, on the recommendation of the Fourth Committee (A/31/326, para. 73), the General Assembly decided to defer until its thirty-second session consideration of the questions of Pitcairn, and of Antigua, Dominica, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent (see decision 31/406 E).

At its 104th plenary meeting, on 17 December 1976, the General Assembly considered the draft resolutions circulated as documents A/31/L.29 and Add.1-3, A/31/L.30 and Add.1-3 and A/31/L.31 and Add.1-3. The first two draft resolutions were adopted by recorded votes of 121 to 2, with 8 abstentions, and 132 to none, with 2 abstentions, respectively; the third was adopted without a vote. For the final texts, see resolutions 31/143 to 31/145.¹⁸

¹⁸ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 25 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--|---|---|
| A/31/23 (part I) and Corr.1, A/31/23 (parts II-V), A/31/23/Add.1-4, Add.5 and Corr.1, Add.6, Add.7 (parts I and II), Add.8 (parts I-III), Add.9 (parts I-III) and Add.10 | 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 | Replaced by A/31/23/Rev.1 |
| A/31/23/Rev.1 | <i>Idem</i> | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 23</i> |
| A/31/42-S/11923 | Question of Timor: letter dated 22 December 1975 from the representative of Indonesia to the Secretary-General | See <i>Official Records of the Security Council, Thirtieth Year, Supplement for October, November and December 1975</i> |
| A/31/48-S/11971 | Question of Western Sahara: letter dated 6 February 1976 from the representative of Algeria to the Secretary-General | <i>Ibid.</i> , <i>Thirty-first Year, Supplement for January, February and March 1976</i> |
| A/31/52-S/11981 | Implementation of the Declaration of the Indian Ocean as a Zone of Peace: letter dated 13 February 1976 from the representative of Madagascar to the Secretary-General | <i>Ibid.</i> |
| A/31/55 | Question of the Falkland Islands (Malvinas): letter dated 23 February 1976 from the representative of Argentina to the Secretary-General | <i>Ibid.</i> , document S/11973 |
| A/31/56-S/11997 | Question of Western Sahara: letter dated 26 February 1976 from the representative of Spain to the Secretary-General | <i>Ibid.</i> , <i>Supplement for January, February and March 1976</i> |
| A/31/59-S/12002 | <i>Idem</i> : letter dated 8 March 1976 from the representative of Algeria to the Secretary-General | <i>Ibid.</i> |
| A/31/91-S/12076 | <i>Idem</i> : letter dated 17 May 1976 from the representative of Algeria to the Secretary-General | <i>Ibid.</i> , <i>Supplement for April, May and June 1976</i> |
| A/31/94 | Letter dated 20 May 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General transmitting the text of the message of congratulations from the Presidium of the Supreme Soviet of the USSR and the Soviet Government to African Heads of State and Government on the occasion of Africa Liberation Day | Mimeographed |
| A/31/98 | Letter dated 27 May 1976 from the representative of the German Democratic Republic to the Secretary-General transmitting the text of the message of congratulations from the Chairman of the Council of State of the German Democratic Republic on the occasion of the thirteenth anniversary of the founding of the Organization of African Unity, addressed to the Heads of State of the OAU member countries | Ditto |
| A/31/106-S/12095 | Question of Western Sahara: letter dated 14 June 1976 from the representative of Mauritania to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for April, May and June 1976</i> |
| A/31/109-S/12097 | Question of Timor: letter dated 15 June 1976 from the representative of Indonesia to the Secretary-General | <i>Ibid.</i> |
| A/31/112-S/12108 | Question of Western Sahara: letter dated 23 June 1976 from the representative of Algeria to the Secretary-General | <i>Ibid.</i> |
| A/31/114-S/12116 | <i>Idem</i> : letter dated 24 June 1976 from the representative of Mauritania to the Secretary-General | <i>Ibid.</i> |
| A/31/121 | Question of the New Hebrides: letter dated 2 July 1976 from the representatives of France and the United Kingdom of Great Britain and Northern Ireland to the Secretary-General | Mimeographed |
| A/31/136-S/12141 | Question of Western Sahara: letter dated 13 July 1976 from the representative of Algeria to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/138-S/12143 | <i>Idem</i> : letter dated 15 July 1976 from the representative of Mauritania to the Secretary-General | <i>Ibid.</i> |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Mimeographed |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|------------------------|--|--|
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers | Ditto |
| A/31/269 | Question of French Somaliland: note verbale dated 15 October 1976 from the representative of Somalia to the Secretary-General | Ditto |
| A/31/283 | Question of Western Sahara: letter dated 26 October 1976 from the representative of Algeria to the Secretary-General | Ditto |
| A/31/286 | Question of the New Hebrides: letter dated 26 October 1976 from the representatives of France and the United Kingdom of Great Britain and Northern Ireland to the Secretary-General | Ditto |
| A/31/306 | Question of Western Sahara: letter dated 28 October 1976 from the representative of Morocco to the Secretary-General | Ditto |
| A/31/368 | Question of Timor: letter dated 1 December 1976 from the representative of Indonesia to the President of the General Assembly | Ditto |
| A/C.4/31/3 | Question of Brunei: request for hearing | Ditto |
| A/C.4/31/4 | Question of Western Sahara: request for hearing | Ditto |
| A/C.4/31/7 | Question of Timor: request for hearing | Ditto |
| A/C.4/31/8 and Add.1-3 | Question of French Somaliland: requests for hearing | Ditto |
| A/C.4/31/L.3 | Question of the Solomon Islands: draft resolution | For the sponsors and the text, see A/31/362, paras. 19 and 71, draft resolution II |
| A/C.4/31/L.5 | Question of Timor: draft resolution | <i>Idem</i> , para. 42 |
| A/C.4/31/L.6 | Question of the British Virgin Islands: draft resolution | Replaced by A/C.4/31/L.6/Rev.1 |
| A/C.4/31/L.6/Rev.1 | <i>Idem</i> : revised draft resolution | For the sponsors and the text, see A/31/362, paras. 48, 51 and 71, draft resolution X |
| A/C.4/31/L.7 | Question of the Gilbert Islands: draft resolution | <i>Idem</i> , paras. 21 and 71, draft resolution III |
| A/C.4/31/L.8 | Question of the Falkland Islands (Malvinas): draft resolution | Replaced by A/C.4/31/L.8/Rev.1 |
| A/C.4/31/L.8/Rev.1 | <i>Idem</i> : revised draft resolution | For the sponsors and the text, see A/31/362, paras. 26 and 71, draft resolution V |
| A/C.4/31/L.9 | Question of Timor—administrative and financial implications of draft resolution A/C.4/31/L.5: note by the Secretary-General | Mimeographed |
| A/C.4/31/L.10 | Question of Belize: draft resolution | For the sponsors and the text, see A/31/362, paras. 29 and 71, draft resolution VI |
| A/C.4/31/L.12 | Question of Brunei: draft resolution | <i>Idem</i> , paras. 61 and 71, draft resolution XII |
| A/C.4/31/L.13 | Question of Western Sahara: draft resolution | <i>Idem</i> , paras. 16 and 71, draft resolution I |
| A/C.4/31/L.14 | Question of the Tokelau Islands: draft resolution | <i>Idem</i> , paras. 24 and 71, draft resolution IV |
| A/C.4/31/L.15 | Question of Timor: draft resolution | <i>Idem</i> , paras. 44 and 71, draft resolution IX |
| A/C.4/31/L.17 | Question of St. Helena: draft consensus | For the text, see A/31/362, para. 72, draft consensus I |
| A/C.4/31/L.18 | Question of Tuvalu: draft consensus | <i>Idem</i> , draft consensus II |
| A/C.4/31/L.19 | Question of the New Hebrides: draft resolution | Replaced by A/C.4/31/L.19/Rev.1 |
| A/C.4/31/L.19/Rev.1 | <i>Idem</i> : revised draft resolution | For the sponsors and the text, see A/31/362, paras. 31, 32 and 71, draft resolution VII |
| A/C.4/31/L.20 | Question of Bermuda, the Cayman Islands, Montserrat and the Turks and Caicos Islands: draft resolution | Replaced by A/C.4/31/L.20/Rev.1 |
| A/C.4/31/L.20/Rev.1 | <i>Idem</i> : revised draft resolution | For the sponsors and the text, see A/31/362, paras. 34, 35 and 71, draft resolution VIII |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--|---|---|
| A/C.4/31/L.21 | Question of Timor—administrative and financial implications of draft resolution A/C.4/31/L.15: note by the Secretary-General | Mimeographed |
| A/C.4/31/L.22 | Question of American Samoa: draft resolution | For the sponsors and the text, see A/31/362, paras. 53, 54 and 71, draft resolution XI |
| A/C.4/31/L.23 | Question of Gibraltar: draft consensus | For the text, see A/31/362, para. 72, draft consensus III |
| A/C.4/31/L.24 | Question of the Cocos (Keeling) Islands: draft consensus | <i>Idem</i> , draft consensus IV |
| A/C.4/31/L.25 | Question of the United States Virgin Islands: draft resolution | For the sponsors and the text, see A/31/362, paras. 63, 64 and 71, draft resolution XIII |
| A/C.4/31/L.26 | Question of Guam: draft resolution | <i>Idem</i> , paras. 66 and 71, draft resolution XIV |
| A/C.4/31/L.27 | Question of French Somaliland: draft resolution | <i>Idem</i> , paras. 68 and 71, draft resolution XV |
| A/C.4/31/L.28 | Question of French Somaliland—administrative and financial implications of draft resolution A/C.4/31/L.27: note by the Secretary-General <i>Administrative and financial implications of draft resolutions IX and XV, submitted by the Fourth Committee in document A/31/362</i> | Mimeographed |
| A/C.5/31/52 | Note by the Secretary-General [draft resolution IX] | Ditto |
| A/C.5/31/59 | Note by the Secretary-General [draft resolution XV] | Ditto |
| A/31/366 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |
| <i>Administrative and financial implications of the draft resolutions contained in documents A/31/L.29 and A/31/L.31</i> | | |
| A/C.5/31/74 | Note by the Secretary-General [draft resolution A/31/L.29] | Mimeographed |
| A/C.5/31/96 | Note by the Secretary-General [draft resolution A/31/L.31] | Ditto |
| A/31/442/Rev.1 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 26: * Admission of new Members to the United Nations

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| A/31/L.1 and Add.1 and 2 | Afghanistan, Australia, Bahamas, Bangladesh, Barbados, Bhutan, Botswana, Canada, China, Cyprus, Egypt, Fiji, France, Ghana, Grenada, Guyana, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Malaysia, Mali, Malta, Mauritius, New Zealand, Nigeria, Panama, Papua New Guinea, Peru, Philippines, Romania, Sierra Leone, Singapore, Somalia, Sri Lanka, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Yugoslavia and Zambia: draft resolution | 5 |
| A/31/L.21 and Add.1 and 2 | Afghanistan, Algeria, Bangladesh, Barbados, Benin, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Finland, France, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Panama, Peru, Philippines, Poland, Rwanda, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution | 5 |
| A/31/L.22 and Add.1 | Afghanistan, Algeria, Bangladesh, Benin, Botswana, Brazil, Bulgaria, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Ivory Coast, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Niger, Nigeria, Papua New Guinea, Philippines, Poland, Portugal, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire and Zambia: draft resolution | 6 |
| A/31/L.32 and Add.1 | Afghanistan, Australia, Bahamas, Bangladesh, Barbados, Bhutan, Botswana, Canada, China, Cyprus, Egypt, Fiji, Germany, Federal Republic of, Ghana, Guyana, India, Indonesia, Iran, Jamaica, Japan, Kenya, Lesotho, Liberia, Malawi, Malaysia, Maldives, Malta, Mozambique, New Zealand, Niger, Nigeria, Papua New Guinea, Philippines, Sierra Leone, Singapore, Somalia, Sri Lanka, Swaziland, Thailand, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Yugoslavia and Zambia: draft resolution . . | 7 |
| Action taken by the General Assembly | | 7 |
| Check list of documents | | 8 |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 1st, 79th, 80th, 84th and 100th meetings.

DOCUMENT A/31/113

Special report of the Security Council

[Original: Chinese/English/French/Russian/Spanish]
[24 June 1976]

1. In a letter dated 22 April 1976 addressed to the Secretary-General, the President of the People's Republic of Angola submitted the application of the People's Republic of Angola for membership in the United Nations (A/31/85-S/12064).

2. At its 1931st meeting, on 22 June 1976, the Security Council included the question in its agenda without objection. The President, in the absence of a proposal to the contrary, referred the application to the Committee on the Admission of New Members for consideration and report, in accordance with rule 59 of the provisional rules of procedure.

3. The Committee on the Admission of New Members met on 23 June and, as it was unable to make a unanimous recommendation to the Security Council, it approved a report (S/12109)¹ reflecting the attitudes of delegations towards the application.

4. At its 1932nd meeting, on 23 June, the Security Council considered the report of the Committee on the Admission of New Members. The President, with the consent of the Council, invited the representatives of Algeria, Bulgaria, Cuba, the German Democratic Republic, India, Kenya, Liberia, Madagascar, Mongolia, Portugal and Yugoslavia, at their requests, to participate in the discussion of the question without the right to vote, pursuant to Article 31 of the Charter of the United Nations.

5. At the same meeting, the Council agreed, pursuant to a request made in a letter dated 23 June 1976 from the representatives of Benin, the Libyan Arab Republic and the United Republic of Tanzania (S/12111),¹ to invite the representative of the People's Republic of Angola to

present the point of view of his Government on the question inscribed on the agenda.

6. In the course of the discussion, the representative of the United Republic of Tanzania introduced a draft resolution (S/12110)¹ sponsored by Benin, Guyana, Libyan Arab Republic, Romania, Union of Soviet Socialist Republics and United Republic of Tanzania, whereby the Security Council would recommend to the General Assembly the admission of the People's Republic of Angola to membership in the United Nations.

7. At the 1932nd meeting, the Security Council proceeded to vote on the six-Power draft resolution (S/12110). That draft resolution received 13 votes in favour and 1 against, with no abstentions; one member (China) did not participate in the vote. The draft resolution was therefore not adopted owing to the negative vote of a permanent member. The voting was as follows:

In favour: Benin, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United Republic of Tanzania.

Against: United States of America.

Abstaining: None.

8. As the Security Council therefore does not recommend the applicant State for membership, it decided at the same meeting to submit this special report to the General Assembly, in accordance with the third paragraph of rule 60 of its provisional rules of procedure, and to transmit therewith the verbatim records of its 1931st and 1932nd meetings which contain a complete record of the discussion.²

¹ See *Official Records of the Security Council, Thirty-first Year, Supplement for April, May and June 1976*.

² *Ibid.*, *Thirty-first Year*, 1931st and 1932nd meetings.

DOCUMENT A/31/176

Letter dated 16 August 1976 from the President of the Security Council to the Secretary-General

[Original: English]
[16 August 1976]

I have the honour to request you to transmit to the General Assembly the following resolution (resolution 394 (1976)) on the admission of the Republic of Seychelles to membership in the United Nations, adopted by the Security Council at its 1952nd meeting, on 16 August 1976:

"The Security Council,

"Having examined the application of the Republic of Seychelles for admission to membership in the United Nations (A/31/173-S/12164),

"Recommends to the General Assembly that the Republic of Seychelles be admitted to membership in the United Nations."

In accordance with the second paragraph of rule 60 of the provisional rules of procedure, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 1951st and 1952nd meetings of the Security Council, at which the application of the Republic of Seychelles was discussed.

(Signed) Isao ABE
President of the Security Council

DOCUMENT A/31/330

Special report of the Security Council

[Original: Chinese/English/French/Russian/Spanish]
[15 November 1976]

1. In a letter dated 10 August 1976 addressed to the Secretary-General, the Prime Minister of the Socialist Republic of Viet Nam submitted the application of the Socialist Republic of Viet Nam for membership in the United Nations (A/31/180-S/12183).

2. At its 1955th meeting, on 10 September 1976, the Security Council included the question in its agenda without objection. The President, in the absence of a proposal to the contrary, referred the application to the Committee on the Admission of New Members for consideration and report, in accordance with rule 59 of the provisional rules of procedure. The Security Council decided that the Committee on the Admission of New Members should meet on 14 September to consider the application, but on 14 September, following an initiative of the French delegation, the Council decided to postpone consideration of the matter until a date in November (S/12200).³

3. The Committee on the Admission of New Members held two meetings, on 10 November, and as it was unable to make a unanimous recommendation to the Security Council, it approved a report (S/12225)⁴ reflecting the attitudes of delegations towards the application.

4. At its 1970th to 1972nd meetings, on 12 and 15 November, the Security Council considered the report of the Committee on the Admission of New Members. The President, with the consent of the Council, invited the representatives of Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, the German Democratic Republic, Guinea, Hungary, India, the Lao People's Democratic Republic, Madagascar, Mali, Malta, Mexico, Mongolia, Poland, Sri Lanka, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and Yugoslavia, in accordance with their requests, to participate in the discussion of the question without the right to vote, pursuant to Article 31 of the Charter of the United Nations.

5. At its 1972nd meeting, the Council agreed, pursuant to a request made in a letter dated 15 November 1976 from

the representatives of Benin, China, France, Guyana, the Libyan Arab Republic, Pakistan, Romania, Sweden, the Union of Soviet Socialist Republics and the United Republic of Tanzania (S/12229),⁴ to invite the representative of the Socialist Republic of Viet Nam to present the point of view of his Government on the question inscribed on the agenda.

6. In the course of the discussion, the representative of Guyana introduced a draft resolution (S/12226),⁴ sponsored by Benin, China, France, Guyana, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics and United Republic of Tanzania, whereby the Security Council would recommend to the General Assembly the admission of the Socialist Republic of Viet Nam to membership in the United Nations.

7. At the same meeting, the Security Council proceeded to vote on the 11-Power draft resolution (S/12226). The draft resolution received 14 votes in favour and 1 against, with no abstentions. The draft resolution was therefore not adopted owing to the negative vote of a permanent member. The voting was as follows:

In favour: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against: United States of America.

Abstaining: None.

8. As the Security Council therefore was unable to recommend the application of the Socialist Republic of Viet Nam for membership in the United Nations, it decided at the same meeting to submit this special report to the General Assembly, in accordance with the third paragraph of rule 60 of its provisional rules of procedure, and to transmit therewith the verbatim records of its 1955th and 1970th to 1972nd meetings, which contain a complete record of the discussion.⁵

³ *Ibid.*, *Thirty-first Year, Supplement for July, August and September 1976*.

⁴ *Ibid.*, *Supplement for October, November and December 1976*.

⁵ *Ibid.*, *Thirty-first Year, 1955th and 1970-1972nd meetings*.

DOCUMENT A/31/340

Letter dated 22 November 1976 from the President of the Security Council to the Secretary-General

[Original: Spanish]
[22 November 1976]

I have the honour to request you to transmit to the General Assembly the following resolution (resolution 397 (1976)) on the admission of the People's Republic of Angola to membership in the United Nations, adopted by the Security Council at its 1974th meeting, on 22 November 1976:

"The Security Council,

"Having examined the application of the People's Republic of Angola for admission to the United Nations (A/31/85-S/12064),

"Recommends to the General Assembly that the People's Republic of Angola be admitted to membership in the United Nations."

It will be recalled that on 23 June 1976 the Security Council approved a special report to the General Assembly (A/31/113) concerning its consideration of the application of the People's Republic of Angola at its 1931st and 1932nd meetings, on 22 and 23 June. In accordance with the request contained in a letter dated 15 November 1976 from the representatives of Benin, the Libyan Arab

Republic and the United Republic of Tanzania (S/12230),⁶ the Security Council renewed its consideration of this application at its 1973rd and 1974th meetings, on 19 and 22 November.

I would point out that, when adopting the aforementioned resolution, the Security Council decided to avail itself of the provisions of the final paragraph of rule 60 of its provisional rules of procedure in order to submit its recommendation to the General Assembly.

In accordance with the second paragraph of rule 60 of the provisional rules of procedure, I request you to transmit to the General Assembly, for its information, the verbatim records of the 1973rd and 1974th meetings of the Security Council, at which the application of the People's Republic of Angola was discussed.

(Signed) Jorge Enrique ILLUECA
President of the Security Council

⁶ Ibid., *Thirty-first Year, Supplement for October, November and December 1976.*

DOCUMENT A/31/369

Letter dated 1 December 1976 from the President of the Security Council to the Secretary-General

[Original: French]
[1 December 1976]

I have the honour to request you to transmit to the General Assembly the following resolution (resolution 399 (1976)) on the admission of Western Samoa to membership in the United Nations, adopted by the Security Council at its 1977th meeting, on 1 December 1976:

"The Security Council,

"Having examined the application of Western Samoa for admission to the United Nations (A/31/364-S/12245),

"Recommends to the General Assembly that Western Samoa be admitted to membership in the United Nations."

I would point out that, when adopting the aforementioned resolution, the Security Council decided to avail itself of the provisions of the final paragraph of rule 60 of its provisional rules of procedure in order to submit its recommendation to the General Assembly.

In accordance with the second paragraph of rule 60 of the provisional rules of procedure, I would also request you to transmit to the General Assembly, for its information, the verbatim records of the 1976th and 1977th meetings of the Security Council, at which the application of Western Samoa was discussed.

(Signed) Ion DATCU
President of the Security Council

DOCUMENT A/31/L.1 AND ADD.1* AND 2**

Afghanistan, Australia, Bahamas, Bangladesh, Barbados, Bhutan, Botswana, Canada, China, Cyprus, Egypt, Fiji, France, Ghana, Grenada, Guyana, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Malaysia, Mali, Malta, Mauritius, New Zealand, Nigeria, Panama, Papua New Guinea, Peru, Philippines, Romania, Sierra Leone, Singapore, Somalia, Sri Lanka, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Yugoslavia and Zambia: draft resolution

[Original: English]
[17 September 1976]

*Admission of the Republic of Seychelles to membership
in the United Nations*

The General Assembly,

Having received the recommendation of the Security Council of 16 August 1976 that the Republic of Seychelles should be admitted to membership in the United Nations (A/31/176),

Having considered the application for membership of the Republic of Seychelles (A/31/173-S/12164),

Decides to admit the Republic of Seychelles to membership in the United Nations.

* Document A/31/L.1/Add.1 of 20 September 1976 was issued to add Egypt, Indonesia, Malawi and Peru to the list of sponsors of the draft resolution.

** Document A/31/L.1/Add.2 of 21 September 1976 was issued to add Afghanistan, Bhutan, Botswana, China, Iran, Iraq, the Ivory Coast, the Lao People's Democratic Republic, Mali, Romania, Somalia, the Syrian Arab Republic, Thailand, Togo and Yugoslavia to the list of sponsors of the draft resolution.

DOCUMENT A/31/L.21 AND ADD.1* AND 2**

Afghanistan, Algeria, Bangladesh, Barbados, Benin, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Finland, France, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Panama, Peru, Philippines, Poland, Rwanda, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[23 November 1976]

Admission of new Members to the United Nations

The General Assembly,

Having examined the special report of the Security Council to the General Assembly (A/31/330),

* Document A/31/L.21/Add.1 of 24 November 1976 was issued to add Egypt, Equatorial Guinea, Finland, Ghana, Guinea-Bissau, Mauritania, the Philippines and Senegal to the list of sponsors of the draft resolution.

** Document A/31/L.21/Add.2 of 26 November 1976 was issued to add Afghanistan, Cape Verde, Cyprus, the Ivory Coast, Kuwait, Lesotho, Malaysia, Maldives, Morocco, Mozambique, Nepal, Rwanda, Sao Tome and Principe, Sierra Leone, Trinidad and Tobago, the United Republic of Cameroon, Upper Volta and Yemen to the list of sponsors of the draft resolution.

Taking note of the letter of 18 November 1976 from the Permanent Observer of the Socialist Republic of Viet Nam to the United Nations addressed to the President of the General Assembly (A/31/349),

Convinced of the ability and willingness of the Socialist Republic of Viet Nam to carry out the obligations of the Charter of the United Nations,

Reiterating its conviction that the Socialist Republic of Viet Nam is fully qualified for membership in the United Nations in accordance with Article 4 of the Charter,

Recalling that resolution 3366 (XXX) of 19 September 1975, in which the General Assembly requested the Security Council to reconsider immediately and favourably

the application of Viet Nam, was adopted by 123 votes in favour and none against,

Noting that in the general debate of the current session of the General Assembly the admission of Viet Nam to membership in the United Nations received the unequivocal and widespread support of the Members of the Organization,

Expressing deep regret and concern that, on 15 November 1976,⁷ one negative vote by a permanent member of the

⁷ *Ibid.*, *Thirty-first Year*, 1972nd meeting.

Security Council prevented the adoption of the draft resolution supported by fourteen members of the Council recommending the admission of the Socialist Republic of Viet Nam to membership in the United Nations,

1. *Considers* that the Socialist Republic of Viet Nam should be admitted to membership in the United Nations;

2. *Accordingly recommends* that the Security Council should reconsider the matter favourably in strict conformity with Article 4 of the Charter of the United Nations.

DOCUMENT A/31/L.22 AND ADD.1*

Afghanistan, Algeria, Bangladesh, Benin, Botswana, Brazil, Bulgaria, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Ivory Coast, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Niger, Nigeria, Papua New Guinea, Philippines, Poland, Portugal, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English/French]
[30 November 1976]

Admission of the People's Republic of Angola to membership in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 22 November 1976 that the People's Republic of Angola should be admitted to membership in the United Nations (A/31/340),

Having considered the application for membership of the People's Republic of Angola (A/31/85-S/12064),

Decides to admit the People's Republic of Angola to membership in the United Nations.

* Document A/31/L.22/Add.1 of 1 December 1976 was issued to add Bangladesh, Brazil, the Central African Republic, Czechoslovakia, Gabon, Papua New Guinea, the Syrian Arab Republic and Zaire to the list of sponsors of the draft resolution.

DOCUMENT A/31/L.32 AND ADD.1*

Afghanistan, Australia, Bahamas, Bangladesh, Barbados, Bhutan, Botswana, Canada, China, Cyprus, Egypt, Fiji, Germany, Federal Republic of, Ghana, Guyana, India, Indonesia, Iran, Jamaica, Japan, Kenya, Lesotho, Liberia, Malawi, Malaysia, Maldives, Malta, Mozambique, New Zealand, Niger, Nigeria, Papua New Guinea, Philippines, Sierra Leone, Singapore, Somalia, Sri Lanka, Swaziland, Thailand, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Yugoslavia and Zambia: draft resolution

*[Original: English]
[14 December 1976]*

*Admission of the Independent State of Western Samoa
to membership in the United Nations*

The General Assembly,

Having received the recommendation of the Security Council of 1 December 1976 that the Independent State of Western Samoa should be admitted to membership in the United Nations (A/31/369),

Having considered the application for membership of the Independent State of Western Samoa (A/31/364-S/12245),

Decides to admit the Independent State of Western Samoa to membership in the United Nations.

*Document A/31/L.32/Add.1 of 15 December 1976 was issued to add Afghanistan, Bhutan, Botswana, Egypt, Liberia, Maldives, Mozambique, Niger and Somalia to the list of sponsors of the draft resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1st plenary meeting, on 21 September 1976, the General Assembly adopted draft resolution A/31/L.1 and Add.1 and 2 concerning the admission of the Republic of Seychelles to membership in the United Nations. For the final text, see resolution 31/1.⁸

At its 80th plenary meeting, on 26 November 1976, the General Assembly by a roll-call vote of 124 to 1, with 3 abstentions, adopted draft resolution A/31/L.21 and Add.1 and 2. For the final text, see resolution 31/21.⁸

At its 84th plenary meeting, on 1 December 1976, the General Assembly adopted draft resolution A/31/L.22 and Add.1 concerning the admission of the People's Republic of Angola to membership in the United Nations. For the final text, see resolution 31/44.⁸

At its 100th plenary meeting, on 15 December 1976, the General Assembly adopted draft resolution A/31/L.32 and Add.1 concerning the admission of the Independent State of Western Samoa to membership in the United Nations. For the final text, see resolution 31/104.⁸

⁸ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 26 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|--|
| A/31/85-S/12064 | Application of the People's Republic of Angola for admission to membership in the United Nations: note by the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for April, May and June 1976</i> |
| A/31/173-S/12164 | Application of the Republic of Seychelles for admission to membership in the United Nations: note by the Secretary-General | <i>Ibid.</i> , <i>Supplement for July, August and September 1976</i> |
| A/31/180-S/12183 | Application of the Socialist Republic of Viet-Nam for admission to membership in the United Nations: note by the Secretary-General | <i>Ibid.</i> |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Mimcographed |
| A/31/334 | Letter dated 17 November 1976 from the representative of Sri Lanka to the President of the General Assembly | Ditto |
| A/31/349 | Letter dated 18 November 1976 from the Permanent Observer of the Socialist Republic of Viet Nam to the President of the General Assembly | Ditto |
| A/31/364-S/12245 | Application of Western Samoa for admission to membership in the United Nations: note by the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> |



Agenda item 27:* Question of Palestine:**

- (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;
(b) Report of the Secretary-General

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| <i>Document No.</i> | <i>Title</i> | <i>Page</i> |
|--|--|-------------|
| A/31/L.20 and Add.1 | Afghanistan, Bangladesh, Comoros, Congo, Cuba, Cyprus, German Democratic Republic, Guinea, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Maldives, Mali, Malta, Pakistan, Romania, Senegal, Sierra Leone, Sri Lanka, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Tanzania and Yugoslavia: draft resolution | 1 |
| Action taken by the General Assembly | | 2 |
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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 66th, 69th to 78th and 107th meetings; *ibid.*, *Fifth Committee*, 35th meeting; and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum.

** This question was previously discussed by the General Assembly at the twenty-ninth session (agenda item 108) and thirtieth session (item 27).

DOCUMENT A/31/L.20 AND ADD.1*

Afghanistan, Bangladesh, Comoros, Congo, Cuba, Cyprus, German Democratic Republic, Guinea, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Maldives, Mali, Malta, Pakistan, Romania, Senegal, Sierra Leone, Sri Lanka, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Tanzania and Yugoslavia: draft resolution

*[Original: English]
[22 November 1976]*

The General Assembly,

Recalling its resolution 3376 (XXX) of 10 November 1975,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/31/35),

Deeply concerned that no just solution to the problem of Palestine has been achieved and that this problem therefore continues to aggravate the Middle East conflict, of which it is the core, and to endanger international peace and security,

Reaffirming that a just and lasting peace in the Middle East cannot be established without the achievement, *inter alia*, of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including the right of return and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations,

* Document A/31/L.20/Add.1 of 23 November 1976 was issued to add Sierra Leone and the United Republic of Tanzania to the list of sponsors of the draft resolution.

1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. Takes note of the report of the Committee and endorses the recommendations contained therein, as a basis for the solution of the question of Palestine;

3. Decides to circulate the report to all the competent bodies of the United Nations and urges them to take necessary action, as appropriate, in accordance with the Committee's programme of implementation;

4. Urges the Security Council to consider once again as soon as possible the recommendations contained in the report, taking fully into account the observations made thereon during the debate in the General Assembly at its thirty-first session, in order to take necessary measures to implement the above-mentioned recommendations of the Committee so as to achieve early progress towards a solution of the problem of Palestine and the establishment of a just and lasting peace in the Middle East;

5. Authorizes the Committee to exert all efforts to promote the implementation of its recommendations and to report thereon to the General Assembly at its thirty-second session;

6. *Requests* the Committee to promote greatest possible dissemination of information on the programme of implementation through non-governmental organizations and other appropriate means;

7. *Requests* the Secretary-General to give the widest possible publicity to the Committee's work and to provide

the Committee with all the necessary facilities for the performance of its tasks, including summary records of its meetings;

8. *Decides* to include the item entitled "Question of Palestine" in the provisional agenda of its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 77th plenary meeting, on 24 November 1976, the General Assembly, by a recorded vote of 90 to 16, with 30 abstentions, adopted draft resolution A/31/L.20 and Add.1. For the final text, see resolution 31/20.¹

At its 107th plenary meeting, on 22 December 1976, the General Assembly decided to enlarge the membership of the Committee on the Exercise of the Inalienable Rights of the Palestinian People by the addition of Guyana, Mali and Nigeria (see decision 31/318¹).

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 27 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/35 | Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 35</i> |
| A/31/44-S/11931 | Letter dated 9 January 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976</i> |
| A/31/63-S/12012 | Letter dated 12 March 1976 from the representative of Saudi Arabia to the Secretary-General | <i>Ibid.</i> |
| A/31/90-S/12073 | Letter dated 13 May 1976 from the representative of the Libyan Arab Republic to the Secretary-General | <i>Ibid., Supplement for April, May and June 1976</i> |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General, transmitting documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Mimeographed |
| A/31/271 | Report of the Secretary-General | Ditto |
| A/31/324 | Letter dated 8 November 1976 from the representative of the Libyan Arab Republic to the Secretary-General | Ditto |
| A/31/339 and Corr.1 | Letter dated 18 November 1976 from the representative of Iraq to the Secretary-General | Ditto |
| A/31/346 | Administrative and financial implications of the draft resolution contained in document A/31/L.20: report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92</i> |
| A/31/L.35 and Add.1 | Afghanistan, Cyprus, German Democratic Republic, Guinea, Hungary, India, Lao People's Democratic Republic, Madagascar, Malaysia, Malta, Pakistan, Romania, Senegal, Sierra Leone, Ukrainian Soviet Socialist Republic and Yugoslavia: draft resolution | Mimeographed |
| A/C.5/31/55 | Administrative and financial implications of the draft resolution contained in document A/31/L.20: note by the Secretary-General | Ditto |



**Agenda item 28:* Co-operation between the United Nations and the Organization of African Unity:
report of the Secretary-General****

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| A/31/L.18 and Add.1 | Algeria, Benin, Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Congo, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zaire and Zambia: draft resolution | 1 |
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 67th meeting.

** Since 1972, this question has been discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 20), twenty-eighth session (item 26), twenty-ninth session (item 21) and thirtieth session (item 28).

DOCUMENT A/31/L.18 AND ADD.1*

Algeria, Benin, Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Congo, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zaire and Zambia: draft resolution

*[Original: English]
[15 November 1976]*

The General Assembly,

Recalling all its previous resolutions on co-operation between the United Nations and the Organization of African Unity, including in particular resolution 3280 (XXIX) of 10 December 1974,

Taking note of the relevant resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirteenth ordinary session, held at Port Louis from 2 to 6 July 1976,

Taking into account the statement made by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity at the 31st plenary meeting of the General Assembly, on 14 October 1976,

* Document A/31/L.18/Add.1 of 16 November 1976 was issued to add Botswana, Malawi, Mauritius, Morocco, Rwanda, Sao Tome and Principe and Sierra Leone to the list of sponsors of the draft resolution.

Aware of the important role which the Organization of African Unity is playing in helping to achieve the objectives of the United Nations in the world in general and on the African continent in particular,

Noting with satisfaction the continued efforts of the Organization of African Unity and the United Nations, the specialized agencies and other organizations within the United Nations system to help solve the serious problems which principally affect southern Africa,

Aware of the urgent need to give increased assistance to the victims of colonialism, racial discrimination and *apartheid* resulting from the intensified acts of repression against the African peoples by the Government of South Africa and the illegal racist minority régime in Southern Rhodesia (Zimbabwe),

Conscious of the need to take effective steps for the widest possible dissemination of information relating to the struggle of the African peoples concerned for their liberation from colonialism, racial discrimination and *apartheid*,

Bearing in mind the positive results achieved in the work of the United Nations bodies concerned as a direct consequence of the participation of representatives of the national liberation movements recognized by the Organization of African Unity in the relevant proceedings of these bodies in an observer capacity,

1. *Takes note* of the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity (A/31/217) and commends his efforts in promoting such co-operation;

2. *Again expresses its appreciation* of the outstanding contribution made by the Organization of African Unity in the relevant work of the United Nations bodies concerned, including in particular the positive role played by the Administrative Secretary-General and the General Secretariat of the Organization of African Unity;

3. *Welcomes* the efforts of the Organization of African Unity to find African solutions to some of the issues of vital importance to the international community;

4. *Reaffirms* the determination of the United Nations, in co-operation with the Organization of African Unity, to intensify its efforts to find a solution to the present grave situation in southern Africa;

5. *Requests* the Secretary-General to continue to take the necessary measures to strengthen co-operation at the political, economic, cultural and administrative levels be-

tween the United Nations and the Organization of African Unity in accordance with the relevant resolutions of the General Assembly, particularly with regard to the provision of assistance to the victims of colonialism and *apartheid* in southern Africa, and, in this connexion, draws attention to the Assistance Fund for the Struggle against Colonialism and *Apartheid* established by the Organization of African Unity;

6. *Draws once again the attention* of United Nations bodies, in particular the Security Council, the Economic and Social Council, the Special Committee against *Apartheid*, 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 United Nations Council for Namibia, to the continued need to take effective measures to associate closely the Organization of African Unity regularly with all their work concerning Africa;

7. *Invites* the specialized agencies and other organizations concerned within the United Nations system to continue and intensify their co-operation with the Organization of African Unity;

8. *Requests* the Secretary-General to submit to the General Assembly at its thirty-second session a report on the implementation of the present resolution and on the development of co-operation between the Organization of African Unity and the organizations concerned within the United Nations system.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 67th plenary meeting, on 16 November 1976, the General Assembly adopted draft resolution A/31/L.18 and Add.1. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolution 31/13.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 28 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|------------------------------------|
| A/31/196 and Corr.1 | Letter dated 31 August 1976 from the representative of Madagascar to the Secretary-General, transmitting the resolutions adopted at the twenty-seventh regular session of the Council of Ministers of the Organization of African Unity | Mimeographed |
| A/31/217 | Report of the Secretary-General | Ditto |



Agenda item 29: * The situation in the Middle East**

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| A/31/L.26 and Add.1-3 | Afghanistan, Bangladesh, Burundi, Comoros, Cuba, Cyprus, Equatorial Guinea, Gambia, Grenada, Guinea, Guinea-Bissau, Guyana, India, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, Sri Lanka, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire, and Zambia: draft resolution | 2 |
| A/31/L.27 and Add.1-3 | Afghanistan, Argentina, Bangladesh, Burundi, Comoros, Congo, Cuba, Cyprus, Equatorial Guinea, Gambia, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Lesotho, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Nigeria, Pakistan, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Spain, Sri Lanka, Turkey, United Republic of Cameroon, United Republic of Tanzania, Upper Volta and Yugoslavia: draft resolution | 3 |
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 87th to 92nd, 94th and 95th meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 22), twenty-seventh session (item 21), twenty-eighth session (item 22), twenty-ninth session (item 109) and thirtieth session (item 124).

DOCUMENT A/31/L.24

Israel: draft resolution

*[Original: English]
[6 December 1976]*

Peace Conference on the Middle East

The General Assembly,

Recalling that all Member States, in their acceptance of the Charter of the United Nations, have undertaken a commitment to act in accordance with Article 2 of the Charter and to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Reaffirming the urgent necessity of establishing a just and durable peace in the Middle East,

Calls on Egypt, Israel, Jordan and the Syrian Arab Republic to reconvene without delay at the Peace Conference on the Middle East under the co-chairmanship of the United States of America and the Union of Soviet Socialist Republics in order to resume negotiations without prior conditions on the establishment of a just and durable peace in the Middle East as called for in Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

DOCUMENT A/31/L.25

India, Malta, Senegal, Sri Lanka and Yugoslavia: amendments to document A/31/L.24

[Original: English]
[6 December 1976]

1. Insert the following as the second preambular paragraph:

“*Recalling* all relevant United Nations resolutions concerning the Middle East,”.

2. Replace the operative paragraph by the following:

“*Calls upon* Egypt, Israel, Jordan, the Syrian Arab Republic and the Palestine Liberation Organization to participate in the Peace Conference on the Middle East, held under the auspices of the United Nations with the co-chairmanship of the United States of America and the Union of Soviet Socialist Republics, in order to negotiate without delay the establishment of a just and durable peace in the Middle East as called for in Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and General Assembly resolution 3375 (XXX) of 10 November 1975.”

DOCUMENT A/31/L.26 AND ADD.1-3*

Afghanistan, Bangladesh, Burundi, Comoros, Cuba, Cyprus, Equatorial Guinea, Gambia, Grenada, Guinea, Guinea-Bissau, Guyana, India, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, Sri Lanka, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire, and Zambia: draft resolution

[Original: English]
[6 December 1976]

The situation in the Middle East

The General Assembly,

Recalling its resolution 3414 (XXX) of 5 December 1975 and noting with concern that no progress has been achieved towards the implementation of that resolution, in particular its paragraph 4,

Recalling the debate held in the Security Council in January 1976¹ on the problem of the Middle East including the Palestinian question, in implementation of subparagraph (a) of Council resolution 381 (1975) of 30 November 1975,

Deeply concerned at the increasing deterioration of the situation in the Middle East due to continued Israeli occupation and Israel's refusal to implement United Nations resolutions,

Reaffirming the necessity of establishing a just and lasting peace in the region based on full respect for the purposes and principles of the Charter of the United Nations as well as for the resolutions concerning the problem of the Middle East and the question of Palestine,

1. *Affirms* that the early resumption of the Peace Conference on the Middle East with the participation of all the parties concerned, including the Palestine Liberation Organization, in accordance with General Assembly resolution 3375 (XXX) of 10 November 1975, is essential for the realization of a just and lasting settlement in the region;

2. *Condemns* Israel's continued occupation of Arab territories in violation of the Charter of the United Nations, the principles of international law and repeated United Nations resolutions;

3. *Reaffirms* that a just and lasting peace in the Middle East cannot be achieved without Israel's withdrawal from all Arab territories occupied since 1967 and the attainment by the Palestinian people of their inalienable rights, which are the basic prerequisites enabling all countries and peoples in the Middle East to live in peace;

4. *Condemns* all measures taken by Israel in the occupied territories to change the demographic and geographic character and institutional structure of these territories;

* Documents A/31/L.26/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Grenada, Guyana, Madagascar, Malaysia and Uganda in document A/31/L.26/Add.1 of 7 December 1976; Cyprus and Zambia in document A/31/L.26/Add.2 of 8 December 1976; Afghanistan, Equatorial Guinea and Zaire in document A/31/L.26/Add.3 of 9 December 1976.

¹ See *Official Records of the Security Council, Thirty-first Year, 1870th to 1879th meetings*.

5. *Requests once again* all States to desist from supplying Israel with military and other forms of aid or any assistance which would enable it to consolidate its occupation or to exploit the natural resources of the occupied territories;

6. *Requests* the Security Council to take effective measures, within an appropriate time-table, for the imple-

mentation of all relevant resolutions of the Council and the General Assembly on the Middle East and Palestine;

7. *Requests* the Secretary-General to inform the Co-Chairmen of the Peace Conference on the Middle East of the present resolution and to submit a report on the follow-up of its implementation to the General Assembly at its thirty-second session.

DOCUMENT A/31/L.27 AND ADD.1-3*

Afghanistan, Argentina, Bangladesh, Burundi, Comoros, Congo, Cuba, Cyprus, Equatorial Guinea, Gambia, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Lesotho, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Nigeria, Pakistan, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Spain, Sri Lanka, Turkey, United Republic of Cameroon, United Republic of Tanzania, Upper Volta and Yugoslavia: draft resolution

[Original: English]
[6 December 1976]

Peace Conference on the Middle East

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Noting the report of the Secretary-General on this item (A/31/270-S/12210) and his initiative of 1 April 1976 (*ibid.*, para. 8),

Gravely concerned at the lack of progress towards the achievement of a just and lasting peace in the Middle East,

Convinced that any relaxation in the search for a comprehensive settlement covering all aspects of the Middle East problem to achieve a just peace in the area constitutes a grave threat to the prospects of peace in the Middle East as well as a threat to international peace and security,

1. *Requests* the Secretary-General:

(a) To resume contacts with all the parties to the conflict and the Co-Chairmen of the Peace Conference on the

Middle East, in accordance with his initiative of 1 April 1976, in preparation for the early convening of the Peace Conference on the Middle East;

(b) To submit a report to the Security Council on the results of his contacts and on the situation in the Middle East not later than 1 March 1977;

2. *Calls for* the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations, not later than the end of March 1977;²

3. *Requests* the Security Council to convene subsequent to the submission by the Secretary-General of the report referred to in paragraph 1 (b) above, in order to consider the situation in the area in the light of that report and to promote the process towards the establishment of a just and lasting peace in the area;

4. *Further requests* the Secretary-General to inform the Co-Chairmen of the Peace Conference on the Middle East of the present resolution.

² At the 94th plenary meeting, held on 8 December 1976, this paragraph was revised by the sponsors to read:

"2. *Calls for* the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, not later than the end of March 1977".

* Documents A/31/L.27/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Argentina, Greece, Grenada, Guyana, Madagascar and Malaysia in document A/31/L.27/Add.1 of 7 December 1976; Congo in document A/31/L.27/Add.2 of 8 December 1976; Afghanistan, Equatorial Guinea and Lesotho in document A/31/L.27/Add.3 of 9 December 1976.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 95th plenary meeting, on 9 December 1976, draft resolution A/31/L.24 and the amendments thereto in document A/31/L.25 were withdrawn by their respective sponsors. The General Assembly then, by a roll-call vote of 91 to 11, with 29 abstentions, adopted draft resolution A/31/L.26 and Add.1-3 and, by a roll-call vote of 122 to 2, with 8 abstentions, adopted draft resolution A/31/L.27 and Add.1-3, as revised by the sponsors. For the final texts, see resolutions 31/61 and 31/62 respectively.³

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 29 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|----------------------------|--|---|
| A/31/43-S/11928 and Corr.1 | Letter dated 9 January 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976</i> |
| A/31/53-S/11985 | Letter dated 17 February 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | <i>Ibid.</i> |
| A/31/54-S/11991 | Letter dated 20 February 1976 from the representative of the United States of America to the Secretary-General | <i>Ibid.</i> |
| A/31/57 | <i>Note verbale</i> dated 25 February 1976 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretariat | Mimeographed |
| A/31/72 and Corr.1 | Letter dated 29 March 1976 from the representative of the Syrian Arab Republic to the Secretariat | Ditto |
| A/31/73-S/12028 | Letter dated 29 March 1976 from the representative of Israel to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976</i> |
| A/31/76-S/12038 | Letter dated 6 April 1976 from the representative of the Libyan Arab Republic to the Secretary-General | <i>Ibid.</i> , Supplement for April, May and June 1976 |
| A/31/84-S/12063 | Letter dated 29 April 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | <i>Ibid.</i> |
| A/31/86 | Letter dated 4 May 1976 from the representative of Israel to the Secretary-General | Mimeographed |
| A/31/93-S/12080 | Letter dated 19 May 1976 from the representative of Bulgaria to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for April, May and June 1976</i> |
| A/31/95-S/12084 | Letter dated 25 May 1976 from the representative of Algeria to the Secretary-General | <i>Ibid.</i> |
| A/31/96-S/12087 | Letter dated 27 May 1976 from the representative of France to the Secretary-General | <i>Ibid.</i> |
| A/31/118 | Letter dated 22 June 1976 from the representative of the United Arab Emirates to the Secretary-General | Mimeographed |
| A/31/153-S/12146 | Note by the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/159-S/12151 | Letter dated 22 July 1976 from the representative of the Syrian Arab Republic to the Secretary-General | <i>Ibid.</i> |
| A/31/162-S/12156 | Letter dated 28 July 1976 from the representative of Israel to the Secretary-General | <i>Ibid.</i> |
| A/31/167-S/12159 | <i>Note verbale</i> dated 29 July 1976 from the representative of the Syrian Arab Republic to the Secretary-General | <i>Ibid.</i> |
| A/31/175-S/12169 | Letter dated 10 August 1976 from the representative of Israel to the Secretary-General | <i>Ibid.</i> |
| A/31/179 | Letter dated 17 August 1976 from the representative of Lebanon to the Secretary-General | Mimeographed |
| A/31/184 | Communication dated 25 August 1976 from the President of the Council of Ministers of Lebanon to the Secretary-General | Ditto |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General, transmitting documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Ditto |
| A/31/204 | Letter dated 2 September 1976 from the representative of Yemen to the Secretary-General | Ditto |
| A/31/256 | Letter dated 30 September 1976 from the representative of Yemen to the Secretary-General | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|--|
| A/31/257-S/12208 | Letter dated 7 October 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> |
| A/31/270-S/12210 | Report of the Secretary-General | <i>Ibid.</i> |
| A/31/272 | Letter dated 18 October 1976 from the representative of Kuwait to the Secretary-General | Mimeographed |
| A/31/345-S/12237 | <i>Note verbale</i> dated 22 November 1976 from the representative of the Syrian Arab Republic to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> |
| A/31/348-S/12238 | <i>Note verbale</i> dated 23 November 1976 from the representative of Israel to the Secretary-General | <i>Ibid.</i> |



Agenda item 30:* Third United Nations Conference on the Law of the Sea**

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| A/31/L.4 | Bulgaria, El Salvador, Nepal, Nigeria and Norway: draft resolution | 2 |
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee, 44th meeting; and ibid., Plenary Meetings, 96th meeting.*

** Since 1971 this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 35), twenty-seventh session (item 36), twenty-eighth session (item 40), twenty-ninth session (item 26) and thirtieth session (item 30).

DOCUMENT A/31/225

**Letter dated 20 September 1976 from the President of the Third United Nations
Conference on the Law of the Sea to the President of the General Assembly**

*[Original: English]
[23 September 1976]*

I have the honour to inform you that, at the closing meeting of its fifth session on 17 September 1976, the Third United Nations Conference on the Law of the Sea decided to convene its sixth session in New York on 23 May 1977 for a period of seven weeks, with a possible extension to eight weeks, should the Conference so decide.

At the same meeting, the Conference requested the Secretary-General to provide the necessary facilities for private consultations between sessions among Governments and delegations.

The Conference also decided to recommend to the General Assembly that it study measures to ensure stability and continuity for the secretariat personnel recruited for the Conference.

I should be most grateful if you could ensure that the appropriate action is taken in regard to the above decisions.

(Signed) Hamilton Shirley AMERASINGHE
*President of the
Third United Nations Conference
on the Law of the Sea*

DOCUMENT A/31/L.4

Bulgaria, El Salvador, Nepal, Nigeria and Norway: draft resolution

[Original: English]
[26 October 1976]

The General Assembly,

Recalling its resolutions 3067 (XXVIII) of 16 November 1973, 3334 (XXIX) of 17 December 1974 and 3483 (XXX) of 12 December 1975,

Noting the letter dated 20 September 1976 from the President of the Third United Nations Conference on the Law of the Sea to the President of the General Assembly (A/31/225) regarding the decisions reached at the fifth session of the Conference, held in New York from 2 August to 17 September 1976,

Having considered the decision of the Conference, as conveyed in the letter of its President, that its sixth session should be held in New York on 23 May 1977 for a period of seven weeks, with a possible extension to eight weeks should the Conference so decide,

Bearing in mind the request of the Conference, referred to in the letter from its President, that the Secretary-General should provide the necessary facilities for private consultations between sessions among Governments and delegations,

Taking into account the recommendation made by the Conference that the General Assembly should study measures to ensure stability and continuity for the secretariat personnel recruited for the Conference,

1. *Approves* the convening of the sixth session of the Third United Nations Conference on the Law of the Sea in

New York for the period from 23 May to 8 July 1977 with a possible extension to 15 July should the Conference so decide;

2. *Reiterates* its decision at its thirtieth session¹ to accord priority to the Conference in relation to other United Nations activities, except those of organs established by the Charter of the United Nations;

3. *Authorizes* the Secretary-General to make available, as appropriate, the necessary facilities for private consultations between sessions among Governments and delegations;

4. *Further authorizes* the Secretary-General to continue to make the necessary arrangements originally provided under paragraph 9 of General Assembly resolution 3067 (XXVIII) for the efficient and continuous servicing of the Conference in 1977 and of subsequent activities as may be decided upon by the Conference, as well as to take appropriate measures to ensure stability and continuity for the secretariat personnel recruited for the Conference;

5. *Recalls*, in this connexion, that it noted in paragraph 4 of its resolution 3334 (XXIX) the decision of the Conference to accept the invitation of the Government of Venezuela to meet at Caracas at an appropriate date for the purpose of signing the Final Act and related instruments adopted by the Conference and authorized the Secretary-General to make the necessary arrangements to that end.

¹ See *Official Records of the General Assembly, Thirtieth Session, Supplement No. 34*, resolution 3483 (XXX), para. 2.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 96th plenary meeting, held on 10 December 1976, the General Assembly adopted draft resolution A/31/L.4. For the final text, see resolution 31/63.²

² *Ibid.*, *Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 30 which are not reproduced in the present fascicle.

| Document No. | Title or description | Observations and references |
|---------------------|---|---|
| A/31/396 and Corr.1 | Administrative and financial implications of draft resolution A/31/L.4: report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 31:* International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space

Agenda item 32:* Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space**

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*For the discussion of this item, see: *Official Records of the General Assembly, Thirty-first Session, First Committee*, 3rd to 10th meetings; *ibid.*, *Fifth Committee*, 23rd meeting; and *ibid.*, *Plenary Meeting*, 57th meeting.

**This question was previously discussed by the General Assembly at the following sessions: twenty-eighth session (agenda items 30 and 31), twenty-ninth session (items 32 and 33) and thirtieth session (items 32 and 33).

DOCUMENT A/31/285

Report of the First Committee

*[Original: English/
[28 October 1976]*

1. The items entitled "International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space" and "Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space" were included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3388 (XXX) of 18 November 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the two items in its agenda and to allocate them to the First Committee for consideration and report.

3. At its 3rd meeting, on 18 October, the First Committee agreed to consider these two items jointly, on the understanding that delegations wishing to do so could make separate statements on either item.

4. The First Committee considered the two items at the 3rd to 10th meetings, held between 18 and 21 October.

5. At the 3rd meeting, the Chairman of the Committee on the Peaceful Uses of Outer Space introduced the Committee's report (A/31/20).

6. Following the adjournment of the 4th meeting, on 18 October, the Committee heard a lecture by Mr. Sagan, a professor at Cornell University, with a presentation of slides, on the recent landing of the United States Viking space craft on the planet Mars.

7. At the 7th meeting, on 20 October, the Chairman introduced to the Committee Soviet cosmonauts General Alexei Leonov and Valery Kubasov, following which General Leonov addressed the Committee.

8. At the 9th meeting, on 21 October, a draft resolution (A/C.1/31/L.1) was introduced by the representative of Austria on behalf of Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Czechoslovakia, Egypt, France, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Nigeria, Poland, Romania, Sierra Leone, Sudan, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela and later co-sponsored by Denmark, Ghana, Ireland, Ivory Coast, Luxembourg, Netherlands and Philippines (for the text, see the draft resolution in paragraph 14 below, excluding operative paragraph 14).

9. Statements (A/C.1/31/L.2 and Corr.1 and Add.1) on the administrative and financial implications of the draft resolution were submitted by the Secretary-General.

10. At the 10th meeting, on 21 October, the representative of Romania, on behalf of the co-sponsors, orally revised draft resolution A/C.1/31/L.1 by adding, between operative paragraphs 13 and 14, a new paragraph (for the text, see operative paragraph 14 of the draft resolution contained in paragraph 14 below).

11. At the same meeting, a statement was made by the Secretary of the Committee on the administrative and financial implications of the above revision.

12. At its 10th meeting, on 21 October, the Committee, without a vote, decided to incorporate the oral revision proposed by the representative of Romania into the draft resolution.

13. At the same meeting, the Committee adopted, by consensus, the draft resolution as orally revised.

Recommendation of the First Committee

14. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

International co-operation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 3388 (XXX) of 18 November 1975,

Having considered the report of the Committee on the Peaceful Uses of Outer Space,

Reaffirming the common interest of mankind in furthering the exploration and use of outer space for peaceful purposes and in extending to States the benefits derived therefrom as well as the importance of international co-operation in this field, for which the United Nations should provide a focal point, as expressed in General Assembly resolution 1721 (XVI) of 20 December 1961,

Reaffirming the importance of international co-operation in developing the rule of law in the peaceful exploration and use of outer space,

Welcoming the entry into force on 15 September 1976 of the Convention on Registration of Objects Launched into Outer Space,

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space;

2. *Invites* States which have not yet become parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, the Conven-

tion on International Liability for Damage Caused by Space Objects and the Convention on Registration of Objects Launched into Outer Space to give early consideration to ratifying or acceding to those international agreements;

3. *Notes with satisfaction* that the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space has:

(a) Achieved considerable progress by:

(i) Formulating nine draft principles governing the use by States of artificial earth satellites for direct television broadcasting with a view to concluding an international agreement or agreements;

(ii) Formulating five draft principles and identifying three new common elements in the drafts submitted and the views expressed by Member States relating to the legal implications of remote sensing of the earth from space;

(b) Continued its work on the draft treaty relating to the moon, giving priority to the question of natural resources of the moon;

(c) Discussed questions relating to the definition and/or delimitation of outer space and outer space activities;

4. *Recommends* that the Legal Sub-Committee, at its sixteenth session, should:

(a) Continue, as matters of high priority, to:

(i) Consider the draft treaty relating to the moon;

(ii) Consider completing the elaboration of draft principles governing the use by States of artificial earth satellites for direct television broadcasting with a view to concluding an international agreement or agreements;

(iii) Give detailed consideration to the legal implications of remote sensing of the earth from space, with the particular aim of formulating draft principles on the basis of common elements identified by it;

(b) Pursue its work on questions relating to the definition and/or delimitation of outer space and outer space activities in the remaining time available;

5. *Notes with satisfaction* the report of the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space on its thirteenth session (A/AC.105/170), which, *inter alia*:

(a) Examines further the question of remote sensing of the earth from space, as set out in paragraphs 26 to 81 of the report, considering in detail both the current pre-operational/experimental as well as the possible future global/operational phase of remote sensing system or systems;

(b) Continues in effect the United Nations programme on space applications;

(c) Provides for further study of a possible United Nations conference on outer space matters;

6. *Recommends* that the Scientific and Technical Sub-Committee should continue at its fourteenth session its work on the matters before it, giving priority to the three items contained in paragraph 71 of the report of the Committee on the Peaceful Uses of Outer Space;

7. *Endorses* the recommendation of the Committee on the Peaceful Uses of Outer Space that full utilization be made by the Committee and its subsidiary bodies of their existing terms of reference with regard to the establishment of an appropriate co-ordinating role for the United Nations in the field of remote sensing;

8. *Further endorses* the recommendation of the Committee on the Peaceful Uses of Outer Space that the Secretary-General, for consideration by the Scientific and Technical Sub-Committee at its fourteenth session, should:

(a) Undertake the various studies and reports on remote sensing of the earth from space, as referred to in paragraph 42 of the report of the Committee;

(b) Prepare a study in depth on the question of convening a United Nations conference on space matters, as referred to in paragraphs 55 and 56 of that report;

(c) Request Member States to provide information on programmes or plans for generation or transmission of solar energy by means of space technology, as referred to in paragraph 72 of that report;

9. *Endorses* the United Nations programme on space applications for 1977 as referred to in paragraph 46 of the report of the Committee on the Peaceful Uses of Outer Space;

10. *Approves* continuing sponsorship by the United Nations of the Thumba Equatorial Rocket Launching

Station in India and the CELPA Mar del Plata Station in Argentina and expresses its satisfaction at the work being carried out at those ranges in the peaceful and scientific exploration of outer space;

11. *Reiterates* its request to the World Meteorological Organization to pursue actively the implementation of its tropical cyclone project while continuing and intensifying its other related action programmes, including World Weather Watch and, especially, the efforts being undertaken towards obtaining basic meteorological data and discovering ways and means to mitigate the harmful effects of tropical storms and to remove or minimize their destructive potential, and looks forward to its report thereon in accordance with the relevant General Assembly resolutions;

12. *Requests* the specialized agencies to provide the Committee on the Peaceful Uses of Outer Space with progress reports on their work, including particular problems in the fields within their competence relating to the peaceful uses of outer space;

13. *Requests* the Secretary-General, in the light of paragraph 73 of the report of the Committee on the Peaceful Uses of Outer Space, to consider strengthening the Outer Space Affairs Division of the Secretariat;

14. *Notes* the invitation extended by the Government of Austria to hold the twentieth session of the Committee on the Peaceful Uses of Outer Space at Vienna in 1977 and accepts that invitation with appreciation;

15. *Requests* the Committee on the Peaceful Uses of Outer Space to continue its work, as set out in the present and previous resolutions of the General Assembly, and to report to the Assembly at its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 57th plenary meeting, on 8 November 1976, the General Assembly adopted the draft resolution submitted by the First Committee in its report (A/31/285). For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39, resolution 31/8*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda items 31 and 32 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|--|
| A/31/20 | Report of the Committee on the Peaceful Uses of Outer Space | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 20</i> |
| A/31/319 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/285: report of the Fifth Committee | <i>Ibid., Thirty-first Session, Annexes, agenda item 92</i> |
| A/AC.105/... | Documents of the Committee on the Peaceful Uses of Outer Space | Documents in this series are mimeographed |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--------------------------------------|--|------------------------------------|
| A/C.1/31/3 | Letter dated 4 October 1976, from the representative of the Union of Soviet Socialist Republics to the Secretary-General | Mimeographed |
| A/C.1/31/L.1 | Draft resolution | See A/31/285, para. 8 |
| A/C.1/31/L.2 and Corr.1 and Add.1 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.1: note by the Secretary-General | Mimeographed |
| A/C.5/31/36 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/285: note by the Secretary-General | Ditto |



**Agenda item 33: * Implementation of the Declaration on the Strengthening of International Security:
report of the Secretary-General****

CONTENTS

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session*, First Committee, 53rd to 58th meetings; and *ibid.*, Plenary Meetings, 98th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 34), twenty-seventh (item 35), twenty-eighth (item 39), twenty-ninth (item 36) and thirtieth (item 49).

DOCUMENT A/31/414

Report of the First Committee

*[Original: English]
[13 December 1976]*

1. The item entitled "Implementation of the Declaration on the Strengthening of International Security: report of the Secretary-General" was included in the provisional agenda of the thirty-first session in accordance with General Assembly resolution 3389 (XXX) of 18 November 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and to allocate it to the First Committee.

3. The First Committee considered the item at its 53rd to 58th meetings, from 6 to 10 December 1976.

4. The First Committee had before it the report of the Secretary-General (A/31/185 and Add.1) submitted in accordance with paragraph 7 of General Assembly resolution 3389 (XXX). The annex to the report contained a list of additional documents relating to this item which had been issued since the consideration of the subject by the Assembly at its thirtieth session. The following documents were circulated:

(a) Letter dated 24 December 1975 from the representative of Algeria addressed to the Secretary-General (A/31/41);

(b) Letter dated 30 January 1976 from the representatives of Mauritania and Romania addressed to the Secretary-General (A/31/47);

(c) Letter dated 9 February 1976 from the representative of Poland to the United Nations (A/31/49 and Corr.1);

(d) Letter dated 6 April 1976 from the representatives of Mexico and Yugoslavia to the Secretary-General (A/31/78);

(e) Letter dated 8 April 1976 from the representative of Bulgaria addressed to the Secretary-General (A/31/79);

(f) Letter dated 1 June 1976 from the representatives of Bulgaria and the Union of Soviet Socialist Republics addressed to the Secretary-General (A/31/102);

(g) Letter dated 17 June 1976 from the representative of Algeria addressed to the Secretary-General (A/31/110).

(h) Letter dated 25 June 1976 from the representatives of Guinea-Bissau and Romania addressed to the Secretary-General (A/31/116);

(i) Letter dated 18 June 1976 from the representatives of Romania and Senegal addressed to the Secretary-General (A/31/117);

(j) Letter dated 2 July 1976 from the representative of Chile addressed to the Secretary-General (A/31/123-S/12127);

(k) Letter dated 7 July 1976 from the representative of the German Democratic Republic addressed to the Secretary-General (A/31/124);

(l) Letter dated 7 July 1976 from the representative of the Union of Soviet Socialist Republics addressed to the Secretary-General (A/31/126-S/12130);

(m) Letter dated 27 July 1976 from the representative of Morocco addressed to the Secretary-General (A/31/161-S/12155);

(n) Letter dated 28 July 1976 from the representatives of Morocco and Mauritania addressed to the Secretary-General (A/31/164);

(o) Note verbale dated 5 August 1976 from the representative of Czechoslovakia addressed to the Secretary-General (A/31/174);

(p) Note verbale dated 13 August 1976 from the Mission of the Union of Soviet Socialist Republics addressed to the Secretary-General (A/31/177);

(q) Letter dated 16 August 1976 from the representatives of Benin and Romania addressed to the Secretary-General (A/31/183);

(r) Letter dated 10 September 1976 from the representative of Poland addressed to the Secretary-General (A/31/212);

(s) Letter dated 29 October 1976 from the representative of Bulgaria addressed to the Secretary-General (A/C.1/31/7).

5. At the 55th meeting, on 8 December, the representative of Sri Lanka introduced a draft resolution (A/C.1/31/L.41) entitled "Non-interference in internal affairs of States" on behalf of Algeria, Bangladesh, Egypt, Guyana, India, Sri Lanka, Yugoslavia and Zambia, later co-sponsored by Bhutan, Botswana, Burundi, Chad, Cuba, Ghana, Grenada, Jamaica, Jordan, Kuwait, Madagascar, Mali, Mauritius, Morocco, Nepal, Rwanda, the Sudan, the Syrian Arab Republic, Uganda, the United Republic of Cameroon, and the United Republic of Tanzania (for the text, see paragraph 12 below, draft resolution I).

6. At the 57th meeting, on 9 December, the representative of Cyprus introduced draft resolution A/C.1/31/L.42 on behalf of Algeria, Cyprus, Egypt, India, Iraq, Malta, Sri Lanka and Yugoslavia, later co-sponsored by Grenada, Mauritius, Morocco, the Syrian Arab Republic and Tunisia. The text read as follows:

[Same text as draft resolution II in paragraph 12 below, with the exception of the fifth preambular paragraph, which read as follows:

"Noting the successful outcome of the Conference on Security and Co-operation in Europe, emphasizing that the security of Europe, the Mediterranean and the Middle East is closely interrelated, and expressing its conviction that the implementation of the Final Act of that Conference through agreed means will contribute to the strengthening of international peace and security,"].

7. At the 57th meeting, on 9 December, the representative of Poland introduced a draft resolution (A/C.1/

31/L.43) on behalf of Czechoslovakia, German Democratic Republic and Poland. The text read as follows:

"The General Assembly,

"Having considered the item entitled 'Implementation of the Declaration on the Strengthening of International Security',

"Bearing in mind the Declaration on the Strengthening of International Security contained in resolution 2734 (XXV) and the relevant resolutions of the General Assembly concerning the implementation of the Declaration,

"Welcoming new efforts and achievements in the promotion of détente and in the growth of multilateral co-operation in various regions of the world,

"Welcoming also the successful results achieved in bilateral and multilateral relations through the implementation of the Final Act of the Conference on Security and Co-operation in Europe, signed in Helsinki on 1 August 1975,

"Stressing close interrelationship and complementary character of activities pursued in compliance with the Charter of the United Nations towards the strengthening of international security regionally and universally,

"Also expressing its confidence that the United Nations is the proper forum for the dissemination of positive experience arising from the development of co-operation and the strengthening of international security,

"Welcoming the successful outcome of the Conference of Non-Aligned Countries at Colombo in August 1976 as constituting an important contribution to efforts made in the strengthening of international security and in the development of multilateral international co-operation,

"Stating with anxiety that the continuation of the arms race is a considerable burden for peoples and delays the solution of pressing problems derived from the economic, social and cultural growth of countries,

"Noting with concern the continuing existence of focal points of crises and tensions in various regions endangering international peace and security and acts of aggression, the threat or use of force, expansionism and alien domination, the existence of colonialism and neo-colonialism which remain the obstacles to the strengthening of international security and peace,

"Emphasizing the importance which the world-wide and total elimination of racism, apartheid and racial discrimination have for the strengthening of peace,

"Reaffirming again the close link between the strengthening of international security, disarmament and possibility of making more intensive efforts towards the growth of developing countries, and also stressing, in this connexion, the need of the early implementation of the decisions adopted at its seventh special session,

"Stressing the need to consolidate and broaden the positive trends and developments in international relations towards the strengthening of peace and security,

"*Expressing its confidence* in the essential role of the United Nations in stimulating such trends and developments by making full use of the ways and means set forth in the Charter of the United Nations,

"1. *Once again calls upon* all States to seek full implementation of the Declaration on the Strengthening of International Security and by this way to support the processes of international détente;

"2. *Considers it imperative* to give greater force to political détente by achieving that in the military field, and for this purpose to achieve progress in the practical application of means which would lead to ending the arms race;

"3. *Recommends* all States to take effective measures to stop the race of both nuclear and conventional armaments, and also to achieve progress in general and complete disarmament;

"4. *Calls upon* all States to apply all possible means in order that refraining from the use of force in international relations should become a real and inviolable law of international relations;

"5. *Reaffirms* that the elimination of continuing and menacing focal points of tension is one of the most important tasks for the strengthening of international peace and security;

"6. *Calls upon* all States to increase the effectiveness of the United Nations in the preservation and consolidation of international peace and security in compliance with the Charter of the United Nations;

"7. *Reaffirms* that peace, security and peaceful co-existence of States with different systems are the prerequisite of the development of international economic co-operation and the rapprochement of nations;

"8. *Calls upon* all States to strengthen co-operation in line with the Charter of the United Nations through intensified efforts towards promoting regional systems of security and co-operation;

"9. *Appeals* to all States to take urgent and effective measures to achieve an early completion in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the other resolutions of the United Nations on the total elimination of colonialism, racism and *apartheid*, and reaffirms the legitimacy of the struggle of peoples under colonial domination to achieve self-determination and independence;

"10. *Calls upon* all the organs and specialized agencies of the United Nations to use all possibilities, provided by the Charter of the United Nations and the statutes of these agencies, of strengthening the confidence of States and broadening co-operation in all fields thereby creating conditions favourable to the strengthening of international security;

"11. *Takes note* of the report of the Secretary-General, requests him to submit to the General Assembly

at its thirty-second session a report on the implementation of the Declaration on the Strengthening of International Security, and decides to include in the provisional agenda of its thirty-second session the item entitled 'Implementation of the Declaration on the Strengthening of International Security'."

8. At its 58th meeting on 10 December, the Committee adopted draft resolution A/C.1/31/L.41 by 81 votes to none, with 14 abstentions.

9. At the same meeting, after consultations among the sponsors of draft resolutions A/C.1/31/L.42 and 43, Malta introduced a revision to draft resolution A/C.1/31/L.42 on behalf of the sponsors of the draft. The new fifth paragraph of the preamble read as follows:

"*Noting* the successful outcome of the Conference on Security and Co-operation in Europe, emphasizing that the security of Europe should be considered in the broader context of world security, and is closely inter-related, in particular, to the security of the Mediterranean, the Middle East and to other regions of the world, and expressing its conviction that the implementation of the Final Act of that Conference through agreed means will contribute to the strengthening of international peace and security".

10. At the same meeting, the representative of Poland stated that the co-sponsors of A/C.1/31/L.43 would not press their resolution to a vote.

11. At the same meeting, the Committee adopted draft resolution A/C.1/31/L.42, as revised, by 103 votes to 1, with 16 abstentions.

Recommendations of the First Committee

12. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Non-interference in internal affairs of States

The General Assembly,

Recalling its resolution 2734 (XXV) of 16 December 1970 containing the Declaration on the Strengthening of International Security,

Recalling its resolution 2131 (XX) of 21 December 1965 containing the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty,

Recalling further its resolution 2625 (XXV) of 24 October 1970 containing the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

Reaffirming the right to self-determination, freedom and independence of peoples under colonial or other forms of alien domination as well as their right to struggle to that

end and to seek and receive support in accordance with the principles of the Charter,

Reaffirming the right of each State to choose its own economic, cultural and social system in accordance with the will of its people, free from outside interference, coercion or threat in any form,

Noting with great concern that several Member States have been subjected to various forms of interference, pressure and organized campaigns of vilification and intimidation designed to deter them from pursuing their united and independent role in international relations,

Aware that a wide range of direct and indirect techniques, including withholding assistance and the threat of withholding assistance, subtle and sophisticated forms of economic coercion, subversion and defamation with a view to destabilization, are being mobilized against Governments which seek to free their economies from foreign control and manipulation, to restructure their societies and to exercise permanent sovereignty over their natural resources,

Conscious that the use of such techniques of destabilization can produce distrust and cause unrest and disorder within and between States, adversely affecting thereby the maintenance of international peace and security,

Mindful of the provisions of Article 2, paragraph 4, of the Charter, which requires all Member States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

1. *Reaffirms* the inalienable sovereign right of every State to determine freely, and without any form of foreign interference, their political, social and economic system and their relations with other States and international organizations;

2. *Declares* that the use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention;

3. *Denounces* any form of interference, overt or covert, direct or indirect, including recruiting and sending mercenaries, by one State or group of States and any act of military, political, economic or other form of intervention in the internal or external affairs of other States, regardless of the character of their mutual relations or their social and economic system;

4. *Accordingly condemns* all forms of overt, subtle and highly sophisticated techniques of coercion, subversion and defamation aimed at disrupting the political, social or economic order of other States or destabilizing the Governments seeking to free their economies from external control or manipulation;

5. *Calls upon* all States, in accordance with the purposes and principles of the Charter of the United Nations, to undertake necessary measures in order to prevent any hostile act or activity taking place within their territory and directed against the sovereignty, territorial integrity and political independence of another State;

6. *Requests* the Secretary-General to invite all Member States to express their views on ways by which greater respect for the principle of non-interference in the internal affairs of States can be assured, and to report to the General Assembly at its thirty-second session.

DRAFT RESOLUTION II

Implementation of the Declaration on the Strengthening of International Security

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Strengthening of International Security",

Bearing in mind the Declaration on the Strengthening of International Security, contained in General Assembly resolution 2734 (XXV) of 16 December 1970, and the relevant resolutions of the Assembly concerning the implementation of the Declaration,

Welcoming new achievements and trends in international relations and all other efforts contributing to the strengthening of international security and the promoting of peaceful co-operation in accordance with the Charter of the United Nations,

Welcoming also, in this context, the successful results of the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976, which represents a further significant contribution to the strengthening of international security and development of equitable international relations.

Noting the successful outcome of the Conference on Security and Co-operation in Europe, emphasizing that the security of Europe should be considered in the broader context of world security and is closely interrelated, in particular, to the security of the Mediterranean, the Middle East and to other regions of the world, and expressing its conviction that the implementation of the Final Act of that Conference through agreed means will contribute to the strengthening of international peace and security.

Noting with grave concern, however, the continuing existence of focal points of crises and tensions in various regions endangering international peace and security, the continuation of the arms race as well as acts of aggression, the threat or use of force, foreign occupation and alien domination and the existence of colonialism, neo-colonialism, racial discrimination and *apartheid*, which remain the main obstacles to the strengthening of international peace and security.

Reaffirming the close link existing between the strengthening of international security, disarmament, decolonization, development and the need for a more intensive national and international effort to narrow the widening gap between the developed and the developing countries, and also stressing, in this connexion, the importance of the early implementation of the decisions adopted at its sixth and seventh special sessions,

Emphasizing the need constantly to strengthen the peace-keeping and peace-making role of the United Nations in accordance with the Charter as well as its role in promoting development through equitable co-operation,

1. *Solemnly calls upon* all States to seek strict and consistent implementation of the purposes and the principles of the Charter of the United Nations and of all the provisions of the Declaration on the Strengthening of International Security;

2. *Reaffirms* the legitimacy of the struggle of peoples under colonial and alien domination to achieve self-determination and independence and appeals to all States to increase their support and solidarity with them in their struggle against colonialism, racial discrimination and *apartheid*;

3. *Also calls upon* all States to extend the process of relaxation of tensions, which is still limited both in scope and geographical extent, to all regions of the world, in order to help bring about just and lasting solutions to international problems with the participation of all States so that peace and security will be based on effective respect for the sovereignty and independence of all States and the inalienable rights of all peoples to determine their own destiny freely and without outside interference, coercion or pressure;

4. *Reaffirms* that any measure or pressure directed against any State while exercising its sovereign right freely to dispose of its natural resources constitutes a flagrant violation of the right of self-determination of peoples and the principle of non-intervention, as set forth in the Charter, which, if pursued, could constitute a threat to international peace and security;

5. *Reaffirms* its opposition to any threats or use of force, intervention, aggression, foreign occupation and measures of political and economic coercion which attempt to violate the sovereignty, territorial integrity, independence and security of States;

6. *Recommends* urgent measures to stop the arms race and promote disarmament, the dismantling of foreign military bases, the creation of zones of peace and co-operation and the achievement of general and complete disarmament and strengthening the role of the United Nations, in accordance with the Charter, in order to eliminate the causes of international tensions and ensure international peace, security and co-operation;

7. *Recommends* that the Security Council should consider appropriate steps towards carrying out effectively, as provided in the Charter and the Declaration on the Strengthening of International Security, its primary responsibility for the maintenance of international peace and security;

8. *Invites* the States parties to the Conference on Security and Co-operation in Europe to implement fully and urgently all the provisions of the Final Act, including those relating to the Mediterranean, and to consider favourably the conversion of the Mediterranean into a zone of peace and co-operation in the interests of international peace and security;

9. *Takes note* of the report of the Secretary-General, requests him to submit to the General Assembly at its thirty-second session a report on the implementation of the Declaration on the Strengthening of International Security and decides to include in the provisional agenda of its thirty-second session the item entitled "Implementation of the Declaration on the Strengthening of International Security".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 14 December 1976, the General Assembly adopted the draft resolutions submitted by the First Committee in its report (A/31/414, para. 12). Draft resolution I was adopted by 99 votes to 1, with 11 abstentions, and draft resolution II by 95 votes to none, with 17 abstentions. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolutions 31/91 and 31/92.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 33 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|------------------------------------|
| A/31/41 | Letter dated 24 December 1975 from the representative of Algeria to the Secretary-General, transmitting the text of a message addressed to the Heads of State or Government of non-aligned countries by the President of the Council of Ministers of Algeria, in his capacity as Chairman of the Movement of non-aligned countries | Mimeographed |
| A/31/47 | Letter dated 30 January 1976 from the representatives of Mauritania and Romania to the Secretary-General, transmitting the text of the Solemn Joint Declaration of the Socialist Republic of Romania and the Islamic Republic of Mauritania | Ditto |
| A/31/49 and Corr 1 | Letter dated 9 February 1976 from the representative of Poland to the Secretary-General, transmitting the text of a resolution of the Seventh Congress of the Polish United Workers' Party | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/78 | Letter dated 6 April 1976 from the representatives of Mexico and Yugoslavia to the Secretary-General, transmitting the text of the joint communiqué on the State visit of the President of the Socialist Federal Republic of Yugoslavia to Mexico | Ditto |
| A/31/79 | Letter dated 8 April 1976 from the representative of Bulgaria to the Secretary-General, transmitting an extract from the report of the Central Committee of the Bulgarian Communist Party at its Eleventh Congress | Ditto |
| A/31/102 | Letter dated 1 June 1976 from the representatives of Bulgaria and the Union of Soviet Socialist Republics to the Secretary-General, transmitting the text of a communication concerning the visit of the Minister for Foreign Affairs of the People's Republic of Bulgaria to the Soviet Union | Ditto |
| A/31/110 | Letter dated 17 June 1976 from the representative of Algeria to the Secretary-General, transmitting the text of the final communiqué of the Ministerial Meeting of the Bureau of Non-Aligned Countries held at Algiers from 30 May to 2 June 1976 | Ditto |
| A/31/116 | Letter dated 25 June 1976 from the representatives of Guinea-Bissau and Romania to the Secretary-General, transmitting the text of the Joint Solemn Declaration of the Socialist Republic of Romania and the Republic of Guinea-Bissau | Ditto |
| A/31/117 | Letter dated 18 June 1976 from the representatives of Romania and Senegal to the Secretary-General, transmitting the text of the Joint Solemn Declaration of Romania and Senegal | Ditto |
| A/31/123-S/12127 | Letter dated 2 July 1976 from the representative of Chile to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> , document S/12127 |
| A/31/124 | Letter dated 7 July 1976 from the representative of the German Democratic Republic to the Secretary-General, transmitting the text of the document issued by the Conference of 29 Communist and Workers' Parties of Europe, held in Berlin, on 29 and 30 June 1976 | Mimeographed |
| A/31/126-S/12130 | Letter dated 7 July 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> , document S/12130 |
| A/31/161-S/12155 | Letter dated 27 July 1976 from the representative of Morocco to the Secretary-General, transmitting the text of the message dated 26 July 1976 from the Minister of State for Foreign Affairs of the Kingdom of Morocco to the United Nations High Commissioner for Refugees | <i>Ibid.</i> , document S/12155 |
| A/31/164 | Letter dated 28 July 1976 from the representatives of Morocco and Mauritania to the Secretary-General, transmitting the text of the joint communiqué issued at the end of the talks between His Majesty King Hassan II and President Moktar Ould Daddah | Mimeographed |
| A/31/174 | Note verbale dated 5 August 1976 from the representative of Czechoslovakia to the Secretary-General, transmitting an excerpt from the report delivered by the Secretary-General of the Communist Party of Czechoslovakia at the fifteenth Congress of the Party | Ditto |
| A/31/177 | Note verbale dated 13 August 1976 from the Mission of the Union of Soviet Socialist Republics to the Secretary-General | Ditto |
| A/31/183 | Letter dated 16 August 1976 from the representatives of Benin and Romania to the Secretary-General, transmitting the text of the Joint Solemn Declaration of the Socialist Republic of Romania and the People's Republic of Benin | Ditto |
| A/31/185 and Add.1 | Report of the Secretary-General | Ditto |
| A/31/212 | Letter dated 10 September 1976 from the representative of Poland to the Secretary-General, transmitting the text of the Appeal of the European Assembly of Youth and Students for Lasting Peace, Security, Co-operation and Social Progress | Ditto |
| A/31/431-S/12255 | Letter dated 13 December 1976 from the representatives of Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the Union of Soviet Socialist Republics to the Secretary-General, transmitting the texts of the documents adopted at the meeting of the Political Consultative Committee of the States Parties to the Warsaw Treaty, held at Bucharest on 25 and 26 November 1976 | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> , document S/12255 |
| A/31/438 | Letter dated 14 December 1976 from the representatives of Guinea-Bissau and the German Democratic Republic to the Secretary-General, transmitting an extract from the joint communiqué dated 19 November 1976 on the visit to the German Democratic Republic of a delegation of the Party and State of the Republic of Guinea-Bissau | Mimeographed |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|------------------------------------|
| A/C.1/31/7 | Letter dated 29 October 1976 from the representative of Bulgaria to the Secretary-General, transmitting the text of the Declaration on the Development of Relations of Friendship and Co-operation between the People's Republic of Bulgaria and the People's Republic of Angola | Ditto |
| A/C.1/31/L.41 | Draft resolution | See A/31/414, para. 5 |
| A/C.1/31/L.42 | Draft resolution | <i>Ibid.</i> , para. 6 |
| A/C.1/31/L.43 | Draft resolution | <i>Ibid.</i> , para. 7 |



Agenda item 34:* Reduction of military budgets: report of the Secretary-General

Agenda item 35: Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons: report of the Secretary-General**

Agenda item 36:* Chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament**

Agenda item 37:** Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban: report of the Conference of the Committee on Disarmament**

Agenda item 38:† Implementation of General Assembly resolution 3467 (XXX) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)

Agenda item 39:†† Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean

Agenda item 40:††† World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference

Agenda item 41:†††† Effective measures to implement the purposes and objectives of the Disarmament Decade

Agenda item 42: Implementation of the Declaration on the Denuclearization of Africa**

Agenda item 43:‡ Comprehensive study of the question of nuclear-weapon-free zones in all its aspects: report of the Secretary-General

Agenda item 44:** Establishment of a nuclear-weapon-free zone in the region of the Middle East**

Agenda item 45:‡‡ Convention on the prohibition of military or any other hostile use of environmental modification techniques: report of the Conference of the Committee on Disarmament

Agenda item 46:** Establishment of a nuclear-weapon-free zone in South Asia**

Agenda item 47:‡‡‡ Conclusion of a treaty on the complete and general prohibition of nuclear weapon tests

Agenda item 48:‡ Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament

Agenda item 49:‡‡‡‡ General and complete disarmament:
(a) Report of the Conference of the Committee on Disarmament;
(b) Report of the International Atomic Energy Agency;
(c) Report of the Secretary-General

Agenda item 50:* Strengthening of the role of the United Nations in the field of disarmament: report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament

Agenda item 116:* Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 48th meetings; *ibid.*, *Fifth Committee*, 47th meeting; and *ibid.*, *Plenary Meetings*, 98th meeting.

** For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 50th meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

*** For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 42nd meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

**** For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 45th meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

† For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 48th meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

†† For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 44th meetings; *ibid.*, *Fifth Committee*, 47th meeting; and *ibid.*, *Plenary Meetings*, 98th meeting.

††† For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 49th meetings; *ibid.*, *Fifth Committee*, 47th meeting; and *ibid.*, *Plenary Meetings*, 106th meeting.

†††† For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 44th meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

‡ For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 47th meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

‡‡ For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 51st meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

‡‡‡ For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 45th meetings; *ibid.*, *Fifth Committee*, 47th meeting; and *ibid.*, *Plenary Meetings*, 98th meeting.

‡‡‡‡ For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 52nd meetings; *ibid.*, *Fifth Committee*, 47th meeting; and *ibid.*, *Plenary Meetings*, 106th meeting.

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 20th to 52nd meetings; and *ibid.*, *Plenary Meetings*, 96th meeting.

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DOCUMENT A/31/141

Sweden: request for the inclusion of an item in the provisional agenda of the thirty-first session

[Original: English]
[7 June 1976]

Letter dated 4 June 1976 to the Secretary-General

ANNEX

Explanatory memorandum

Upon instructions from my Government and in accordance with rule 13 of the rules of procedure of the General Assembly, I have the honour to request the inclusion in the agenda of the thirty-first session of the General Assembly of an item entitled "Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is annexed to this request.

(Signed) Olof RYDBECK
Permanent Representative of Sweden
to the United Nations

1. The Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was held at Geneva in May 1975, under the chairmanship of Mrs. Inga Thorsson, M.P., Under-Secretary of State of the Ministry for Foreign Affairs of Sweden.

2. In its review of article VIII of the Treaty, the Final Declaration¹ states *inter alia*:

"The Conference invites States Party to the Treaty which are Members of the United Nations to request the Secretary-General of the United Nations to include the following item in the provisional agenda of the thirty-first session of the General Assembly: 'Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons'."

3. In accordance with the Final Declaration of the Conference, the Government of Sweden wishes to include the item entitled 'Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons' in the agenda of the forthcoming session of the General Assembly.

¹ See NPT/CONF/35/I, annex I.

DOCUMENT A/31/371

Report of the First Committee on agenda item 34

[Original: English]
[7 December 1976]

1. The item entitled "Reduction of military budgets: report of the Secretary-General" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3463 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. The First Committee had before it, in connexion with agenda item 34, a report of the Secretary-General (A/31/222 and Corr.1).

5. On 23 November, Mexico and Sweden submitted a draft resolution (A/C.1/31/L.21) which was subsequently also sponsored by Ecuador (for the text, see paragraph 8 below). The draft resolution was introduced by Mexico at the 43rd meeting, on 26 November. A statement on the

administrative and financial implications of the draft resolution (A/C.1/31/L.37) was submitted by the Secretary-General on 1 December.

6. At the 47th meeting, on 1 December, Mexico, on behalf of the sponsors, orally revised operative paragraph 3 by replacing "31 May 1977" with "30 April 1977".

7. At the same meeting, the First Committee adopted the draft resolution, as orally revised, by 104 votes to 2, with 12 abstentions.

Recommendation of the First Committee

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

Reduction of military budgets

The General Assembly,

Recalling that in its resolution 3463 (XXX) of 11 December 1975 the General Assembly, *inter alia*, requested the Secretary-General to prepare, with the assistance of a group of qualified experts, a report containing an analysis and examination in concrete terms of issues regarding a

system of international measurement, reporting and comparison of military expenditures,

Noting with appreciation the report of the Secretary-General submitted to the General Assembly in response to the aforementioned resolution,

Reaffirming its conviction of the urgent necessity that the States permanent members of the Security Council, as well as any other State with comparable military expenditures, carry out reductions in their military budgets,

Reaffirming also its conviction that part of the resources thus released should be utilized for social and economic development, particularly that of the developing countries,

1. *Expresses its appreciation* to the Secretary-General and to the Group of Experts on the Reduction of Military Budgets which assisted in the preparation of the report;

2. *Requests* the Secretary-General to make the necessary arrangements for the report to be issued as a United Nations publication and widely distributed;

3. *Invites* all States to communicate to the Secretary-General before 30 April 1977 their comments with regard to matters covered in the report and, in particular:

(a) Their views and suggestions on the proposed standardized reporting instrument contained in the report;

(b) Any information they may wish to convey on their military expenditure accounting practices, including a description of methods currently in use;

(c) Suggestions and recommendations concerning possible practical approaches for the further development and operation of a standardized reporting system;

4. *Requests* the Secretary-General to prepare, with the assistance of an intergovernmental group of budgetary experts appointed by him, a report containing an analysis of the comments provided by States pursuant to paragraph 3 above, in the light of the suggestions contained in his report, as well as any further conclusions and recommendations;

5. *Requests* the Secretary-General to distribute that report not later than 31 August 1977;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Reduction of military budgets"

DOCUMENT A/31/372*

Report of the First Committee on agenda item 35

[Original: English]
[7 December 1976]

1. The item entitled "Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons: report of the Secretary-General" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3464 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 35, the First Committee had before it a report of the Secretary-General (A/31/146).

5. On 30 November, Algeria, Austria, Egypt, Ethiopia, Ireland, Jordan, Kenya, Mexico, the Netherlands, Norway, Sweden, Tunisia, Venezuela and Yugoslavia submitted a

draft resolution (A/C.1/31/L.30), which was subsequently also supported by Kuwait and New Zealand (for the text, see paragraph 7 below). The draft resolution was introduced by the representative of Sweden at the 48th meeting, on 1 December. A statement on the administrative and financial implications of the draft resolution (A/C.1/31/L.38) was submitted by the Secretary-General on 1 December.

6. At its 50th meeting, on 2 December, the First Committee adopted the draft resolution without a vote.

Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons

The General Assembly,

Convinced that the suffering of civilian populations and combatants could be significantly reduced if general agreement can be attained on the prohibition or restriction for humanitarian reasons of the use of specific conventional

* Incorporating document A/31/372/Corr.1 of 29 December 1976.

weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Mindful that positive results as regards non-use or restriction of use for humanitarian reasons of specific conventional weapons would serve, in addition, as encouragement in the broader field of disarmament and might facilitate subsequent agreement on the elimination of such weapons which were completely banned for use,

Recalling that the issue of prohibitions or restrictions for humanitarian reasons of the use of specific conventional weapons has been the subject of serious and substantive discussion for a number of years, notably at the sessions of the Conference of Government Experts on the Use of Certain Conventional Weapons held, under the auspices of the International Committee of the Red Cross, at Lucerne from 24 September to 18 October 1974² and at Lugano from 28 January to 26 February 1976,³ and at three sessions of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts and in the General Assembly since 1971,

Noting that the discussions and proposals regarding the prohibition or restriction for humanitarian reasons of the use of certain weapons have focused on napalm and other incendiary weapons, on indiscriminate methods of using land mines, on perfidious weapons and weapons which rely for their effect upon fragments invisible on X-ray, on certain types of small calibre projectile which may be especially injurious and on certain blast and fragmentation weapons,

² For the report of the first session, see *Conference of Government Experts on the Use of Certain Conventional Weapons* (International Committee of the Red Cross, Geneva, 1975).

³ For the report of the second session, see *Conference of Government Experts on the Use of Certain Conventional Weapons* (International Committee of the Red Cross, Geneva, 1976).

Noting that the issue will come before the fourth session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, to be held at Geneva from 17 March to 10 June 1977,

Convinced that the work of the fourth session of the Diplomatic Conference should be inspired by a sense of urgency and the wish to attain concrete results which was stressed in the appeal by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976, concerning particularly the prohibition of the use of napalm and other incendiary weapons,

1. *Takes note* of the reports of the Secretary-General on the work of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts as regards the work of the Conference relevant to the present resolution;⁴

2. *Invites* the Diplomatic Conference to accelerate its consideration of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects, and to do its utmost to agree for humanitarian reasons on possible rules prohibiting or restricting the use of such weapons;

3. *Requests* the Secretary-General, who has been invited to attend the Diplomatic Conference as an observer, to report to the General Assembly at its thirty-second session on aspects of the work of the Diplomatic Conference relevant to the present resolution;

4. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons".

⁴ A/9726, A/10222, A/31/146.

DOCUMENT A/31/373

Report of the First Committee on agenda item 36

[Original: English]
[3 December 1976]

1. The item entitled "Chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3465 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely items

34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 36, the First Committee had before it the report of the Conference of the Committee on Disarmament (A/31/27).

5. On 17 November, Afghanistan, Argentina, Austria, Belgium, Brazil, Canada, Cuba, Czechoslovakia, Finland, the German Democratic Republic, Germany, Federal Republic of, Hungary, India, Italy, Japan, Jordan, Kenya, Mongolia, Morocco, Nepal, the Netherlands, Nigeria, Poland, Sweden, the Ukrainian Soviet Socialist Republic, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia submitted a draft resolution (A/C.1/31/L.13

and Corr.1) which was subsequently also sponsored by Barbados, Bulgaria, Chad, Colombia, Denmark, Ecuador, Ethiopia, Ghana, Ireland and Sierra Leone for the text, see paragraph 7 below. The draft resolution was introduced by the representative of Poland at the 40th meeting, on 22 November.

6. At its 42nd meeting, on 24 November, the First Committee adopted the draft resolution without a vote.

Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Chemical and bacteriological (biological) weapons

The General Assembly,

Reaffirming its resolutions 2454 A (XXIII) of 20 December 1968, 2603 B (XXIV) of 16 December 1969, 2662 (XXV) of 7 December 1970, 2827 A (XXVI) of 16 December 1971, 2933 (XXVII) of 29 November 1972, 3077 (XXVIII) of 6 December 1973, 3256 (XXIX) of 9 December 1974 and 3465 (XXX) of 11 December 1975,

Convinced that the process of international détente is conducive to the implementation of further disarmament measures and of general and complete disarmament under effective international control,

Reaffirming the necessity of strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,

Convinced that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, constitutes an important step towards early agreement on the effective prohibition of the development, production and stockpiling of all chemical weapons and on their elimination from arsenals of all States,

Recalling in that connexion the undertaking contained in article IX of the Convention to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of all chemical weapons and for their destruction,

Stressing the importance of early agreement on the complete prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, which would contribute to general and complete disarmament under effective international control,

Noting the risk of continued development, production and stockpiling of chemical weapons in the absence of such agreement,

Having considered the report of the Conference of the Committee on Disarmament,

Noting that drafts of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, as well as other working documents, proposals and suggestions, have been submitted to the Conference of the Committee on Disarmament and constitute valuable contributions to reaching appropriate agreement,

Noting also the comments addressed to this problem and relevant documents submitted to the General Assembly at its thirty-first session,

Noting also that intensified efforts in the Conference of the Committee on Disarmament have led to increased understanding in identifying practical approaches towards the prohibition of the development, production and stockpiling of all chemical weapons, and their destruction, including definition of the agents to be banned,

Recognizing the importance of developing methods for providing adequate assurance of compliance with effective measures for the prohibition of the development, production and stockpiling of all chemical weapons, including methods of verifying the destruction of stockpiles of such weapons,

Having in mind that agreement on the complete prohibition of the development, production and stockpiling of all chemical weapons and on their destruction should not impede the utilization of science and technology for the economic development of States,

Desiring to contribute to a successful conclusion of the negotiations on effective and strict measures for the complete prohibition of the development, production and stockpiling of all chemical weapons and for their destruction,

1. *Reaffirms* the objective of reaching early agreement on the effective prohibition of the development, production and stockpiling of all chemical weapons and on their elimination from arsenals of all States;

2. *Urges again* all States to make every effort to facilitate early agreement on the effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction;

3. *Requests* the Conference of the Committee on Disarmament to continue negotiations as a matter of high priority, taking into account the existing proposals, with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of all chemical weapons and for their destruction;

4. *Invites* all States that have not yet done so to accede to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, as well as to accede to or ratify the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on

17 June 1925, and calls again for strict observance by all States of the principles and objectives of those instruments;

5. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents of the thirty-first session of the General Assembly

relating to chemical weapons and to chemical means of warfare;

6. *Requests* the Conference of the Committee on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-second session.

DOCUMENT A/31/374

Report of the First Committee on agenda item 37

[Original: English]
[7 December 1976]

1. The item entitled "Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban: report of the Conference of the Committee on Disarmament" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3466 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. The general debate on these items took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 37, the First Committee had before it the report of the Conference of the Committee on Disarmament (A/31/27).

5. On 22 November, Australia, Austria, Colombia, Ecuador, Ethiopia, Ireland, Mexico, Nepal, New Zealand, Nigeria, the Philippines, Sweden and Venezuela submitted a draft resolution (A/C.1/31/L.15), which was subsequently also sponsored by Afghanistan, Finland, Papua New Guinea and the United Republic of Cameroon (for the text, see paragraph 7 below). The draft resolution was introduced by the representative of New Zealand at the 42nd meeting, on 24 November.

6. At its 44th meeting, on 29 November, the Committee voted on the draft resolution as follows:

(a) Operative paragraph 1 was adopted by a roll-call vote of 82 to 5, with 38 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Bahrain, Barbados, Bhutan, Bolivia, Brazil, Burundi, Chad, Chile, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Ghana, Grenada, Guatemala, Guyana, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Morocco, Mozambique, Nepal, New Zealand, Nicaragua,

Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Cameroon, Upper Volta, Venezuela, Yugoslavia.

Against: Albania, China, France, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Algeria, Belgium, Benin, Botswana, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Congo, Cuba, Czechoslovakia, Democratic Yemen, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Israel, Italy, Lao People's Democratic Republic, Luxembourg, Madagascar, Mauritania, Mongolia, Netherlands, Oman, Pakistan, Poland, Portugal, Romania, Spain, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Yemen, Zambia.

(b) The draft resolution as a whole was adopted by a roll-call vote of 101 to 2, with 23 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cyprus, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Ghana, Grenada, Guatemala, Guyana, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Albania, China.

Abstaining: Algeria, Belgium, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Italy, Luxembourg, Mauritania, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Zambia.

Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban

The General Assembly,

Reaffirming its conviction that the cessation of nuclear weapon testing would be in the supreme interest of mankind, both as a major step towards controlling the development and proliferation of nuclear weapons and to relieve the deep apprehension concerning the harmful consequences of radio-active contamination for the health of present and future generations,

Gravely concerned at the continuation of both atmospheric and underground nuclear weapon testing since the thirtieth session of the General Assembly,

Recalling its previous resolutions on this subject, the most recent being resolution 3466 (XXX) of 11 December 1975,

Recalling the stated aim of the parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and the Treaty on the Non-Proliferation of Nuclear Weapons to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Noting the information concerning agreements concluded by two nuclear-weapon States limiting the scope of underground nuclear weapon tests and making provision in this connexion for the control and supervision of peaceful

nuclear explosions including, in certain cases, arrangements for on-site verification (A/31/125, annex),

Considering that conditions are favourable for these two nuclear-weapon States to step up their efforts to reach agreement on the means of verifying a comprehensive test ban agreement,

Taking note of that part of the report of the Conference of the Committee on Disarmament relating to the question of a comprehensive test ban treaty,

1. *Condemns* all nuclear weapon tests, in whatever environment they may be conducted;

2. *Declares* its profound concern that substantive negotiations towards a comprehensive test ban agreement have not yet begun and re-emphasizes the urgency of concluding a comprehensive and effective agreement;

3. *Calls once again upon* all nuclear-weapon States to suspend the testing of nuclear weapons by agreement, subject to review after a specified period, as an interim step towards the conclusion of a formal and comprehensive test ban agreement;

4. *Emphasizes* in this regard the particular responsibility of the nuclear-weapon States which are parties to international agreements in which they have declared their intention to achieve at the earliest possible date the cessation of the nuclear arms race;

5. *Calls upon* all States not yet parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water to adhere to it forthwith;

6. *Urges* the Conference of the Committee on Disarmament to continue to give the highest priority to the conclusion of a comprehensive test ban agreement and to report to the General Assembly at its thirty-second session on the progress achieved;

7. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban".

DOCUMENT A/31/375

Report of the First Committee on agenda item 38

*[Original: English]
[7 December 1976]*

1. The item entitled "Implementation of General Assembly resolution 3467 (XXX) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3467 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the

items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. On 22 November, the Bahamas, Bolivia, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Grenada, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Surinam, Trinidad and Tobago, Uruguay and Venezuela submitted a draft resolution (A/C.1/31/L.18) which was subsequently also sponsored by Barbados (for the text, see paragraph 6 below). The draft resolution was introduced by the representative of Mexico at the 42nd meeting, on 24 November.

5. At its 48th meeting, on 1 December, the First Committee adopted the draft resolution by 97 votes to none, with 14 abstentions.

Recommendation of the First Committee

6. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Implementation of General Assembly resolution 3467 (XXX) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)

The General Assembly,

Recalling its resolutions 1911 (XVIII) of 27 November 1963, 2286 (XXII) of 5 December 1967, 2456 B (XXIII) of 20 December 1968, 2666 (XXV) of 7 December 1970,

2830 (XXVI) of 16 December 1971, 2935 (XXVII) of 29 November 1972, 3079 (XXVIII) of 6 December 1973, 3258 (XXIX) of 9 December 1974 and 3467 (XXX) of 11 December 1975, eight of which contain appeals to the nuclear-weapon States regarding the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),

Reiterating its firm conviction that, for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol,

Recalling with particular satisfaction that the United Kingdom of Great Britain and Northern Ireland, the United States of America, France and the People's Republic of China are already parties to Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),

1. *Again urges* the Union of Soviet Socialist Republics to sign and ratify Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco);

2. *Decides* to include in the provisional agenda of its thirty-second session an item entitled "Implementation of General Assembly resolution 31/67 concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

DOCUMENT A/31/376

Report of the First Committee on agenda item 39

*[Original: English/
7 December 1976]*

1. The item entitled "Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3468 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 39, the First Committee had before it the report of the *Ad Hoc* Committee on the Indian Ocean (A/31/29 and Corr.1).

5. At the 40th meeting, on 22 November, the representative of Indonesia, acting Chairman of the *Ad Hoc* Committee on the Indian Ocean, introduced the report of the Committee containing in paragraph 20 a draft resolution unanimously recommended by the *Ad Hoc* Committee for adoption by the General Assembly.

6. On 23 November, the Secretary-General submitted a statement (A/C.1/31/L.22) on the administrative and financial implications of the draft resolution.

7. At the 44th meeting, on 29 November, the First Committee adopted the draft resolution by 97 votes to none, with 27 abstentions.

Recommendation of the First Committee

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

Implementation of the Declaration of the Indian Ocean as a Zone of Peace

The General Assembly,

Recalling the Declaration of the Indian Ocean as a Zone of Peace, contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolutions 2992 (XXVII) of 15 December 1972, 3080 (XXVIII) of 6 December 1973, 3259 A (XXIX) of 9 December 1974 and 3468 (XXX) of 11 December 1975,

Reaffirming its conviction that concrete action in furtherance of the objectives of the Declaration would be a substantial contribution to the strengthening of international peace and security,

Noting the resolution adopted at the Fifth Conference of Heads of State or Government of Non-Aligned Countries on the subject of the Indian Ocean peace zone proposal (see A/31/197),

Deeply concerned that there has been an escalation of the military presence of the great Powers conceived in the context of great Power rivalry in the Indian Ocean, and believing therefore that the implementation of the purposes and objectives of the Declaration of the Indian Ocean as a Zone of Peace has acquired a new urgency,

Regretting that, despite repeated invitations, certain great Powers as well as certain major maritime users of the Indian Ocean have not so far found it possible to co-operate with the *Ad Hoc* Committee on the Indian Ocean and the littoral and hinterland States of the Indian Ocean,

1. *Takes note* of the report of the *Ad Hoc* Committee on the Indian Ocean, in particular section II thereof concerning the consultations entered into by the littoral and hinterland States of the Indian Ocean in pursuance of paragraphs 3 and 4 of General Assembly resolution 3468 (XXX);

2. *Requests* the *Ad Hoc* Committee and the littoral and hinterland States of the Indian Ocean to continue their consultations with a view to formulating a programme of action leading to the convening of a conference on the Indian Ocean;

3. *Invites once again* all States, in particular the great Powers and the major maritime users of the Indian Ocean, to co-operate in a practical manner with the *Ad Hoc* Committee in the discharge of its functions;

4. *Requests* the *Ad Hoc* Committee to continue its work and consultations in accordance with its mandate and to submit to the General Assembly at its thirty-second session a report on its work;

5. *Requests* the Secretary-General to continue to render all necessary assistance to the *Ad Hoc* Committee, including the provision of summary records.

DOCUMENT A/31/377**Report of the First Committee on agenda item 40**

*[Original: English]
[8 December 1976]*

1. The item entitled "World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3469 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings from 1 to 19 November.

4. The First Committee had before it, in connexion with agenda item 40, the report of the *Ad Hoc* Committee on the World Disarmament Conference (A/31/28).

5. On 9 November, the German Democratic Republic, Poland and the Union of Soviet Socialist Republics submitted the following draft resolution (A/C.1/31/L.9), subsequently also sponsored by Bulgaria, Czechoslovakia and Mongolia, which was introduced at the 27th meeting, on 10 November, by the representative of the Union of Soviet Socialist Republics:

"The General Assembly,

"Recalling its resolutions 2833 (XXVI) of 16 December 1971, 2930 (XXVII) of 29 November 1972, 3183 (XXVIII) of 18 December 1973, 3260 (XXIX) of 9 December 1974 and 3469 (XXX) of 11 December 1975,

"Reaffirming the responsibility of the United Nations, in accordance with its Charter, for the maintenance of international peace and for disarmament,

"Considering that the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held in Colombo from 16 to 19 August 1976, reiterated the urgent need to adopt effective measures leading to the convening of a World Disarmament Conference,

"Considering also the General Assembly resolution on the convening of a special session of the General Assembly devoted to disarmament,

"Taking note of the report of the *Ad Hoc* Committee for the World Disarmament Conference,

"1. Requests the *Ad Hoc* Committee to prepare a report containing observations and proposals on all relevant aspects of a World Disarmament Conference, including any comments and recommendations which it may deem appropriate, with a view to facilitating the discussion of the question of convening a World Disarmament Conference at the special session of the United Nations General Assembly devoted to disarmament, and to submit it to the General Assembly at its thirty-second session;

"2. Decides to include in the provisional agenda of its thirty-second session an item entitled 'World Disarmament Conference'."

6. On 29 November, Algeria, Argentina, Brazil, Egypt, Ethiopia, India, Indonesia, Iraq, Mali, Mexico, Morocco, Nepal, Nigeria, Peru, Sri Lanka and Yugoslavia submitted a draft resolution (A/C.1/31/L.29), which was subsequently also sponsored by Afghanistan. A revised draft (A/C.1/31/L.29/Rev.1) was introduced by the representative of Argentina at the 47th meeting on 1 December (for the text, see paragraph 8 below). A statement of the financial implications of the revised draft resolution was submitted by the Secretary-General on 1 December (A/C.1/31/L.39).

7. At its 49th meeting on 2 December, the First Committee adopted draft resolution A/C.1/31/L.29/Rev.1 without a vote. The sponsors of draft resolution A/C.1/31/L.9 did not press that resolution to a vote.

Recommendation of the First Committee

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

World Disarmament Conference

The General Assembly,

Recalling its resolutions 3260 (XXIX) of 9 December 1974 and 3469 (XXX) of 11 December 1975,

Reiterating its conviction that all peoples of the world have a vital interest in the success of disarmament negotiations and that all States should be in a position to contribute to the adoption of measures for the achievement of this goal,

Stressing anew its belief that a world disarmament conference, adequately prepared and convened at an appropriate time, could promote the realization of such aims and that the co-operation of all nuclear-weapon Powers would considerably facilitate this attainment,

Noting the report of the *Ad Hoc* Committee on the World Disarmament Conference,

Noting further that in its resolution 31/189 B of 21 December 1976 the General Assembly decided to convene a special session devoted to disarmament,

1. Requests the *Ad Hoc* Committee on the World Disarmament Conference to maintain close contact with the representatives of the States possessing nuclear weapons in order to remain currently informed of their respective attitudes, as well as to consider any relevant comments and observations which might be made to the Committee and, for this purpose, to meet briefly and submit a report to the General Assembly at its thirty-second session, in accordance with its established procedure;

2. Decides to include in the provisional agenda of its thirty-second session the item entitled "World Disarmament Conference".

DOCUMENT A/31/378

Report of the First Committee on agenda item 41

[Original: English]
[7 December 1976]

1. The item entitled "Effective measures to implement the purposes and objectives of the Disarmament Decade" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3470 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 41, the First Committee had before it the report of the Conference of the Committee on Disarmament (A/31/27).

5. On 23 November, Austria, Ethiopia, Finland, India, Kenya, Mexico, Niger, Nigeria, Romania, Trinidad and Tobago and Yugoslavia submitted a draft resolution (A/C.1/31/L.14), which was subsequently also sponsored by Bangladesh, Morocco, the Philippines, Sweden and the United Republic of Cameroon (for the text, see paragraph 7 below). The draft resolution was introduced by the representative of Nigeria at the 42nd meeting on 24 November.

6. At its 44th meeting, on 29 November, the First Committee adopted the draft resolution without a vote.

Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Effective measures to implement the purposes and objectives of the Disarmament Decade

The General Assembly,

Recalling its resolution 2602 E (XXIV) of 16 December 1969, in which it declared the decade of the 1970s the Disarmament Decade and envisaged a link between the Disarmament Decade and the Second United Nations Development Decade,

Deeply concerned that, despite the repeated requests by the General Assembly for the implementation of effective measures aimed at its cessation, the arms race, particularly of nuclear armaments, has continued to increase at an alarming speed, absorbing enormous material and human resources from the economic and social development of all countries and constituting a grave danger for world peace and security,

Considering that the ever spiralling arms race is not compatible with the efforts aimed at promoting international peace and security as well as establishing a new international economic order, as defined in the Declaration and the Programme of Action on the Establishment of a New International Economic Order, contained in its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, and in the Charter of Economic Rights and Duties of States, contained in its resolution 3281 (XXIX) of 12 December 1974,

Recalling its resolution 1722 (XVI) of 20 December 1961, in which it recognized that all States have a deep interest in disarmament negotiations,

Convinced that the participation of all nuclear-weapon States in the efforts to contain the nuclear arms race and to reduce and eliminate all armaments is indispensable for a full measure of success in these efforts,

Conscious that, disarmament being a matter of grave concern to all States, there is a pressing need for all Governments and peoples to be informed about and understand the situation prevailing in the field of the arms race and disarmament and that the United Nations has a central role in this connexion in keeping with its obligations under the Charter of the United Nations.

Noting the suggestion made by the Secretary-General in the introduction to his report on the work of the Organization that the General Assembly might discuss various ways in which public concern about disarmament could be stimulated and channelled in constructive ways,⁵

Having received the report of the Conference of the Committee on Disarmament, including, in particular, the part dealing with its mid-term review of the Disarmament Decade with a view to reappraising its tasks and duties in order to accelerate the pace of its efforts to negotiate truly effective disarmament and arms limitation agreements,

1. *Reaffirms* the purposes and objectives of the Disarmament Decade;

2. *Deplores* the meagre achievements of the Disarmament Decade in terms of truly effective disarmament and arms limitation agreements, and the detrimental effects on world peace and economy of the continuing unproductive and wasteful arms race, particularly the nuclear arms race;

3. *Calls again upon* all States, as well as the organs concerned with disarmament issues, to place at the centre of their preoccupations the adoption of effective measures for the cessation of the arms race, especially in the nuclear field, and for the reduction of military expenditures and to make sustained efforts with a view to achieving progress towards general and complete disarmament;

4. *Calls upon* Member States and the Secretary-General to intensify their efforts in support of the link between disarmament and development, envisaged in General Assembly resolution 2602 E (XXIV) on the Disarmament Decade, so as to promote disarmament negotiations and to ensure that the human and material resources freed by disarmament are used to promote economic and social development, particularly in the developing countries;

5. *Requests* the Secretary-General to ensure a proper co-ordination of disarmament and development activities within the United Nations system of organizations and to report to the General Assembly at its thirty-second session;

6. *Requests* the Secretary-General to offer appropriate assistance and information to Member States that may require them in pursuance of the purposes and objectives of the Disarmament Decade;

7. *Urges* the Conference of the Committee on Disarmament to adopt, during its 1977 session, a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under strict and effective international control, in accordance with General Assembly resolution 2602 E (XXIV) proclaiming the Disarmament Decade;

8. *Calls upon* non-governmental organizations and international institutions and organizations to further the goals of the Disarmament Decade;

9. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Effective measures to implement the purposes and objectives of the Disarmament Decade".

⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 1A*, sect. V.

DOCUMENT A/31/379

Report of the First Committee on agenda item 42

[Original: English]
[7 December 1976]

1. The item entitled "Implementation of the Declaration on the Denuclearization of Africa" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3471 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. On 30 November, Algeria, Benin, Botswana, Burundi, Chad, the Comoros, the Congo, Egypt, Equatorial Guinea, Ethiopia, the Gambia, Ghana, Guinea, Guinea-Bissau, the Ivory Coast, Kenya, Liberia, Madagascar, Mali, Mauritania, Mauritius, Morocco, Mozambique, the Niger, Nigeria, Rwanda, Sierra Leone, Somalia, the Sudan, Togo, Tunisia, the United Republic of Cameroon, the United Republic of Tanzania, the Upper Volta and Zaire submitted a draft resolution (A/C.1/31/L.31) which was subsequently also sponsored by Senegal (for the text, see paragraph 6 below). The draft resolution was introduced by the representative of Nigeria at the 48th meeting, on 1 December.

5. At its 50th meeting, on 2 December, the First Committee adopted the draft resolution without a vote.

Recommendation of the First Committee

6. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the Declaration on the Denuclearization of Africa

The General Assembly,

Recalling its resolutions 1652 (XVI) of 24 November 1961, 2033 (XX) of 3 December 1965, 3261 E (XXIX) of 9 December 1974 and 3471 (XXX) of 11 December 1975, in which it called upon all States to consider and respect the continent of Africa, including the continental African States, Madagascar and other islands surrounding Africa, as a nuclear-weapon-free zone,

Recognizing that implementation of the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity in 1964⁶ would contribute to the security of all the African States and to the goals of general and complete disarmament,

Bearing in mind that the Assembly of Heads of State and Government of the Organization of African Unity at its thirteenth ordinary session, held at Port Louis from 2 to 6 July 1976, expressed grave concern over the continuing collaboration between certain States Members of the United Nations and the racist régime of South Africa, particularly in the military and nuclear fields, thereby enabling it to acquire nuclear-weapon capability,

Concerned that further development of South Africa's military and nuclear-weapon potential would frustrate efforts to establish nuclear-weapon-free zones in Africa and elsewhere as an effective means for preventing the proliferation, both horizontal and vertical, of nuclear weapons and for contributing to the elimination of the danger of a nuclear holocaust,

1. *Reaffirms* its call upon all States to respect and abide by the Declaration on the Denuclearization of Africa:

2. *Further reaffirms* its call upon all States to consider and respect the continent of Africa, including the continental African States, Madagascar and other islands surrounding Africa, as a nuclear-weapon-free zone:

3. *Appeals* to all States not to deliver to South Africa or place at its disposal any equipment or fissionable material or technology that will enable the racist régime of South Africa to acquire nuclear-weapon capability:

4. *Requests* the Secretary-General to render all necessary assistance to the Organization of African Unity towards the realization of its solemn Declaration on the Denuclearization of Africa, in which the African Heads of State and Government announced their readiness to undertake, in an international treaty to be concluded under the auspices of the United Nations, not to manufacture or acquire control of nuclear weapons;

5. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

⁶ *Ibid.*, *Twentieth Session, Annexes*, agenda item 105, document A/5975.

DOCUMENT A/31/380

Report of the First Committee on agenda item 43

[Original: English]
[8 December 1976]

1. The item entitled "Comprehensive study of the question of nuclear-weapon-free zones in all its aspects: report of the Secretary-General", was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3472 A (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 43, the First Committee had before it a report of the Secretary-General (A/31/189 and Add.1 and 2).

5. On 17 November, Finland submitted a draft resolution (A/C.1/31/L.8), which was introduced by its representative at the 44th meeting, on 29 November (for the text, see paragraph 7 below).

6. At its 47th meeting, on 1 December, the Committee voted on the draft resolution as follows:

(a) The second preambular paragraph was adopted by 95 votes to 1, with 18 abstentions;

(b) The draft resolution as a whole was adopted by a recorded vote of 114 to none, with 1 abstention. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Re-

publics, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France.

Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Comprehensive study of the question of nuclear-weapon-free zones in all its aspects

The General Assembly,

Recalling its resolution 3261 F (XXIX) of 9 December 1974, by which it decided to undertake a comprehensive study of the question of nuclear-weapon-free zones in all its aspects,

Recalling further its resolution 3472 (XXX) of 11 December 1975, by which it, *inter alia*, commended the special report containing the study⁷ to the attention of all Governments, the International Atomic Energy Agency and other relevant international organizations and invited them to transmit to the Secretary-General before 30 June 1976 such views, observations and suggestions on the special report as they might deem appropriate,

Having considered the special report of the Conference of the Committee on Disarmament containing the comprehensive study of the question of nuclear-weapon-free zones in all its aspects prepared by the *Ad Hoc* Group of Qualified Governmental Experts for the Study of the Question of Nuclear-Weapon-Free Zones,

Having noted the comments made by States members of the Conference of the Committee on Disarmament concerning the study,⁸

Considering that the question of nuclear-weapon-free zones is included in the provisional agenda of the Conference of the Committee on Disarmament as adopted on 15 August 1968,

1. *Takes note* of the report of the Secretary-General containing the views, observations and suggestions on the special report by Governments, the International Atomic Energy Agency and the Agency for the Prohibition of

⁷ *Ibid.*, *Thirtieth Session, Supplement No. 27A*, annex I.

⁸ *Ibid.*, annex II.

Nuclear Weapons in Latin America (A/31/189 and Add.1 and 2);

2. *Expresses once more its appreciation* to the *Ad Hoc* Group of Qualified Governmental Experts for the Study of the Question of Nuclear-Weapon-Free Zones for the preparation of the study and conveys its thanks to the Secretary-General of the United Nations, the Director General of the International Atomic Energy Agency and other relevant international organizations for the assistance they have given for the preparation of the study;

3. *Reiterates its conviction* that the establishment of nuclear-weapon-free zones can contribute to the security of members of such zones, to the prevention of proliferation of nuclear weapons and to the goals of general and complete disarmament;

4. *Draws the attention* of Governments to the study and the views, observations and suggestions on that study contained in the report of the Secretary-General;

5. *Expresses the hope* that the comprehensive study and the views, observations and suggestions on that study will enhance further efforts of Governments concerning nuclear-weapon-free zones and will be of assistance to States interested in the establishment of such zones;

6. *Conveys* the study and the report of the Secretary-General to the Governments concerned, to interested international organizations and to the Conference of the Committee on Disarmament for the further consideration and measures that they may deem appropriate within their respective fields of competence.

DOCUMENT A/31/381

Report of the First Committee on agenda item 44

[Original: English]
[8 December 1976]

1. The item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3474 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 4 to 50 and 116. This general debate took place at the 10th to 39th meetings, from 1 to 19 November.

4. On 22 November, Egypt, Iran and Kuwait submitted draft resolution (A/C.1/31/L.19) which was subsequently so sponsored by Bahrain, Jordan, Mauritania, the Sudan and the United Arab Emirates (for the text, see paragraph 6 below). The draft resolution was introduced by the representative of Iran at the 41st meeting, on 23 November.

5. At the 45th meeting, on 29 November, the Committee voted on the draft resolution as follows:

(a) Operative paragraphs 2 and 3 were adopted by 107 votes to none, with 11 abstentions;

(b) The draft resolution as a whole was adopted by 121 votes to none, with 2 abstentions.

Recommendation of the First Committee

6. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolution 3263 (XXIX) of 9 December 1974, in which it overwhelmingly commended the idea of the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also its resolution 3474 (XXX) of 11 December 1975, in which it recognized that the establishment of a nuclear-weapon-free zone in the Middle East enjoys wide support in the region,

Mindful of the prevailing political situation in the region and the potential danger emanating therefrom that would be further aggravated by the introduction of nuclear weapons in the area,

Concerned that the lack of any appreciable progress in the direction of the establishment of a nuclear-weapon-free zone, in the present atmosphere in the region, will further complicate the situation,

Convinced that progress towards the establishment of a nuclear-weapon-free zone in the Middle East will greatly

enhance the cause of peace both in the region and in the world,

Conscious of the particular nature of the problems involved and the complexities inherent in the situation in the Middle East, and the urgency of keeping the region free from involvement in a ruinous nuclear arms race,

1. *Expresses the need* for further action to generate momentum towards realization of the establishment of a nuclear-weapon-free zone in the Middle East;

2. *Urges* all parties directly concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons as a means of promoting this objective;

3. *Reiterates* its recommendation that the Member States referred to in paragraph 2 above, pending the establishment of the nuclear-weapon-free zone under an effective system of safeguards, should:

(a) Proclaim solemnly and immediately their intention to refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices, and from permitting the stationing of nuclear weapons in their territory or the territory under their control by any third party;

(b) Refrain, on a reciprocal basis, from any other action that would facilitate the acquisition, testing or use of such weapons, or would be in any other way detrimental to the objective of the establishment of a nuclear-weapon-free zone in the region under an effective system of safeguards;

(c) Agree to place all their nuclear activities under the International Atomic Energy Agency safeguards;

4. *Reaffirms* the recommendations to the nuclear-weapon States to refrain from any action contrary to the purpose of the present resolution and the objective of establishing, in the region of the Middle East, a nuclear-weapon-free zone under an effective system of safeguards and to extend their co-operation to the States of the region in their efforts to promote this objective;

5. *Invites* the Secretary-General to explore the possibilities of making progress towards the establishment of a nuclear-weapon-free zone in the area of the Middle East;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

DOCUMENT A/31/382

Report of the First Committee on agenda item 45

[Original: English]
[9 December 1976]

1. The item entitled "Convention on the prohibition of military or any other hostile use of environmental modification techniques: report of the Conference of the Committee on Disarmament" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3475 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. The general debate on these items took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 45, the First Committee had before it the report of the Conference of the Committee on Disarmament (A/31/27).

5. On 3 November, Argentina, Mexico, Panama and Peru submitted a draft resolution (A/C.1/31/L.4) which was subsequently also sponsored by Cyprus, the Dominican Republic, Ecuador, Grenada, Jamaica, Mauritius, Trinidad and Tobago and Venezuela. The draft resolution, which was

introduced by the representative of Mexico at the 26th meeting, on 9 November, read as follows:

"The General Assembly,

"Recalling its resolutions 3264 (XXIX) of 9 December 1974 and 3475 (XXX) of 11 December 1975,

"Reiterating its conviction that the conclusion of a convention on the prohibition of action to influence the environment and climate for military and other hostile purposes would contribute to the cause of strengthening peace and averting the threat of war,

"Convinced also that such a convention should not affect the use of environmental modification techniques for peaceful purposes, which should contribute to the preservation and improvement of the environment for the benefit of present and future generations,

"Taking into account the report of the Conference of the Committee on Disarmament as it relates to this question,

"Noting with satisfaction the progress achieved in the preparation of the text of a draft convention on this matter,

"1. Requests the Conference of the Committee on Disarmament, without prejudice to the priorities estab-

lished in its programme of work, to continue negotiations on the text of a draft convention on the prohibition of military or any other hostile use of environmental modification techniques, bearing in mind the proposals and suggestions which have been submitted as well as the relevant discussion by the General Assembly, with a view to reaching agreement as early as possible on a text which would be widely acceptable to Members of the United Nations, and to submit a report on the results achieved to the General Assembly at its thirty-second session;

"2. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents relating to the discussion of this question by the General Assembly at its thirty-first session;

"3. *Decides* to include in the provisional agenda of its thirty-second session an item entitled 'Convention on the prohibition of military or any other hostile use of environmental modification techniques'."

6. On 4 November, Canada, Denmark, Finland, the German Democratic Republic, Hungary, Japan, Mongolia, the Netherlands, Norway, Poland, the United Kingdom of Great Britain and Northern Ireland and Zaire submitted a draft resolution (A/C.1/31/L.5). The draft resolution, which was introduced by the representative of Finland at the 24th meeting, on 5 November, read as follows:

"The General Assembly,

"Recalling its resolutions 3264 (XXIX) of 9 December 1974 and 3475 (XXX) of 11 December 1975,

"Determined to avert the potential dangers of military or any other hostile use of environmental modification techniques,

"Noting with satisfaction that the Conference of the Committee on Disarmament has completed and transmitted to the General Assembly, in the report of its 1976 session, the text of a draft convention on the prohibition of military or any other hostile use of environmental modification techniques,

"Convinced that the Convention will contribute to the realization of the purposes and principles of the Charter of the United Nations,

"1. *Commends* the Convention on the prohibition of military or any other hostile use of environmental modification techniques, the text of which is annexed to the report of the Conference of the Committee on Disarmament;

"2. *Requests* the Secretary-General, as depositary of the Convention, to open it for signature and ratification at the earliest possible date;

"3. *Expresses its hope* for the widest possible adherence to the Convention."

7. Subsequently, the draft resolution was reissued with the text of the draft Convention annexed to it (A/C.1/31/

L.5/Rev.1), Austria, Bulgaria, Iran, the Union of Soviet Socialist Republics and the United States of America having joined the list of sponsors, later joined by Bolivia, Brazil, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Ethiopia, Guinea, India, Italy, Liberia, Mozambique and the Ukrainian Soviet Socialist Republic.

8. On 29 November, Austria, Bolivia, Brazil, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Ethiopia, Finland, the German Democratic Republic, Guinea, Hungary, India, Iran, Italy, Japan, Liberia, Mongolia, Mozambique, the Netherlands, Norway, Poland, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Ukrainian Soviet Socialist Republic and Zaire submitted a newly revised draft resolution (A/C.1/31/L.5/Rev.2 and Corr.1) which was introduced by the representative of Finland at the 50th meeting, on 2 December. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 3264 (XXIX) of 9 December 1974 and 3475 (XXX) of 11 December 1975,

"Recalling its resolution 1722 (XVI) of 20 December 1961, in which it recognized that all States have a deep interest in disarmament and arms control negotiations,

"Determined to avert the potential dangers of military or any other hostile use of environmental modification techniques,

"Convinced that broad adherence to a convention on the prohibition of such action would contribute to the cause of strengthening peace and averting the threat of war,

"Noting with satisfaction that the Conference of the Committee on Disarmament has completed and transmitted to the General Assembly, in the report of its work in 1976, the text of a draft convention on the prohibition of military or any other hostile use of environmental modification techniques,

"Anxious that during its 1977 session, the Conference of the Committee on Disarmament should concentrate on urgent negotiations on disarmament and arms limitation measures,

"Bearing in mind that draft agreements on disarmament and arms control measures submitted to the General Assembly by the Conference of the Committee on Disarmament should be the result of a process of effective negotiations, and that such instruments should duly take into account the views and interests of all States so that they can be adhered to by the widest possible number of countries,

"Bearing in mind that article VIII of the draft convention makes provision for a conference to review the operation of the Convention five years after its entry into force, with a view to ensuring that its purposes and provisions are being realized.

“Also bearing in mind all relevant documents and negotiating records of the Conference of the Committee on Disarmament on the discussion of the draft convention,

“Convinced that the Convention should not affect the use of environmental modification techniques for peaceful purposes, which could contribute to the preservation and improvement of the environment for the benefit of present and future generations,

“Convinced that the Convention will contribute to the realization of the purposes and principles of the Charter of the United Nations,

“1. Commends the Convention on the prohibition of military or any other hostile use of environmental modification techniques, the text of which is annexed to this resolution;

“2. Requests the Secretary-General, as Depositary of the Convention, to open it for signature and ratification at the earliest possible date;

“3. Expresses its hope for the widest possible adherence to the Convention;

“4. Calls upon the Conference of the Committee on Disarmament, without prejudice to the priorities established in its programme of work, to keep under review the problem of effectively averting the dangers of military or any other hostile use of environmental modification techniques;

“5. Requests that the Secretary-General transmit to the Conference of the Committee on Disarmament all documents relating to the discussion by the General Assembly at its thirty-first session of the question of the prohibition of military or any other hostile use of environmental modification techniques.”

9. At the 50th meeting, on 2 December, Nigeria proposed the following oral amendments to draft resolution A/C.1/31/L.5/Rev.2:

(a) The addition of a new preambular paragraph reading as follows:

“Noting further that the Convention is intended to prohibit effectively military or any other hostile use of environmental modification techniques in order to eliminate the dangers to mankind from such use”;

(b) The deletion of operative paragraph 1 and its replacement by the following text:

“1. Refers the Convention on the prohibition of military or any other hostile use of environmental modification techniques, the text of which is annexed to this resolution, to all States for their consideration, signature and ratification”.

These oral amendments were accepted by the co-sponsors of the draft resolution at the same meeting.

10. On 2 December, Austria, Bolivia, Brazil, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Ethiopia, Finland, the German Democratic Republic, Guinea, Hungary, India, Iran, Italy, Japan, Liberia, Mongolia, Mozambique, the Netherlands, Nigeria, Norway, Poland, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Ukrainian Soviet Socialist Republic and Zaire submitted a newly revised draft resolution (A/C.1/31/L.5/Rev.3) which was subsequently also sponsored by the Syrian Arab Republic, incorporating the amendments referred to in the previous paragraph (for the text, see paragraph 15 below).

11. On 2 December, the sponsors of draft resolution A/C.1/31/L.4, joined by Haiti, submitted a revised draft resolution (A/C.1/31/L.4/Rev.1) which was introduced by the representative of Mexico at the 50th meeting, on 2 December. The draft resolution read as follows:

“The General Assembly,

“Recalling its resolutions 3264 (XXIX) of 9 December 1974 and 3475 (XXX) of 11 December 1975,

“Reiterating its conviction that the conclusion of a convention on the prohibition of action to influence the environment and climate for military and other hostile purposes would contribute to the cause of strengthening peace and averting the threat of war,

“Convinced also that such a convention should not affect the use of environmental modification techniques for peaceful purposes, which should contribute to the preservation and improvement of the environment for the benefit of present and future generations,

“Taking into account the report of the Conference of the Committee on Disarmament as it relates to this question,

“Noting with satisfaction the progress achieved in the preparation of the text of a draft convention on the matter,

“Being aware that Member States have not had time to give that text the consideration it deserves,

“1. Requests the Secretary-General to transmit to all States the text of the draft convention on the prohibition of military or any other hostile use of environmental modification techniques, contained in document A/31/27, as well as all other relevant documents relating to this question;

“2. Invites all Member States to communicate to the Secretary-General their views and suggestions on this question before 30 June 1977;

“3. Requests the Secretary-General to transmit to all Member States the replies submitted pursuant to paragraph 2 above;

“4. Decides to include in the provisional agenda of its thirty-second session an item entitled ‘Convention on the prohibition of military or any other hostile use of environmental modification techniques’.”

12. At its 51st meeting, on 3 December, the Committee proceeded to vote on draft resolutions A/C.1/31/L.4/Rev.1 and A/C.1/31/L.5/Rev.3. The representative of India, seconded by the representative of Nigeria, moved that draft resolution A/C.1/31/L.5/Rev.3 be accorded priority. The motion was adopted by a recorded vote of 59 to 31, with 30 abstentions.⁹ The voting was as follows:

In favour: Afghanistan, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Colombia, Congo, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Ethiopia, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, Iceland, India, Iran, Italy, Ivory Coast, Japan, Jordan, Lao People's Democratic Republic, Lebanon, Liberia, Luxembourg, Madagascar, Malawi, Mongolia, Mozambique, Nepal, Netherlands, Nigeria, Norway, Oman, Poland, Portugal, Sierra Leone, Somalia, Sudan, Swaziland, Syrian Arab Republic, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

Against: Argentina, Burundi, Chile, China, Costa Rica, Cyprus, Ecuador, France, Grenada, Iraq, Jamaica, Kenya, Kuwait, Malaysia, Mauritius, Mexico, Nicaragua, Panama, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Singapore, Surinam, Thailand, Trinidad and Tobago, Uganda, Uruguay, Venezuela.

Abstaining: Algeria, Australia, Bangladesh, Burma, Chad, Egypt, El Salvador, Equatorial Guinea, Fiji, Guyana, Indonesia, Ireland, Israel, Mali, Mauritania, Morocco, New Zealand, Niger, Pakistan, Saudi Arabia, Senegal, Spain, Sri Lanka, Sweden, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zambia.

13. At the same meeting, the Committee proceeded to vote on draft resolution A/C.1/31/L.5/Rev.3. The draft resolution was adopted by a recorded vote of 89 to 11, with 25 abstentions.¹⁰ The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Colombia, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, El Salvador, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guyana, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Jordan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mongolia, Morocco, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Philippines, Poland, Portugal, Qatar, Romania, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand,

Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Yugoslavia, Zaire.

Against: Burundi, Ecuador, Grenada, Kenya, Kuwait, Mauritius, Mexico, Panama, Peru, Trinidad and Tobago, Zambia.

Abstaining: Argentina, Chad, Chile, Congo, Costa Rica, Dominican Republic, Egypt, Equatorial Guinea, France, Iraq, Ivory Coast, Jamaica, Malaysia, New Zealand, Pakistan, Paraguay, Rwanda, Saudi Arabia, Surinam, Togo, Uganda, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Yemen.

14. At the same meeting, the delegations of Finland and India moved that the Committee take no further action on draft resolution A/C.1/31/L.4/Rev.1. The motion was adopted by the Committee by a recorded vote of 49 to 42, with 35 abstentions. The voting was as follows:

In favour: Afghanistan, Austria, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Colombia, Cuba, Czechoslovakia, Denmark, Equatorial Guinea, Ethiopia, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Hungary, Iceland, India, Iran, Italy, Japan, Jordan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Madagascar, Mongolia, Mozambique, Nepal, Netherlands, Nigeria, Norway, Philippines, Poland, Swaziland, Syrian Arab Republic, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

Against: Algeria, Argentina, Benin, Burundi, Chile, China, Costa Rica, Cyprus, Dominican Republic, Ecuador, France, Grenada, Israel, Jamaica, Kenya, Kuwait, Luxembourg, Malaysia, Malta, Mauritania, Mexico, Morocco, Nicaragua, Panama, Paraguay, Peru, Romania, Rwanda, Saudi Arabia, Singapore, Spain, Surinam, Thailand, Togo, Trinidad and Tobago, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Zambia.

Abstaining: Australia, Bahrain, Bangladesh, Botswana, Burma, Chad, Congo, Democratic Yemen, Egypt, El Salvador, Fiji, Gabon, Greece, Guyana, Indonesia, Iraq, Ireland, Ivory Coast, Libyan Arab Republic, Malawi, Mali, New Zealand, Niger, Oman, Pakistan, Portugal, Qatar, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Sweden, Tunisia, Yugoslavia.

Recommendation of the First Committee

15. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

The General Assembly,

Recalling its resolutions 3264 (XXIX) of 9 December 1974 and 3475 (XXX) of 11 December 1975,

⁹ After the vote, the representative of the Libyan Arab Republic indicated that her vote in favour of the motion had not been recorded.

¹⁰ After the vote, the representative of Mozambique indicated that his vote in favour of the draft resolution had not been recorded.

Recalling its resolution 1722 (XVI) of 20 December 1961, in which it recognized that all States have a deep interest in disarmament and arms control negotiations,

Determined to avert the potential dangers of military or any other hostile use of environmental modification techniques,

Convinced that broad adherence to a convention on the prohibition of such action would contribute to the cause of strengthening peace and averting the threat of war,

Noting with satisfaction that the Conference of the Committee on Disarmament has completed and transmitted to the General Assembly, in the report of its work in 1976, the text of a draft Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification techniques (see A/31/27),

Noting further that the Convention is intended to prohibit effectively military or any other hostile use of environmental modification techniques in order to eliminate the dangers to mankind from such use,

Bearing in mind that draft agreements on disarmament and arms control measures submitted to the General Assembly by the Conference of the Committee on Disarmament should be the result of a process of effective negotiations, and that such instruments should duly take into account the views and interests of all States so that they can be adhered to by the widest possible number of countries,

Bearing in mind that article VIII of the Convention makes provision for a conference to review the operation of the Convention five years after its entry into force, with a view to ensuring that its purposes and provisions are being realized,

Also bearing in mind all relevant documents and negotiating records of the Conference of the Committee on Disarmament on the discussion of the draft Convention,

Convinced that the Convention should not affect the use of environmental modification techniques for peaceful purposes, which could contribute to the preservation and improvement of the environment for the benefit of present and future generations,

Convinced that the Convention will contribute to the realization of the purposes and principles of the Charter of the United Nations,

Anxious that during its 1977 session the Conference of the Committee on Disarmament should concentrate on urgent negotiations on disarmament and arms limitation measures,

1. *Refers* the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, the text of which is annexed to the present resolution, to all States for their consideration, signature and ratification;

2. *Requests* the Secretary-General, as Depositary of the Convention, to open it for signature and ratification at the earliest possible date;

3. *Expresses its hope* for the widest possible adherence to the Convention;

4. *Calls upon* the Conference of the Committee on Disarmament, without prejudice to the priorities established in its programme of work, to keep under review the problem of effectively averting the dangers of military or any other hostile use of environmental modification techniques;

5. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents relating to the discussion by the General Assembly at its thirty-first session of the question of the prohibition of military or any other hostile use of environmental modification techniques.

ANNEX

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

The States Parties to this Convention,

Guided by the interest of consolidating peace, and wishing to contribute to the cause of halting the arms race, and of bringing about general and complete disarmament under strict and effective international control, and of saving mankind from the danger of using new means of warfare,

Determined to continue negotiations with a view to achieving effective progress towards further measures in the field of disarmament,

Recognizing that scientific and technical advances may open new possibilities with respect to modification of the environment,

Recalling the Declaration of the United Nations Conference on the Human Environment,¹¹ adopted at Stockholm on 16 June 1972,

Realizing that the use of environmental modification techniques for peaceful purposes could improve the interrelationship of man and nature and contribute to the preservation and improvement of the environment for the benefit of present and future generations,

Recognizing, however, that military or any other hostile use of such techniques could have effects extremely harmful to human welfare,

Desiring to prohibit effectively military or any other hostile use of environmental modification techniques in order to eliminate the dangers to mankind from such use, and affirming their willingness to work towards the achievement of this objective,

Desiring also to contribute to the strengthening of trust among nations and to the further improvement of the international situation in accordance with the purposes and principles of the Charter of the United Nations,

Have agreed as follows:

Article I

1. Each State Party to this Convention undertakes not to engage in military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State Party.

2. Each State Party to this Convention undertakes not to assist, encourage or induce any State, group of States or international organization to engage in activities contrary to the provisions of paragraph 1 of this article.

¹¹ See *Report of the United Nations Conference on the Human Environment* (United Nations publication, Sales No. E.73.II.A. and corrigendum), chap. I.

Article II

As used in article I, the term "environmental modification techniques" refers to any technique for changing—through the deliberate manipulation of natural processes—the dynamics, composition or structure of the earth, including its biota, lithosphere, hydrosphere and atmosphere, or of outer space.

Article III

1. The provisions of this Convention shall not hinder the use of environmental modification techniques for peaceful purposes and shall be without prejudice to the generally recognized principles and applicable rules of international law concerning such use.

2. The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of scientific and technological information on the use of environmental modification techniques for peaceful purposes. States Parties in a position to do so shall contribute, alone or together with other States or international organizations, to international economic and scientific co-operation in the preservation, improvement and peaceful utilization of the environment, with due consideration for the needs of the developing areas of the world.

Article IV

Each State Party to this Convention undertakes to take any measures it considers necessary in accordance with its constitutional processes to prohibit and prevent any activity in violation of the provisions of the Convention anywhere under its jurisdiction or control.

Article V

1. The States Parties to this Convention undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objectives of, or in the application of the provisions of, the Convention. Consultation and co-operation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the services of appropriate international organizations, as well as of a Consultative Committee of Experts as provided for in paragraph 2 of this article.

2. For the purposes set forth in paragraph 1 of this article, the Depositary shall, within one month of the receipt of a request from any State Party to this Convention, convene a Consultative Committee of Experts. Any State Party may appoint an expert to this Committee whose functions and rules of procedure are set out in the annex, which constitutes an integral part of this Convention. The Committee shall transmit to the Depositary a summary of its findings of fact, incorporating all views and information presented to the Committee during its proceedings. The Depositary shall distribute the summary to all States Parties.

3. Any State Party to this Convention which has reasons to believe that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all relevant information as well as all possible evidence supporting its validity.

4. Each State Party to this Convention undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties of the results of the investigation.

5. Each State Party to this Convention undertakes to provide or support assistance, in accordance with the provisions of the Charter of the United Nations, to any State Party which so requests, if the Security Council decides that such Party has been harmed or is likely to be harmed as a result of violation of the Convention.

Article VI

1. Any State Party to this Convention may propose amendments to this Convention. The text of any proposed amendment shall be submitted to the Depositary, who shall promptly circulate it to all States Parties.

2. An amendment shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Article VII

This Convention shall be of unlimited duration.

Article VIII

1. Five years after the entry into force of this Convention, a conference of the States Parties to the Convention shall be convened by the Depositary at Geneva, Switzerland. The conference shall review the operation of the Convention with a view to ensuring that its purposes and provisions are being realized, and shall in particular examine the effectiveness of the provisions of paragraph 1 of article I in eliminating the dangers of military or any other hostile use of environmental modification techniques.

2. At intervals of not less than five years thereafter, a majority of the States Parties to this Convention may obtain, by submitting a proposal to this effect to the Depositary, the convening of a conference with the same objectives.

3. If no conference has been convened pursuant to paragraph 2 of this article within ten years following the conclusion of a previous conference, the Depositary shall solicit the views of all States Parties to this Convention concerning the convening of such a conference. If one third or ten of the States Parties, whichever number is less, respond affirmatively, the Depositary shall take immediate steps to convene the conference.

Article IX

1. This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall enter into force upon the deposit of instruments of ratification by twenty Governments in accordance with paragraph 2 of this article.

4. For those States whose instruments of ratification or accession are deposited after the entry into force of this Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Convention and of any amendments thereto, as well as of the receipt of other notices.

6. This Convention shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.

Article X

This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations who shall send duly certified copies thereof to the Governments of the signatory and acceding States.

In witness whereof the undersigned, being duly authorized thereto, have signed this Convention.

Done at on the day of

ANNEX TO THE CONVENTION

Consultative Committee of Experts

1. The Consultative Committee of Experts shall undertake to make appropriate findings of fact and provide expert views relevant to any problem raised pursuant to paragraph 1 of article V of this Convention by the State Party requesting the convening of the Committee.

2. The work of the Consultative Committee of Experts shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this annex. The Committee shall decide

procedural questions relative to the organization of its work, where possible by consensus, but otherwise by a majority of those present and voting. There shall be no voting on matters of substance.

3. The Depositary or his representative shall serve as the Chairman of the Committee.

4. Each expert may be assisted at meetings by one or more advisers.

5. Each expert shall have the right, through the Chairman, to request from States, and from international organizations, such information and assistance as the expert considers desirable for the accomplishment of the Committee's work.

DOCUMENT A/31/383

Report of the First Committee on agenda item 46

[Original: English]
[8 December 1976]

1. The item entitled "Establishment of a nuclear-weapon-free zone in South Asia" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3476 B (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate on these items took place at the 20th to 39th meetings, from 1 to 19 November.

4. On 8 November, Pakistan submitted a draft resolution (A/C.1/31/L.6) which was introduced by its representative at the 42nd meeting, on 24 November (for the text, see paragraph 6 below).

5. At its 45th meeting, on 29 November, the First Committee adopted the draft resolution by a roll-call vote of 85 to 2, with 42 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Burundi, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Democratic Yemen, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Iceland, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Spain, Sri Lanka, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Yemen, Zaire.

Abstentions: Bhutan, India

Abstaining: Argentina, Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Czechoslovakia, Denmark, Fiji, France, German Democratic Republic, Germany, Federal Republic of Greece, Hungary, Indonesia, Ireland, Israel, Italy, Japan, Lao People's Democratic Republic, Luxembourg, Malawi, Malaysia, Maldives, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Poland, Singapore, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Yugoslavia, Zambia.

Recommendation of the First Committee

6. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

*Establishment of a nuclear-weapon-free zone in South Asia**The General Assembly,*

Recalling its resolutions 3265 B (XXIX) of 9 December 1974 and 3476 B (XXX) of 11 December 1975 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures which can contribute most effectively to halting the proliferation of nuclear weapons and promoting progress towards nuclear disarmament as a step towards general and complete disarmament under effective international control, with the ultimate goal of the destruction of all nuclear weapons and their means of delivery,

Bearing in mind the comprehensive study prepared by the *Ad Hoc* Group of Qualified Governmental Experts for Study of the Question of Nuclear-Weapon-Free Zones,¹²

¹² Official Records of the General Assembly, Thirtieth Session, Supplement No. 27A, annex I.

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will strengthen the security of the States of the region against nuclear threat or attack,

Noting the affirmation by the States of South Asia not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

Recalling that in the above-mentioned resolutions the General Assembly had called upon the States of the South Asian region and such other neighbouring non-nuclear-weapon States as might be interested to initiate, without delay, necessary consultations with a view to establishing a nuclear-weapon-free zone and urged them, in the interim, to refrain from any action contrary to the achievement of the objectives of such a nuclear-weapon-free zone,

Recalling that in resolution 3265 B (XXIX) the General Assembly had requested the Secretary-General to convene a

meeting for the purpose of the above-mentioned consultations to render such assistance as might be required,

1. *Reaffirms* its endorsement in principle of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia and such other neighbouring non-nuclear-weapon States as may be interested to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to this objective;

3. *Requests* the Secretary-General to render such assistance as may be required to promote the above efforts for the establishment of a nuclear-weapon-free zone in South Asia and to report on the subject to the General Assembly at its thirty-second session;

4. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

DOCUMENT A/31/384

Report of the First Committee on agenda item 47

*[Original: English]
[8 December 1976]*

1. The item entitled "Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3478 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. This general debate took place at the 20th to 39th meetings, from 1 to 9 November.

4. In connexion with item 47, the First Committee had before it the following documents:

(a) Note by the Secretary-General dated 8 April 1976 (A/10509);

(b) Note verbale dated 15 April 1976 from the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/31/81);

(c) Note verbale dated 24 May 1976 from the Permanent Mission of Czechoslovakia to the United Nations addressed to the Secretary-General (A/31/103);

(d) Letter dated 14 June 1976 from the representative of Nigeria addressed to the Secretary-General (A/31/108);

(e) Note by the Secretary-General dated 24 September 1976 (A/31/228);

(f) Letter dated 22 November 1976 from the First Deputy Foreign Minister of the Union of Soviet Socialist Republics addressed to the Secretary-General transmitting the text of the revised draft treaty on the complete and general prohibition of nuclear-weapon tests (A/C.1/31/9).

5. On 19 November, the Union of Soviet Socialist Republics submitted a draft resolution (A/C.1/31/L.16), which was subsequently also sponsored by the Byelorussian Soviet Socialist Republic, Czechoslovakia, Finland, the German Democratic Republic, Hungary, Jordan, Mongolia and Poland (for the text, see paragraph 7 below). The draft resolution was introduced by the representative of the Union of Soviet Socialist Republics at the 41st meeting, on 23 November. A statement of administrative and financial implications of the draft resolution (A/C.1/31/L.27) was submitted by the Secretary-General on 26 November.

6. At its 45th meeting, on 29 November, the First Committee adopted draft resolution A/C.1/31/L.16 by a roll-call vote of 82 to 2, with 37 abstentions.¹³ The result of the vote was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Barbados, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslo-

¹³ After the vote, the representatives of Lesotho and Liberia stated that, had they been present during the vote, they would have voted in favour of the draft resolution.

vakia, Democratic Yemen, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Grenada, Guatemala, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Republic, Malaysia, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Albania, China.

Abstaining: Australia, Austria, Belgium, Bhutan, Botswana, Brazil, Burma, Canada, Chile, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Madagascar, Malawi, Malta, Mauritania, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Portugal, Spain, Sweden, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Zambia.

Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests

The General Assembly,

Recalling its resolution 3478 (XXX) of 11 December 1975, in which it called upon all nuclear-weapon States to enter into negotiations, not later than 31 March 1976, with a view to reaching agreement on the complete and general prohibition of nuclear weapon tests, with twenty-five to thirty non-nuclear-weapon States participating in such negotiations,

Deploring the fact that such negotiations have not yet begun,

Convinced that the early cessation of nuclear weapon tests, including underground tests, everywhere and by everyone, would contribute to the reduction of the nuclear arms race and to the further relaxation of international tension,

Also convinced of the need for again exerting every effort to achieve an international agreement on the cessation of all types of nuclear weapon tests,

Noting that during the thirty-first session of the General Assembly proposals have been made and relevant documents submitted with a view to finding a compromise basis for a generally acceptable understanding regarding the supervision of compliance with such an agreement,

Believing that the conclusion between the Union of Soviet Socialist Republics and the United States of America of treaties on the limitation of underground nuclear weapon tests and on underground nuclear explosions for peaceful purposes contributes to the creation of favourable conditions for the cessation of all nuclear weapon tests,

Taking note of the note by the Secretary-General (A/31/228) stating that twenty-six non-nuclear-weapon States are ready to participate in the negotiations with a view to reaching agreement on the complete and general prohibition of nuclear weapon tests,

1. *Again calls upon* all nuclear-weapon States, in accordance with General Assembly resolution 3478 (XXX), to proceed as soon as possible with negotiations on the conclusion of a treaty on the complete and general prohibition of nuclear weapon tests with the participation of non-nuclear-weapon States;

2. *Requests* the Secretary-General to render such assistance as may be necessary for the negotiations and to transmit to the group referred to in paragraph 1 above all documents relating to the consideration by the General Assembly at its thirty-first session of the item entitled "Conclusion of a treaty on the complete and general prohibition of nuclear weapon tests";

3. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Conclusion of a treaty on the complete and general prohibition of nuclear weapon tests".

DOCUMENT A/31/385

Report of the First Committee on agenda item 48

*[Original: English,
18 December 1976]*

1. The item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3479 (XXX) of 11 December 1975.

2. At its 4th plenary meeting, on 24 September 1976 the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the

items allocated to it relating to disarmament, namely 34 to 50 and 116. The general debate on these items took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with item 48, the First Committee had before it the report of the Conference of the Committee on Disarmament (A/31/27).

5. On 9 November 1976, the Union of Soviet Socialist Republics submitted a draft resolution (A/C.1/31/L.10), which it subsequently revised (A/C.1/31/L.10/Rev.1). The latter draft was introduced by the representative of the Union of Soviet Socialist Republics at the 34th meeting, on 16 November, and read as follows:

"The General Assembly,

"Recalling its resolution 3479 (XXX) of 11 December 1975, in which it requested the Conference of the Committee on Disarmament to proceed as soon as possible to work out the text of an agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

"Being convinced of the importance of concluding an agreement to prevent the use of scientific and technological progress for the development of new types and systems of weapons of mass destruction,

"Taking into account the report of the Conference of the Committee on Disarmament with regard to this question,

"Taking note of the discussion at the Conference of the Committee on Disarmament of the question of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

"Taking into account the views on this question contained in the Memorandum on Questions of Ending the Arms Race and Disarmament submitted by the Union of Soviet Socialist Republics (A/31/232),

"1. Requests the Conference of the Committee on Disarmament to expedite the negotiations, with the assistance of qualified governmental experts, aimed at working out the text of an agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons and to submit a report on the results achieved for consideration by the General Assembly at its thirty-second session;

"2. Requests the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents relating to the discussion of this item by the General Assembly at its thirty-first session;

"3. Decides to include in the provisional agenda of its thirty-second session the item entitled 'Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament'."

6. On 29 November, Afghanistan, Mongolia, the Syrian Arab Republic and the Union of Soviet Socialist Republics submitted a new revised version of the draft resolution (A/C.1/31/L.10/Rev.2), which was subsequently sponsored also by Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Poland, the Ukrainian Soviet Socialist Republic and Yugoslavia (for the text, see paragraph 8 below).

7. At the 47th meeting, on 1 December, the First Committee adopted draft resolution A/C.1/31/L.10/Rev.2 by a recorded vote of 101 to 1, with 13 abstentions.¹⁴ The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Bahrain, Bangladesh, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: Albania.

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

Recommendation of the First Committee

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

Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons

The General Assembly,

Recalling its resolution 3479 (XXX) of 11 December 1975, in which it requested the Conference of the Committee on Disarmament to proceed as soon as possible to work out the text of an agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

¹⁴ After the vote, the representative of Israel indicated that it had been his intention to abstain; the representative of the Libyan Arab Republic stated that, had he been present during the vote, he would have voted in favour of the draft resolution.

Being convinced of the importance of concluding an agreement to prevent the use of scientific and technological progress for the development of new types and systems of weapons of mass destruction,

Taking into account the report of the Conference of the Committee on Disarmament with regard to this question,

Taking note of the discussion at the Conference of the Committee on Disarmament of the question of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

Taking into account the suggestions and relevant documents submitted to the General Assembly on this subject at its thirty-first session,

1. *Requests* the Conference of the Committee on Disarmament to continue the negotiations, with the assistance of qualified governmental experts, aimed at working out the text of an agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons and to submit a report on the results achieved for consideration by the General Assembly at its thirty-second session;

2. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents relating to the discussion of this item by the General Assembly at its thirty-first session;

3. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference of the Committee on Disarmament".

DOCUMENT A/31/386

Report of the First Committee on agenda item 49

*[Original: English]
[10 December 1976]*

1. The item entitled General and complete disarmament: (a) Report of the Conference of the Committee on Disarmament; (b) Report of the International Atomic Energy Agency; (c) Report of the Secretary-General was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolutions 3484 A and C (XXX) of 12 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda of the thirty-first session and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. The general debate on these items took place at the 20th to 39th meetings, from 1 to 19 November.

4. The First Committee had before it, in connexion with agenda item 49, the following documents:

(a) Report of the Conference of the Committee on Disarmament (A/31/27);

(b) Letter dated 7 July 1976 from the representatives of the Union of Soviet Socialist Republics and the United States of America addressed to the Secretary-General (A/31/125);

(c) Annual report for 1975 of the International Atomic Energy Agency;

(d) Letter dated 1 September 1976 from the representative of Sri Lanka addressed to the Secretary-General transmitting the decisions of the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (A/31/197);

(e) Report of the Secretary-General pursuant to General Assembly resolution 3484 A (XXX) (A/31/224);

(f) Letter dated 28 September 1976 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General transmitting a memorandum of the Soviet Union on disarmament (A/31/232)

(g) Letter dated 26 November 1976 from the representative of Belgium addressed to the Secretary-General (A/C.1/31/10).

5. On 8 November, Afghanistan, Algeria, Argentina, Bhutan, Brazil, Cyprus, Egypt, Ethiopia, Ghana, Guyana, India, Indonesia, Iraq, Jamaica, Kuwait, the Libyan Arab Republic, Malaysia, Mali, Mauritius, Mexico, Morocco, Nepal, Nigeria, Peru, Singapore, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia, Zaire and Zambia submitted a draft resolution (A/C.1/31/L.7). The text was reissued for technical reasons on 10 November 1976 (A/C.1/31/L.7/Rev.1) and was also sponsored by Austria, Jordan, Lao People's Democratic Republic, Mozambique, Panama, Philippines, Romania, Rwanda, Sweden and Trinidad and Tobago (for the text, see paragraph 16 below, draft resolution B, excluding paragraph 2 where the number of committee members proposed was 35). The draft resolution was subsequently revised and also sponsored by Australia

Bangladesh, Botswana, Burundi, Canada, Congo, Cuba, Ecuador, Germany, Federal Republic of, Guinea, Italy, Japan, Kenya, Liberia, Madagascar, Maldives, Malta, Mauritania, Netherlands, Niger, Norway, New Zealand, Senegal, Sierra Leone, Spain, Sudan, Turkey, Uganda, United Republic of Cameroon and Upper Volta (A/C.1/31/L.7/Rev.2) and, later, by Bahrain, Chad and Somalia (for the text, see paragraph 16 below, draft resolution B). The draft resolution was introduced by the representative of Sri Lanka at the 44th meeting on 21 November. A statement on the administrative and financial implications was submitted by the Secretary-General on 1 December 1976 (A/C.1/31/L.40).

6. On 22 November, Bolivia, Colombia, Denmark, El Salvador, Ghana, Ireland, Japan, Liberia, the Netherlands, New Zealand, Norway, the Philippines and Singapore submitted a draft resolution (A/C.1/31/L.20), which was subsequently also sponsored by Ecuador, Iceland, Paraguay, Venezuela and the United Republic of Cameroon. This draft resolution, which was introduced by Japan at the 41st meeting, on 23 November, read as follows:

"Question of international transfer of conventional arms

"The General Assembly,

"Noting the concern expressed in the General Assembly over the rapidly increasing international transfer of conventional arms and the resulting build-up of national armaments,

"Recognizing the necessity for the acquisition of arms by States in exercise of their inherent right of self-defence as recognized in Article 51 of the United Nations Charter,

"Convinced of the urgent need to curb the conventional arms race without prejudice to the supreme importance of nuclear disarmament, and to make progress towards general and complete disarmament,

"Convinced of the need to assure the use of the resources which are now being diverted to the production and purchase of conventional arms, for the benefit of all countries and the improvement of world economic and social conditions,

"1. Invites all Member States to communicate to the Secretary-General before 1 May 1977 their views and suggestions on the question of the international transfer of conventional arms;

"2. Requests the Secretary-General to submit to the General Assembly at its thirty-second session a report containing the communications received under paragraph 1;

"3. Requests the Secretary-General, with the assistance of qualified governmental experts, to make a factual study of the international transfer of conventional arms and submit it to the General Assembly at its thirty-second session;

"4. Decides to include in the provisional agenda of its thirty-second session an item entitled: 'Question of the international transfer of conventional arms'."

A statement on the administrative and financial implications of the draft resolution was submitted by the Secretary-General on 30 November (A/C.1/31/L.35). Also on 30 November, Pakistan submitted amendments to the draft resolution (A/C.1/31/L.36), which read as follows:

"1. Amend the title to read:

"'Question of the production and international transfer of conventional arms';

"2. In the first preambular paragraph and operative paragraphs 1, 3 and 4, add the words 'production and' before the words 'international transfer of conventional arms';

"3. At the end of the second preambular paragraph, add the following:

"'and for the exercise of the legitimate rights of peoples to self-determination and national independence';

"4. Add the following as a new preambular paragraph after the present second preambular paragraph:

"'Noting that acquisition of conventional arms by States and peoples is often in response to the remaining vestiges of colonialism, foreign domination and occupation and international disputes and tensions in various parts of the world,'."

At the 49th meeting, on 2 December, the representative of Japan announced that certain modifications to A/C.1/31/L.20 had been agreed following consultations with the representative of Pakistan, and the latter had agreed that the amendments in A/C.1/31/L.36 would not be pressed to a vote.

7. At the same meeting, the representative of India moved to adjourn the debate on the question covered by draft resolution A/C.1/31/L.20. The motion was adopted by a recorded vote of 51 to 32, with 33 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bahrain, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, German Democratic Republic, Hungary, India, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Mauritania, Mexico, Mongolia, Morocco, Nicaragua, Nigeria, Oman, Peru, Poland, Qatar, Rwanda, Saudi Arabia, Senegal, Sri Lanka, Sudan, Surinam, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, Yemen, Yugoslavia.

Against: Australia, Belgium, Bolivia, Canada, Chile, Colombia, Denmark, Ecuador, El Salvador, Ghana, Ireland, Israel, Japan, Nepal, Netherlands, New Zealand, Norway, Paraguay, Philippines, Portugal, Sierra Leone, Singapore, Spain, Swaziland, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Afghanistan, Austria, Bangladesh, Burma, Chad, Costa Rica, Equatorial Guinea, Fiji, Finland, France, Germany, Federal Republic of, Greece, Guinea-Bissau, Iceland, Indonesia, Iran, Italy, Ivory Coast, Jamaica, Malawi, Malaysia, Mauritius, Mozambique, Niger, Pakistan, Panama, Romania, Sweden, Togo, United Republic of Tanzania, Upper Volta, Zaire, Zambia.

8. On 24 November, Argentina, Brazil, Mexico, Nigeria, Peru and Sweden submitted a draft resolution (A/C.1/31/L.25), which was introduced by the representative of Mexico at the 46th meeting, on 30 November (for the text, see paragraph 16 below, draft resolution A).

9. On 29 November, Liberia submitted a draft resolution (A/C.1/31/L.28), which was introduced at the 46th meeting, on 30 November. At the 49th meeting, on 2 December, the representative of Liberia agreed to a suggestion by the representative of Canada that, in view of the fact that some delegations had been unable to obtain instructions on the draft resolution in the limited time remaining after its submission, Liberia would request the Secretary-General to circulate the draft resolution as a General Assembly document rather than seek a formal decision on it at the thirty-first session.

10. On 30 November, Pakistan submitted a draft resolution (A/C.1/31/L.33), which was subsequently also sponsored by Iran, Kuwait, Morocco, Nicaragua and Panama (for the text, see paragraph 16 below, draft resolution C). The draft resolution was introduced by the representative of Pakistan at the 48th meeting, on 1 December.

11. On 30 November, Finland submitted a draft resolution (A/C.1/31/L.34) which was subsequently also sponsored by Denmark, Iceland and Norway (for the text, see paragraph 16 below, draft resolution D). The draft resolution was introduced by the representative of Finland at the 48th meeting, on 1 December.

12. At its 49th meeting, on 2 December, the First Committee adopted draft resolution A/C.1/31/L.25 by 94 votes to 10, with 12 abstentions.

13. At its 50th meeting, on 2 December, the First Committee adopted draft resolution A/C.1/31/L.7/Rev.2 without a vote.

14. At its 52nd meeting, on 3 December, the First Committee adopted draft resolution A/C.1/31/L.33 by 88 votes to none, with 35 abstentions.

15. At the same meeting, the First Committee adopted draft resolution A/C.1/31/L.34 by a recorded vote of 97 to 1, with 21 abstentions. The voting was as follows:

In favour: Afghanistan, Australia, Austria, Bahrain, Bangladesh, Belgium, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait,

Lao People's Democratic Republic, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Papua New Guinea, Philippines, Poland, Portugal, Qatar, Rwanda, 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 Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela, Zaire.

Against: China.

Abstaining: Algeria, Argentina, Bhutan, Bolivia, Brazil, Burma, Chile, Colombia, Cuba, France, India, Lesotho, Mexico, Pakistan, Paraguay, Peru, Romania, Uganda, United Republic of Tanzania, Yugoslavia, Zambia.

Recommendations of the First Committee

16. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

General and complete disarmament

A

The General Assembly,

Recalling its resolution 2602 A (XXIV) of 16 December 1969 relating to the initiation of bilateral negotiations between the Governments of the Union of Soviet Socialist Republics and the United States of America on the limitation of offensive and defensive strategic nuclear-weapon systems,

Reaffirming its resolutions 2932 B (XXVII) of 29 November 1972, 3184 A and C (XXVIII) of 18 December 1973, 3261 C (XXIX) of 9 December 1974 and 3484 C (XXX) of 12 December 1975,

Bearing in mind that the above-mentioned Governments agreed on 21 June 1973 to make serious efforts to work out and sign in 1974 the agreement on more complete measures on the limitation of strategic offensive arms called for in the interim agreement of 26 May 1972, and that on the same occasion they expressed their intention to carry out the subsequent reduction of such arms,

Conscious of the fact that the interim agreement referred to above will expire next year,

Noting that, as a result of the discussions held at the highest level in November 1974 also between the Union of Soviet Socialist Republics and the United States of America, both sides reaffirmed their intention to conclude an agreement on the limitation of strategic offensive arms to last until 31 December 1985 inclusive,

Noting also that at the same meeting it was agreed to set ceilings both on the strategic offensive nuclear delivery

vehicles as well as on such of those vehicles as may be equipped with multiple independently targetable warheads, and that both sides stated that favourable prospects existed for completing the work on the new agreement in 1975 and stressed that it would include provisions for further negotiations beginning no later than 1980-1981 on the question of further limitations and possible reductions of strategic arms in the period after 1985,

Noting further the information submitted by the Union of Soviet Socialist Republics and the United States of America (see A/31/125),

Reiterating its opinion that disarmament negotiations move very slowly in comparison to the obvious perils posed by the enormous arsenals of nuclear weapons,

1. *Regrets* the absence of positive results during the last three years of the bilateral negotiations between the Governments of the Union of Soviet Socialist Republics and the United States of America on the limitation of their strategic nuclear-weapon systems;

2. *Expresses its concern* for the very high ceilings of nuclear arms set for themselves by both States, for the total absence of qualitative limitations of such arms, for the protracted time-table contemplated for the negotiation of further limitations and possible reductions of the nuclear arsenals and for the situation thus created;

3. *Urges anew* the Union of Soviet Socialist Republics and the United States of America to broaden the scope and accelerate the pace of their strategic nuclear arms limitation talks, and stresses once again the necessity and urgency of reaching agreement on important qualitative limitations and substantial reductions of their strategic nuclear-weapon systems as a positive step towards nuclear disarmament;

4. *Reiterates* its previous invitation to both Governments to keep the General Assembly informed in good time of the progress and results of their negotiations.

B

The General Assembly,

Mindful that the continuation of the arms race endangers international peace and security and also diverts vast resources urgently needed for economic and social development,

Convinced that peace can be secured through the implementation of disarmament measures, particularly of nuclear disarmament, conducive to the realization of the final objective, namely, general and complete disarmament under effective international control,

Reaffirming that disarmament is one of the essential objectives of the United Nations,

Bearing in mind that the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976, called for a special session of the General Assembly devoted to disarmament and made specific suggestions in this regard in its declaration and resolution on disarmament (see A/31/197),

1. *Decides* to convene a special session of the General Assembly devoted to disarmament, to be held in New York in May/June 1978;

2. *Further decides* to establish a Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament, composed of fifty-four Member States appointed by the President of the Assembly on the basis of equitable geographical distribution, with the mandate of examining all relevant questions relating to the special session, including its agenda, and to submit to the Assembly at its thirty-second session appropriate recommendations thereon;

3. *Invites* all Member States to communicate to the Secretary-General their views on the agenda and all other relevant questions relating to the special session of the General Assembly not later than 15 April 1977;

4. *Requests* the Secretary-General to transmit the replies of Member States pursuant to paragraph 3 above to the Preparatory Committee and to render it all necessary assistance, including the provision of essential background information, relevant documents and summary records;

5. *Requests* the Preparatory Committee to meet for a short organizational session not longer than one week, before 31 March 1977, *inter alia* to set the dates for its substantive sessions;

6. *Decides* to include in the provisional agenda of its thirty-second session an item entitled: "Special session of the General Assembly devoted to disarmament: report of the Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament".

C

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Deeply concerned at the continuation of the arms race, in particular the nuclear arms race and the threat to mankind due to the possibility of the use of nuclear weapons,

Convinced that only nuclear disarmament resulting in the complete elimination of nuclear weapons will assure perfect security in the nuclear era,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to devise effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recalling its resolution 3261 G (XXIX) of 9 December 1974, in which it recommended that Member States should

consider in all appropriate forums, without loss of time, the question of strengthening the security of non-nuclear-weapon States,

Noting that the non-nuclear-weapon States have called for assurances from nuclear-weapon Powers that they will not use or threaten to use nuclear weapons against them,

Deeply concerned over any possibility of the use or threat of use of nuclear weapons in any contingency,

1. *Requests* the nuclear-weapon States, as a first step towards a complete ban on the use or threat of use of nuclear weapons, to consider undertaking, without prejudice to their obligations arising from treaties establishing nuclear-weapon-free zones, not to use or threaten to use nuclear weapons against non-nuclear-weapon States not parties to the nuclear security arrangements of some nuclear-weapon Powers;

2. *Decides* to review at its thirty-second session the progress made on the question of strengthening the security of non-nuclear-weapon States.

D

The General Assembly,

Recalling its resolution 2373 (XXII) of 12 June 1968, in which it commended the Treaty on the Non-Proliferation of Nuclear Weapons and expressed the hope for the widest possible adherence to that Treaty,

Noting that one hundred States now are parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Noting further that the non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons have accepted the principle of safeguards on all their peaceful nuclear activities,

Recognizing that the accelerated spread and development of peaceful applications of nuclear energy may, in the absence of an effective and comprehensive safeguards system, increase the danger of proliferation of nuclear weapons or equivalent nuclear explosive capabilities,

Noting that the objectives of the International Atomic Energy Agency, as defined in its statute, are to promote the peaceful application of nuclear energy while ensuring that they are not used in such a way as to further any military purpose,

Underlining the important role of the International Atomic Energy Agency in implementing international non-proliferation policies in connexion with the peaceful uses of nuclear energy and noting in this context the communication from Finland concerning the strengthening of the International Atomic Energy Agency safeguards on a comprehensive basis (A/C.1/31/6),

Recognizing the necessity of continued international co-operation in the application and improvement of International Atomic Energy Agency safeguards on peaceful nuclear activities,

1. *Recognizes* that States accepting effective non-proliferation restraints have a right to enjoy fully the benefits of the peaceful uses of nuclear energy and underlines the importance of increased efforts in this field, particularly for the needs of the developing areas of the world;

2. *Requests* the International Atomic Energy Agency to give special attention to its programme of work in the non-proliferation area, including its efforts in facilitating peaceful nuclear co-operation and increasing assistance to the developing areas of the world within an effective and comprehensive safeguards system;

3. *Further requests* the International Atomic Energy Agency to continue its studies on the questions of multinational fuel cycle centres and an international régime for plutonium storage as effective means to promote the interests of the non-proliferation régime;

4. *Calls upon* the International Atomic Energy Agency to give careful consideration to all relevant suggestions aiming at strengthening the safeguards régime that have been presented to the Agency;

5. *Requests* the International Atomic Energy Agency to report on the progress of its work on this question to the General Assembly at its thirty-second session.

DOCUMENT A/31/387

Report of the First Committee on agenda item 50

[Original: English]
[8 December 1976]

1. The item entitled "Strengthening of the role of the United Nations in the field of disarmament: report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament" was included in the provisional agenda of the thirty-first session on the basis of General Assembly resolution 3484 B (XXX) of 12 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items

allocated to it relating to disarmament, namely, items 34 to 50 and 116. The general debate on these items took place at the 20th to 39th meetings, from 1 to 19 November.

4. In connexion with agenda item 50, the First Committee had before it the report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament (A/31/36).

5. On 11 November, Austria, Grenada, New Zealand, the Philippines, Romania, Sri Lanka, Sweden, Tunisia and Venezuela submitted a draft resolution (A/C.1/31/L.11) which was subsequently also sponsored by Belgium, Costa Rica, Denmark, Ecuador, Egypt, Finland, Ghana, Ireland, Italy, Liberia, Morocco, Nepal, the Netherlands, Norway, Rwanda and Sierra Leone. The text, which was introduced by the representative of Sweden at the 32nd meeting, on 15 November, read as follows:

"The General Assembly,

"Recalling its resolution 3484 B (XXX) of 12 December 1975, whereby it decided to make a review of the role of the United Nations in the field of disarmament,

"Noting that the Ad Hoc Committee on the Review of the Role of the United Nations in the Field of Disarmament has carried out the task entrusted to it by the General Assembly in the aforementioned resolution,

"Having considered the report of the Ad Hoc Committee containing, inter alia, a set of agreed proposals with regard to:

"(a) Improved methods of work of the First Committee of the General Assembly in disarmament matters,

"(b) The relationship between the General Assembly and other United Nations bodies in the field of disarmament,

"(c) Role of the United Nations Disarmament Commission,

"(d) Role of the United Nations in providing assistance on request in multilateral and regional disarmament negotiations,

"(e) The relationship between the General Assembly and the Conference of the Committee on Disarmament (CCD),

"(f) Increased use of in-depth studies of the arms race, disarmament and related matters,

"(g) Improving existing United Nations facilities for collection, compilation and dissemination of information on disarmament issues, in order to keep all Governments, as well as world public opinion, properly informed on progress achieved in the field of disarmament,

"(h) Assistance by the United Nations Secretariat, on request, to States parties to multilateral disarmament agreements in their duty to ensure the effective functioning of such agreements, including appropriate reviews,

"(i) Strengthening of the resources of the Secretariat,

"1. Endorses the agreed proposals made by the Ad Hoc Committee on the review of the role of the United Nations in the field of disarmament as a step towards the strengthening of the role of the United Nations in the field of disarmament;

"2. Decides to keep the question of the strengthening of the role of the United Nations in the field of disarmament under continued review;

"3. Requests the Secretary-General to implement as soon as possible the measures recommended by the Ad Hoc Committee, falling within his area of responsibilities, and report to the thirty-second session of the General Assembly;

"4. Urges Member States to make all efforts to realize the objectives set out in the report of the Ad Hoc Committee."

A statement on the administrative and financial implications of the draft resolution was submitted by the Secretary-General on 23 November (A/C.1/31/L.23).

6. On 23 November, India and Nigeria submitted the following amendments to the draft resolution (A/C.1/31/L.24) which were subsequently also sponsored by Mauritius and the United Republic of Cameroon:

"1. Insert a new preambular paragraph as the last preambular paragraph:

" 'Recognizing the strong interest of developing member States in contributing to the cause of disarmament,';

"2. Reword operative paragraph 3 to read as follows:

" '3. Requests the Secretary-General to implement as soon as possible the measures recommended by the Ad Hoc Committee and falling within this area of responsibilities bearing in mind the strong interest of developing member States in contributing to the cause of disarmament through the proposed United Nations Centre for Disarmament, and report to the thirty-second session of the General Assembly;'."

On 30 November, a revised draft resolution was submitted (A/C.1/31/L.11/Rev.1) (for the text, see paragraph 8 below). The amendments contained in document A/C.1/31/L.24 were not pressed to the vote.

7. At the 48th meeting, on 1 December, the First Committee adopted draft resolution A/C.1/31/L.11/Rev.1 without a vote.

Recommendation of the First Committee

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

Strengthening of the role of the United Nations in the field of disarmament

The General Assembly,

Recalling its resolution 3484 B (XXX) of 12 December 1975, in which it decided to carry out a review of the role of the United Nations in the field of disarmament,

Noting that the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament has carried out the task entrusted to it by the General Assembly in the aforementioned resolution,

Having considered the report of the *Ad Hoc* Committee, which contains, *inter alia*, a set of agreed proposals with regard to the following subjects:

(a) Improved methods of work of the First Committee in disarmament matters,

(b) Relationship between the General Assembly and other United Nations bodies in the field of disarmament,

(c) Role of the United Nations Disarmament Commission,

(d) Role of the United Nations in providing assistance on request in multilateral and regional disarmament negotiations,

(e) Relationship between the General Assembly and the Conference of the Committee on Disarmament,

(f) Increased use of in-depth studies of the arms race, disarmament and related matters,

(g) Improvement of existing United Nations facilities for the collection, compilation and dissemination of information on disarmament issues, in order to keep all Governments, as well as world public opinion, properly informed on progress achieved in the field of disarmament,

(h) Assistance by the Secretariat, on request, to States parties to multilateral disarmament agreements in their duty to ensure the effective functioning of such agreements, including appropriate reviews,

(i) Strengthening of the resources of the Secretariat,

Recognizing the vital interest of all States of the world, including developing States, in contributing to the cause of disarmament,

1. *Endorses* the agreed proposals made by the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament as a step towards the strengthening of the role of the United Nations in the field of disarmament;

2. *Decides* to keep the question of the strengthening of the role of the United Nations in the field of disarmament under continued review;

3. *Requests* the Secretary-General to implement as soon as possible the measures recommended by the *Ad Hoc* Committee falling within his area of responsibilities, bearing in mind the importance of recruiting the staff for the proposed Centre for Disarmament on as wide a geographical basis as possible, and to report thereon to the General Assembly at its thirty-second session;

4. *Urges* Member States to make every effort to realize the objectives set out in the report of the *Ad Hoc* Committee.

DOCUMENT A/31/388

Report of the First Committee on agenda item 116

[Original: English]
[9 December 1976]

1. The item entitled "Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons" was included in the provisional agenda of the thirty-first session at the request of Sweden (A/31/141).

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 5 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 34 to 50 and 116. The general debate on these items took place at the 20th to 39th meetings, from 1 to 19 November.

4. In accordance with a request by Sweden addressed to the Secretary-General on 30 September (A/C.1/31/4), the final document of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF/35/I to III) was circulated as an official

document of the First Committee. In addition, the Committee had before it a letter dated 27 October 1976 from the representative of Finland addressed to the Secretary-General (A/C.1/31/6).

5. At the 47th meeting, on 1 December, the representative of Sweden introduced a draft resolution (A/C.1/31/L.32), which was subsequently also sponsored by Austria, Denmark, Ecuador, Iceland, Nigeria and Norway (for the text, see paragraph 7 below).

6. At its 52nd meeting on 3 December, the First Committee adopted the draft resolution by a recorded vote of 99 to 1, with 17 abstentions.¹⁵ The voting was as follows:

In favour: Afghanistan, Australia, Austria, Bahrain, Bangladesh, Belgium, Benin, Botswana, Bulgaria, Byelorussian

¹⁵ After the vote, the representatives of Burundi, Guinea and the Philippines indicated that it had been their intention to vote in favour of the draft resolution.

Soviet Socialist Republic, Canada, Central African Republic, Chad, Colombia, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, 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 Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire.

Against: China.

Abstaining: Algeria, Argentina, Bhutan, Bolivia, Brazil, Burma, Chile, Cuba, France, India, Mozambique, Pakistan, Portugal, Spain, Uganda, United Republic of Cameroon, United Republic of Tanzania.

Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The General Assembly,

Recognizing that the danger of nuclear warfare remains a grave threat to the survival of mankind,

Convinced that the prevention of any further proliferation of nuclear weapons or other nuclear explosive devices remains a vital element in efforts to avert nuclear warfare,

Convinced that the promotion of this objective will be furthered by more rapid progress towards the cessation of the nuclear arms race and the initiation of effective measures of nuclear disarmament,

Further convinced that the discontinuance of all test explosions of nuclear weapons for all time would constitute an important step in these efforts,

Noting that the Treaty on the Non-Proliferation of Nuclear Weapons, to which about one hundred States are parties, implies a balance of mutual responsibilities and obligations of all States parties to the Treaty, nuclear-weapon as well as non-nuclear-weapon States,

Recalling that the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons met at Geneva from 5 to 30 May 1975 to review the operation of the Treaty

with a view to assuring that the purposes of the preamble and the provisions of the Treaty were being realized,

Further recalling that the Final Document of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons includes, *inter alia*, a Final Declaration and a number of interpretative statements in connexion with the Final Declaration,

Noting that the Conference has called for universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing the necessity of effective international safeguards in order to ensure that the peaceful applications of nuclear energy will not lead to further proliferation of nuclear weapons or other nuclear explosive devices,

Underlining the important role of the International Atomic Energy Agency in implementing international non-proliferation policies in connexion with the peaceful uses of nuclear energy,

Concerned that the nuclear arms race continues unabated,

Recognizing that various appropriate means are necessary to meet the security concerns of non-nuclear-weapon States,

1. *Urgently calls* for determined efforts by all nuclear-weapon States:

(a) To bring about the cessation of the nuclear arms race;

(b) To undertake effective measures in the direction of nuclear disarmament;

(c) To find an early solution to the difficulties in reaching agreement to discontinue all test explosions of nuclear weapons for all time as a step towards the realization of these objectives;

2. *Emphasizes* the particular responsibility of the two major nuclear-weapon States in this regard;

3. *Stresses* the urgency of international co-operative efforts in appropriate forums to prevent the further proliferation of nuclear weapons or other nuclear explosive devices;

4. *Recognizes* that States accepting effective non-proliferation restraints have a right to full access to the peaceful uses of nuclear energy and underlines the importance of all efforts to increase the availability of energy, particularly for the needs of the developing countries of the world;

5. *Requests* the International Atomic Energy Agency to accord high priority to its programme of work in these areas;

6. *Decides* to include in the provisional agenda of its thirty-third session an item entitled "Implementation of the conclusions of the first Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and establishment of a preparatory committee for the second conference".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 96th, 98th and 106th plenary meetings, on 10, 14 and 21 December 1976, the General Assembly voted on the draft resolutions submitted by the First Committee in its reports on agenda items 34 to 50 and 116.

At its 98th meeting, the Assembly adopted the draft resolution submitted in the report on item 34 (A/31/371, para. 8) by 120 votes to 2, with 11 abstentions. For the final text, see resolution 31/87.¹⁶

At its 96th meeting, the Assembly adopted the draft resolution submitted in the report on item 35 (A/31/372, para. 7). For the final text, see resolution 31/64.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 36 (A/31/373, para. 7). For the final text, see resolution 31/65.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 37 (A/31/374, para. 7) by 105 votes to 2, with 27 abstentions. For the final text, see resolution 31/66.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 38 (A/31/375, para. 6) by 119 votes to none, with 14 abstentions. For the final text, see resolution 31/67.¹⁶

At its 98th meeting, the Assembly adopted the draft resolution submitted in the report on item 39 (A/31/376, para. 8) by 106 votes to none, with 27 abstentions. For the final text, see resolution 31/88.¹⁶

At its 106th meeting, the Assembly adopted the draft resolution submitted in the report on item 40 (A/31/377, para. 8). For the final text, see resolution 31/190.¹⁶

At its 96th meeting, the Assembly adopted the draft resolution submitted in the report on item 41 (A/31/378, para. 7). For the final text, see resolution 31/68.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 42 (A/31/379, para. 6). For the final text, see resolution 31/69.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 43 (A/31/380, para. 7) by 132 votes to none. For the final text, see resolution 31/70.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 44 (A/31/381, para. 6) by 130 votes to none, with 1 abstention. For the final text, see resolution 31/71.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 45 (A/31/382, para. 15) by 96 votes to 8, with 30 abstentions. For the final text, see resolution 31/72.¹⁶

At the same meeting, the Assembly adopted the draft resolution submitted in the report on item 46 (A/31/383, para. 6) by 91 votes to 2, with 43 abstentions. For the final text, see resolution 31/73.¹⁶

At its 98th meeting, the Assembly adopted the draft resolution submitted in the report on item 47 (A/31/384, para. 7) by 95 votes to 2, with 36 abstentions. For the final text, see resolution 31/89.¹⁶

At its 96th meeting, the Assembly adopted the draft resolution submitted in the report on item 48 (A/31/385, para. 8) by 120 votes to 1, with 15 abstentions. For the final text, see resolution 31/74.¹⁶

¹⁶ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

At its 106th meeting, the Assembly adopted the draft resolutions submitted in the report on item 49 (A/31/386, para. 16), as follows: draft resolution A was adopted by 107 votes to 10, with 11 abstentions; draft resolution B was adopted without a vote; draft resolution C was adopted by 95 votes to none, with 33 abstentions and draft resolution D by 106 votes to 2, with 22 abstentions. For the final text, see resolutions 31/189 A to D.¹⁶

At its 98th meeting, the Assembly adopted the draft resolution submitted in the report on item 50 (A/31/387, para. 8). For the final text, see resolution 31/90.¹⁶

At its 96th meeting, the Assembly adopted the draft resolution submitted in the report on item 116 (A/31/388, para. 7) by 115 votes to 2, with 19 abstentions. For the final text, see resolution 31/75.¹⁶

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda items 34 to 50 and 116 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Agenda item</i> | <i>Observations and references</i> |
|--------------------------|---|------------------------|---|
| A/31/8/Add.14 | Administrative and financial implications of draft resolutions submitted by the First Committee: report of the Advisory Committee on Administrative and Budgetary Questions | 34, 39, 40, 47, 49, 50 | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/27 | Report of the Conference of the Committee on Disarmament | 37, 45, 48, 49 | <i>Ibid., Supplement No. 27</i> |
| A/31/27/Add.1 | Special report of the Conference of the Committee on Disarmament | | <i>Ibid., Supplement No. 27A</i> |
| A/31/28 | Report of the <i>Ad Hoc</i> Committee on the World Disarmament Conference | 40 | <i>Ibid., Supplement No. 28</i> |
| A/31/29 and Corr.1 | Report of the <i>Ad Hoc</i> Committee on the Indian Ocean | 39 | <i>Ibid., Supplement No. 29</i> |
| A/31/36 | Report of the <i>Ad Hoc</i> Committee on the Review of the Role of the United Nations in the Field of Disarmament | 50 | <i>Ibid., Supplement No. 36</i> |
| A/31/52-S/11981 | Letter dated 13 February 1976 from the representative of Madagascar to the Secretary-General | 39 | See <i>Official Records of the Security Council, Thirty-first year, Supplement for January, February and March 1976, document S/11981</i> |
| A/31/81 | Note verbale dated 15 April 1976 from the Mission of the Union of Soviet Socialist Republics to the Secretary-General | 47 | Mimeographed |
| A/31/103 | Note verbale dated 24 May 1976 from the Mission of Czechoslovakia to the Secretary-General | 47 | Ditto |
| A/31/108 | Letter dated 14 June 1976 from the representative of Nigeria to the Secretary-General | 47 | Ditto |
| A/31/125 | Letter dated 7 July 1976 from the representatives of the Union of Soviet Socialist Republics and the United States of America to the Secretary-General | 49 | Ditto |
| A/31/146 | Report of the Secretary-General | 35 | Ditto |
| A/31/171 | Note by the Secretary-General transmitting to the General Assembly the twentieth report of the International Atomic Energy Agency | 49 | Mimeographed. For the report, see: <i>International Atomic Energy, Annual Report for 1975 (Vienna, July 1976)</i> |
| A/31/189 and Add.1 and 2 | Report of the Secretary-General | 43 | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | 39-49 | Ditto |
| A/31/222 and Corr.1 | Report of the Secretary-General | 34 | United Nations publication, Sales No. E.77.I.6 |
| A/31/224 | Report of the Secretary-General | 49 | Mimeographed |
| A/31/225 | Report of the Secretary-General | 47 | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Agenda item</i> | <i>Observations and references</i> |
|-------------------------------|--|--------------------|--|
| A/31/232 | Letter dated 28 September 1976 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General | 49 | Mimeographed |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | 39, 42, 44, 46 | Ditto |
| A/31/421 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/371: report of the Fifth Committee | 34 | <i>Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92</i> |
| A/31/422 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/376: report of the Fifth Committee | 39 | <i>Ibid.</i> |
| A/31/423 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/386: report of the Fifth Committee | 49 | <i>Ibid.</i> |
| A/31/424 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/377: report of the Fifth Committee | 40 | <i>Ibid.</i> |
| A/31/425 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/384: report of the Fifth Committee | 47 | <i>Ibid.</i> |
| A/31/426 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/387: report of the Fifth Committee | 50 | <i>Ibid.</i> |
| A/AC.159/. . . | Documents of the <i>Ad Hoc</i> Committee on the Indian Ocean | | Documents in this series are mimeographed |
| A/AC.167/. . . | Documents of the <i>Ad Hoc</i> Committee on the World Disarmament Conference | | Ditto |
| A/AC.181/. . . | Documents of the <i>Ad Hoc</i> Committee on the Review of the Role of the United Nations in the Field of Disarmament | | Ditto |
| A/C.1/31/4 | Letter dated 30 September 1976 from the representative of Sweden to the Secretary-General | 116 | Mimeographed |
| A/C.1/31/6 | Letter dated 27 October 1976 from the representative of Finland to the Secretary-General | 116 | Ditto |
| A/C.1/31/8 | Letter dated 15 November 1976 from the representative of Mexico to the Secretary-General | 45 | Ditto |
| A/C.1/31/9 | Letter dated 22 November 1976 from the First Deputy Foreign Minister of the Union of Soviet Socialist Republics to the Secretary-General | 47 | Ditto |
| A/C.1/31/10 | Letter dated 26 November 1976 from the representative of Belgium to the Secretary-General | 49 | Ditto |
| A/C.1/31/L.4 | Draft resolution | 45 | See A/31/382, para. 5 |
| A/C.1/31/L.4/Rev.1 | Revised draft resolution | 45 | <i>Ibid.</i> , para. 11 |
| A/C.1/31/L.5 | Draft resolution | 45 | <i>Ibid.</i> , para. 6 |
| A/C.1/31/L.5/Rev.1 | Revised draft resolution | 45 | <i>Ibid.</i> , para. 7 |
| A/C.1/31/L.5/Rev.2 and Corr.1 | Revised draft resolution | 45 | <i>Ibid.</i> , para. 8 |
| A/C.1/31/L.5/Rev.3 | Revised draft resolution | 45 | <i>Ibid.</i> , para. 10 |
| A/C.1/31/L.6 | Draft resolution | 46 | See A/31/383, para. 4 |
| A/C.1/31/L.7 | Draft resolution | 49 | Replaced by A/C.1/31/L.7/Rev.1 |
| A/C.1/31/L.7/Rev.1 | Revised draft resolution | 49 | See A/31/386, para. 5 |
| A/C.1/31/L.7/Rev.2 | Revised draft resolution | 49 | <i>Ibid.</i> |
| A/C.1/31/L.8 | Draft resolution | 43 | See A/31/380, para. 5 |
| A/C.1/31/L.9 | Draft resolution | 40 | See A/31/377, para. 5 |
| A/C.1/31/L.10 | Draft resolution | 48 | Replaced by A/C.1/31/L.10/Rev.1 |
| A/C.1/31/L.10/Rev.1 | Revised draft resolution | 48 | See A/31/385, para. 5 |

| <i>Document No.</i> | <i>Title or description</i> | <i>Agenda item</i> | <i>Observations and references</i> |
|---------------------|--|--------------------|------------------------------------|
| A/C.1/31/L.10/Rev.2 | Revised draft resolution | 48 | <i>Ibid.</i> , para. 6 |
| A/C.1/31/L.11 | Draft resolution | 50 | See A/31/387, para. 5 |
| A/C.1/31/L.11/Rev.1 | Revised draft resolution | 50 | <i>Ibid.</i> , para. 6 |
| A/C.1/31/L.13 | Draft resolution | 36 | See A/31/373, para. 5 |
| A/C.1/31/L.14 | Draft resolution | 41 | See A/31/378, para. 5 |
| A/C.1/31/L.15 | Draft resolution | 37 | See A/31/374, para. 5 |
| A/C.1/31/L.16 | Draft resolution | 47 | See A/31/384, para. 5 |
| A/C.1/31/L.18 | Draft resolution | 38 | See A/31/375, para. 4 |
| A/C.1/31/L.19 | Draft resolution | 44 | See A/31/381, para. 4 |
| A/C.1/31/L.20 | Draft resolution | 49 | See A/31/386, para. 6 |
| A/C.1/31/L.21 | Draft resolution | 34 | See A/31/371, para. 5 |
| A/C.1/31/L.22 | Administrative and financial implications of the draft resolution contained in paragraph 20 of document A/31/29: note by the Secretary-General | 39 | Mimeographed |
| A/C.1/31/L.23 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.11: note by the Secretary-General | 50 | Ditto |
| A/C.1/31/L.24 | Amendments to document A/C.1/31/L.11 | 50 | See A/31/387, para. 6 |
| A/C.1/31/L.25 | Draft resolution | 49 | See A/31/386, para. 8 |
| A/C.1/31/L.27 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.16: note by the Secretary-General | 47 | Mimeographed |
| A/C.1/31/L.28 | Draft resolution | 49 | See A/31/386, para. 9 |
| A/C.1/31/L.29 | Draft resolution | 40 | Replaced by A/C.1/31/L.29/Rev.1 |
| A/C.1/31/L.29/Rev.1 | Revised draft resolution | 40 | See A/31/377, para. 6 |
| A/C.1/31/L.30 | Draft resolution | 35 | See A/31/372, para. 5 |
| A/C.1/31/L.31 | Draft resolution | 42 | See A/31/379, para. 4 |
| A/C.1/31/L.32 | Draft resolution | 116 | See A/31/388, para. 5 |
| A/C.1/31/L.33 | Draft resolution | 49 | See A/31/386, para. 10 |
| A/C.1/31/L.34 | Draft resolution | 49 | <i>Ibid.</i> , para. 11 |
| A/C.1/31/L.35 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.20: note by the Secretary-General | 49 | Mimeographed |
| A/C.1/31/L.36 | Amendments to document A/C.1/31/L.20 | 49 | See A/31/386, para. 6 |
| A/C.1/31/L.37 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.21: note by the Secretary-General | 34 | Mimeographed |
| A/C.1/31/L.38 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.30: note by the Secretary-General | 35 | Ditto |
| A/C.1/31/L.39 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.29/Rev.1: note by the Secretary-General | 40 | Ditto |
| A/C.1/31/L.40 | Administrative and financial implications of the draft resolution contained in document A/C.1/31/L.7/Rev.2: note by the Secretary-General | 49 | Ditto |
| A/C.5/31/63 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/376: note by the Secretary-General | 39 | Ditto |
| A/C.5/31/64 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/371: note by the Secretary-General | 34 | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Agenda item</i> | <i>Observations and references</i> |
|---------------------|--|--------------------|---|
| A/C.5/31/65 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/387: note by the Secretary-General | 50 | Mimeographed |
| A/C.5/31/66 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/384: note by the Secretary-General | 47 | Ditto |
| A/C.5/31/67 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/377: note by the Secretary-General | 40 | Ditto |
| A/C.5/31/68 | Administrative and financial implications of draft resolution B submitted by the First Committee in document A/31/386: note by the Secretary-General | 49 | Ditto |
| CCD/PV... | Verbatim records of the meetings of the Conference of the Committee on Disarmament | | Documents in this series are mimeographed |
| NPT/CONF/... | Documents of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons | | See NPT/CONF/35/I-III |



Agenda item 51: * Effects of atomic radiation: report of the the United Nations Scientific Committee on the Effects of Atomic Radiation**

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Special Political Committee*, 3rd and 4th meetings, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 57th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 36), twenty-seventh session (item 39), twenty-eighth session (item 103), twenty-ninth session (item 41) and thirtieth session (item 50).

DOCUMENT A/31/229

Report of the United Nations Scientific Committee on the Effects of Atomic Radiation

*[Original: English]
[1 October 1976]*

1. The United Nations Scientific Committee on the Effects of Atomic Radiation¹ held its twenty-fifth session at the Redoutensaal, Hofburg, in Vienna, from 6 to 15 September 1976. Mr. F. H. Sobels (Belgium), Mr. M. Klímek (Czechoslovakia) and Mr. Z. Jaworowski (Poland) served as Chairman, Vice-Chairman and Rapporteur, respectively.

2. During the session the Committee, after taking note of General Assembly resolution 3410 (XXX) of 28 November 1975, discussed, on the basis of drafts prepared in the secretariat, the scientific annexes of the comprehensive report to be submitted to the Assembly at its thirty-second session. In its discussions, the Committee reviewed the information available on the following subjects: population exposures from natural radiation sources, from the produc-

tion of power by nuclear fission, and from the environmental contamination due to nuclear explosions; occupational exposure to radiation; and medical irradiation. The Committee also reviewed recent information on the effects of ionizing radiation, including early effects, effects on embryogenesis, genetic effects and the induction of malignancies, covering both risk assessments in man and results of experimental studies.

3. The Committee expressed satisfaction at the amount of data on exposures from various radiation sources received, in response to the Committee's request, from Member States of the United Nations, from the specialized agencies and from the International Atomic Energy Agency. The Committee stressed that further information of that kind, if received before the end of the year, would be of great value in the preparation of its comprehensive report to the General Assembly at its thirty-second session.

4. The Committee planned to continue in the future its activity of review and assessment of doses, effects and risks of radiation from all sources. It felt that such activity could contribute significantly to the United Nations Environment Programme, particularly in the preparation of criteria documents for selected radio-nuclides planned by UNEP, and considered it desirable to establish active co-operation in those matters.

¹ The Scientific Committee was established by the General Assembly at its tenth session in 1955. Its terms of reference are set out in resolution 913 (X). It was originally composed of the following Member States: Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, India, Japan, Mexico, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America. By resolution 3154 C (XXVIII) the General Assembly decided to increase the Committee's membership by up to five additional members. The following Member States were appointed members of the Committee by the President of the General Assembly in consultation with the Chairmen of the regional groups: Germany, Federal Republic of, Indonesia, Peru, Poland and Sudan.

5. The Committee elected Mr. M. Klímek (Czechoslovakia), Mr. F. E. Stieve (Federal Republic of Germany) and Mr. K. Sundaram (India) to serve as Chairman, Vice-Chairman and Rapporteur, respectively, at the twenty-sixth and twenty-seventh sessions of the Committee.

6. The Committee expressed its appreciation for the facilities provided by the Government of Austria for the holding of its twenty-fifth session.

7. The Committee decided to hold its twenty-sixth session at Vienna from 13 to 22 April 1977.

DOCUMENT A/31/293

Report of the Special Political Committee

[Original: English]
[29 October 1976]

1. The item entitled "Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with General Assembly resolution 3410 (XXX) of 28 November 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 Special Political Committee examined the item at its 3rd and 4th meetings, on 18 and 19 October 1976. It had before it the report of the United Nations Scientific Committee on the Effects of Atomic Radiation (A/31/229).

4. At the 3rd meeting, the representative of Australia introduced a draft resolution (A/SPC/31/L.1) which was sponsored by Argentina, Australia, Austria, Canada, Japan, Mexico, New Zealand, Norway, the Philippines and Venezuela. Subsequently, Chile, Liberia, Malaysia, Peru, the Sudan and Sweden joined in sponsoring the draft resolution.

5. At the 4th meeting, the representative of Australia, on behalf of the sponsors, orally revised operative paragraph 7 by deleting the word "administrative" before the word "support".

6. At the same meeting, the Committee adopted the draft resolution, as revised, without a vote (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 resolution:

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its

subsequent resolutions on the subject, in particular resolution 3410 (XXX) of 28 November 1975,

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which man is exposed,

Conscious of the continuing need for compiling information about atomic radiation and for analysing its effects on man and his environment,

Noting the intention of the Scientific Committee to submit to the General Assembly at its thirty-second session a comprehensive report reviewing population exposures from natural radiation sources, from the production of power by nuclear fission and from the environmental contamination due to nuclear explosions, occupational exposure to radiation, medical irradiation, and the genetic and carcinogenic effects of ionizing radiation,

Noting further that the organizational responsibility for servicing the Scientific Committee has now been transferred from the Offices of the Secretary-General to the United Nations Environment Programme,

1. *Notes with appreciation* the report of the United Nations Scientific Committee on the Effects of Atomic Radiation (A/31/229);

2. *Requests* the Scientific Committee to continue its work, including its important co-ordination activities, to increase knowledge of the levels and effects of atomic radiation from all sources;

3. *Notes* the intention of the Scientific Committee to hold its twenty-sixth session at Vienna from 13 to 22 April 1977;

4. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations;

5. *Requests* all Member States and the United Nations agencies and non-governmental organizations concerned to

supply to the Scientific Committee by the end of 1976 further data relevant to its work, with a view to facilitating the preparation by the Committee of its comprehensive report to the General Assembly at its thirty-second session;

6. *Notes with satisfaction* the growing co-operation between the Scientific Committee and the United Nations

Environment Programme, particularly on projects to which the Committee can make a significant contribution;

7. *Requests* the United Nations Environment Programme to provide the Scientific Committee with the full support necessary for the effective conduct of its work and for the dissemination of its findings to the General Assembly, the scientific community and the public.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 57th plenary meeting, on 8 November 1976, the General Assembly adopted the draft resolution submitted by the Special Political Committee in its report (A/31/293, para. 7). For the final text, see resolution 31/10.²

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 51 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|-----------------------------|---|
| A/SPC/31/L.1 | Draft resolution | For the sponsors and the text, see A/31/293, paras. 4-7 |



Agenda item 52: * Policies of *apartheid* of the Government of South Africa: **

(a) Report of the Special Committee against *Apartheid*;

(b) Report of the Secretary-General

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| A/31/L.6 and Add.1-5 | Australia, Austria, Bangladesh, Barbados, Brazil, Burundi, Canada, Denmark, Ethiopia, Finland, Ghana, Germany, Federal Republic of, Greece, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Libyan Arab Republic, Malaysia, Mauritius, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Philippines, Sierra Leone, Singapore, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen and Zaire: draft resolution | 3 |
| A/31/L.7 and Add.1-3 | Afghanistan, Algeria, Bangladesh, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Egypt, Equatorial Guinea, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Norway, Pakistan, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Zaire and Zambia: draft resolution | 4 |
| A/31/L.8 and Add.1-3 | Algeria, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Hungary, Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Mongolia, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Cameroon, United Republic of Tanzania, Yemen, Zaire and Zambia: draft resolution | 5 |
| A/31/L.9 and Add.1-3 | Algeria, Benin, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Mozambique, Niger, Nigeria, Qatar, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen and Zambia: draft resolution | 6 |
| A/31/L.10/Rev.1 and Add.1 and 2 | Afghanistan, Algeria, Bangladesh, Benin, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iraq, Jamaica, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: revised draft resolution | 6 |
| A/31/L.11 and Add.1-3 | Afghanistan, Algeria, Bangladesh, Benin, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iraq, Ivory Coast, Jamaica, Kenya, Liberia, Libyan Arab Republic, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Nepal, Niger, Nigeria, Qatar, Rwanda, Sao Tome and Principe, Senegal, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Zaire and Zambia: draft resolution | 8 |

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| A/31/L.12 and Add.1-3 | Algeria, Bangladesh, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution | 9 |
| A/31/L.13 and Add.1-3 | Algeria, Bangladesh, Benin, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Guinea, Guinea-Bissau, Guyana, Iraq, Jamaica, Kenya, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Mozambique, Nepal, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution | 10 |
| A/31/L.14 and Add.1 and 2 | Algeria, Bangladesh, Benin, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iraq, Jamaica, Kenya, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Philippines, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution | 11 |
| A/31/L.15 and Add.1 | Afghanistan, Algeria, Benin, Cuba, Denmark, Egypt, Finland, Ghana, Iceland, India, Iraq, Madagascar, Malaysia, Nigeria, Norway, Philippines, Qatar, Romania, Sri Lanka, Sweden, Uganda, Yemen and Yugoslavia: draft resolution | 15 |
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Special Political Committee*, 12th meeting, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum, *ibid.*, *Fifth Committee* 24th and 25th meetings and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum: and *ibid.*, *Plenary Meetings*, 41st to 54th, 56th, 58th, 59th and 107th meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda items 37 and 12), twenty-seventh session (item 38), twenty-eighth session (item 42), twenty-ninth session (item 37) and thirtieth session (item 53).

DOCUMENT A/31/320

Report of the Special Political Committee

[Original: English]
[4 November 1976]

1. At its 52nd plenary meeting, on 2 November 1976, the General Assembly, in keeping with established practice and taking into account the interest that the following organizations have in the question of *apartheid*, decided to permit them to express their views in the Special Political Committee on agenda item 52, entitled "Policies of *apartheid* of the Government of South Africa":

- (a) World Peace Council;
- (b) American Committee on Africa;
- (c) Interfaith Center on Corporate Responsibility;
- (d) Black Consciousness Movement;
- (e) Conseil québécois de la paix.

2. In a letter dated 2 November 1976 (A/SPC/31/4) addressed to the Chairman of the Special Political Committee, the President of the General Assembly requested the Committee to afford the above-mentioned organiza-

tions an opportunity to be heard at a meeting on Thursday, 4 November, and to report thereon as soon as possible.

3. In accordance with the above-mentioned decision of the General Assembly, the Special Political Committee at its 12th meeting on 4 November heard statements by Mr. Romesh Chandra, Secretary-General of the World Peace Council; Mr. George Houser, Executive Director of the American Committee on Africa; Mr. Timothy Smith, Director of the Interfaith Center on Corporate Responsibility; Miss Sikose Mji of the Black Consciousness Movement; and Mr. Edward Martin Sloan, Chairman of the Conseil québécois de la paix. The text of these statements was circulated in document A/SPC/31/PV.12.

4. At the same meeting, the Committee decided to submit a report immediately to the General Assembly in accordance with the request of the President of the General Assembly mentioned in paragraph 2 above.

DOCUMENT A/31/L.5

Afghanistan, Algeria, Benin, Bhutan, Botswana, Bulgaria, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Morocco, Mozambique, Nepal, Niger, Nigeria, Philippines, Poland, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[26 October 1976]

The so-called independent Transkei and other bantustans

The General Assembly,

Recalling its resolution 3411 D (XXX) of 28 November 1975 condemning the establishment of bantustans by the racist régime of South Africa,

Taking note that the racist régime of South Africa declared the sham "independence" of the Transkei on 26 October 1976,

Having considered the report of the Special Committee against Apartheid (A/31/22), and its special reports (A/31/22/Add.1-3),

1. *Strongly condemns* the establishment of bantustans as designed to consolidate the inhuman policies of *apartheid*,

to destroy the territorial integrity of the country, to perpetuate white minority domination and to dispossess the African people of South Africa of their inalienable rights;

2. *Rejects* the declaration of "independence" of the Transkei and declares it invalid;

3. *Calls upon* all Governments to deny any form of recognition to the so-called independent Transkei and to refrain from having any dealings with the so-called independent Transkei or other bantustans;

4. *Requests* all States to take effective measures to prohibit all individuals, corporations and other institutions under their jurisdiction from having any dealings with the so-called independent Transkei and other bantustans.

DOCUMENT A/31/L.6 AND ADD.1-5*

Australia, Austria, Bangladesh, Barbados, Brazil, Burundi, Canada, Denmark, Ethiopia, Finland, Ghana, Germany, Federal Republic of, Greece, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Libyan Arab Republic, Malaysia, Mauritius, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Philippines, Sierra Leone, Singapore, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen and Zaire: draft resolution

[Original: English]
[29 October 1976]

United Nations Trust Fund for South Africa

The General Assembly,

Recalling its resolutions on the United Nations Trust Fund for South Africa,

Having considered the report of the Secretary-General on the Trust Fund (A/31/277), to which is annexed the report of the Committee of Trustees of the United Nations Trust Fund for South Africa,

* Documents A/31/L.6/Add.1-5 were issued to add the following countries to the list of sponsors of the draft resolution: Bangladesh, Barbados, Germany, Federal Republic of, Ivory Coast and Turkey in document A/31/L.6/Add.1 of 1 November 1976, Ethiopia, Morocco and Zaire in document A/31/L.6/Add.2 of 2 November 1976; Guyana, Mauritius, Sierra Leone and United Republic of Tanzania in document A/31/L.6/Add.3 of 3 November 1976; Burundi, Hungary, Jamaica, Singapore, Thailand, Uganda and United Arab Emirates in document A/31/L.6/Add.4 of 5 November 1976, and Yemen in document A/31/L.6/Add.5 of 9 November 1976.

Reaffirming that humanitarian assistance by the international community to all those persecuted under repressive and discriminatory legislation in South Africa, Namibia and Southern Rhodesia is appropriate and essential,

Deeply concerned over the massive repression against opponents of *apartheid* and racial discrimination in South Africa, including the killing of numerous peaceful demonstrators,

1. *Expresses its appreciation* to the Governments, organizations and individuals that have contributed to the United Nations Trust Fund for South Africa;

2. *Endorses* the urgent appeal of the Committee of Trustees of the United Nations Trust Fund for South Africa for more generous contributions to the Trust Fund;

3. *Commends* all voluntary agencies which are engaged in rendering humanitarian assistance to the victims of *apartheid* and racial discrimination.

DOCUMENT A/31/L.7 AND ADD.1-3*

Afghanistan, Algeria, Bangladesh, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Egypt, Equatorial Guinea, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Norway, Pakistan, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Zaire and Zambia: draft resolution

[Original: English]
[1 November 1976]

Solidarity with South African political prisoners

The General Assembly,

Reaffirming the legitimacy of the struggle of the South African people for the total eradication of *apartheid* and the exercise of the right of self-determination by all the inhabitants of South Africa,

Noting that the racist régime of South Africa has constantly defied the United Nations resolutions calling upon it to end repression against the leaders of the oppressed people and other opponents of *apartheid* and to release all persons imprisoned or restricted for struggling against the system of *apartheid*,

Gravely concerned about the brutal massacres in Soweto and other areas of South Africa and the incarceration of

schoolchildren and other persons demonstrating against *apartheid* and about the continuation of these atrocities in defiance of Security Council resolution 392 (1976) of 19 June 1976,

Commending the heroism and sacrifices of the South African people in their struggle for liberation,

1. *Condemns* the racist régime of South Africa for its ruthless repression of the oppressed people of South Africa and other opponents of *apartheid*;

2. *Reaffirms* its solidarity with all South Africans struggling against *apartheid* for the establishment of majority rule and the exercise of their right to self-determination and for the principles enshrined in the Charter of the United Nations;

3. *Demands* the immediate and unconditional release of all persons imprisoned or restricted for their involvement in the struggle for liberation in South Africa;

4. *Proclaims* 11 October the Day of Solidarity with South African Political Prisoners;

5. *Requests* the Centre against *Apartheid*, in consultation with the Special Committee against *Apartheid*, to intensify publicity for the cause of all those persecuted for their opposition to *apartheid* in South Africa.

* Documents A/31/L.7/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Czechoslovakia, German Democratic Republic, Ghana, Guyana, Liberia, Malaysia, Mongolia, Sierra Leone, Somalia, Ukrainian Soviet Socialist Republic and United Republic of Cameroon in document A/31/L.7/Add.1 of 3 November 1976; Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Democratic Yemen, Denmark, Finland, Hungary, Iceland, India, Indonesia, Lesotho, Mozambique, Norway, Poland, Singapore, Sri Lanka, Sweden, Thailand, Trinidad and Tobago and United Arab Emirates in document A/31/L.7/Add.2 of 5 November 1976; and Bangladesh, Ivory Coast, Lao People's Democratic Republic, Pakistan and Upper Volta in document A/31/L.7/Add.3 of 9 November 1976.

DOCUMENT A/31/L.8* AND ADD.1-3**

Algeria, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Hungary, Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Mongolia, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Cameroon, United Republic of Tanzania, Yemen, Zaire and Zambia: draft resolution

[Original: English]
[1 November 1976]

Arms embargo against South Africa

The General Assembly,

Recalling its resolutions concerning the arms embargo against South Africa,

Deeply concerned over the explosive situation in South Africa resulting from the wanton killings by the racist régime of hundreds of peaceful demonstrators against *apartheid* and racial discrimination, including many school children,

Condemning the racist régime of South Africa for its colonial war against the Namibian people and its repeated acts of aggression against the People's Republic of Angola and the Republic of Zambia,

Noting that the racist régime of South Africa has used weapons received from its traditional allies, particularly France, the Federal Republic of Germany, Israel, the United Kingdom of Great Britain and Northern Ireland and the United States of America as well as other foreign countries, for repression in South Africa and aggression against other States,

Noting further that the racist régime of South Africa has supplied military equipment to the illegal racist minority régime in Southern Rhodesia in flagrant violation of the resolutions of the Security Council,

Noting with concern the continued rapid increase in the military budget of South Africa and the continued violations of the arms embargo against South Africa by its traditional allies, particularly France, the Federal Republic of Germany, Israel, the United Kingdom and the United States as well as other foreign countries,

Mindful of the primary responsibility of the Security Council for the maintenance of international peace and security,

Strongly convinced that mandatory measures, under Chapter VII of the Charter of the United Nations, to secure the full implementation of the arms embargo against South Africa are essential to prevent a further aggravation of the situation,

Expressing serious regret that three permanent members of the Security Council—France, the United Kingdom and the United States—have so far prevented such measures and thereby facilitated the militarization of South Africa,

1. *Requests once again* the Security Council to take urgent action, under Chapter VII of the Charter of the United Nations, to ensure the complete cessation by all States of the supply of arms, ammunition, military vehicles and spare parts thereof, and any other military equipment to South Africa, as well as any co-operation to enable the building-up of military and police forces in South Africa;

2. *Further requests* the Security Council to call upon all Governments, in particular:

(a) To implement fully the arms embargo against South Africa, without any exception as to the type of weapons, and to prohibit any violations of the arms embargo by companies and individuals within their jurisdiction;

(b) To refrain from importing any military supplies manufactured by, or in collaboration with, South Africa;

(c) To terminate any existing military arrangements with the racist régime of South Africa and to refrain from entering into or planning any such arrangements;

(d) To prohibit any institutions, agencies or companies, within their national jurisdiction, from delivering to South Africa or placing at its disposal any equipment or fissionable material or technology that will enable the racist régime of South Africa to acquire nuclear-weapon capability;

3. *Calls upon* the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to adopt a positive policy to make it possible to take effective action by the Security Council under Chapter VII of the Charter;

4. *Requests and authorizes* the Special Committee against *Apartheid* to continue to promote the full implementation of the arms embargo against South Africa and, to this end, to launch a special campaign to secure the widest public support for the arms embargo.

* Incorporating document A/31/L.8/Corr. 1, dated 9 November 1976.

** Documents A/31/L.8/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Czechoslovakia, German Democratic Republic, Ghana, Mongolia, Somalia, Ukrainian Soviet Socialist Republic and United Republic of Cameroon in document A/31/L.8/Add.1 of 3 November 1976; Bulgaria, Byelorussian Soviet Socialist Republic, Democratic Yemen, Hungary and Mozambique in document A/31/L.8/Add.2 of 5 November 1976; and the Lao People's Democratic Republic in document A/31/L.8/Add.3 of 9 November 1976.

DOCUMENT A/31/L.9* AND ADD.1-3**

Algeria, Benin, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Mozambique, Niger, Nigeria, Qatar, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen and Zambia: draft resolution

[Original: English]
[1 November 1976]

Relations between Israel and South Africa

The General Assembly,

Recalling its repeated condemnations of the strengthening of relations and collaboration between the racist régime of South Africa and Israel in the political, military, economic and other fields, as contained in General Assembly resolutions 3151 G (XXVIII) of 14 December 1973, 3324 E (XXIX) of 16 December 1974 and 3411 G (XXX) of 10 December 1975,

* Incorporating documents A/31/L.9/Corr.1 and 2, dated 4 and 9 November 1976, respectively.

** Documents A/31/L.8/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: German Democratic Republic, Ghana, Malaysia, Mongolia and Somalia in document A/31/L.9/Add.1 of 3 November 1976; Democratic Yemen, Mozambique, Sri Lanka, Togo and United Arab Emirates in document A/31/L.9/Add.2 of 5 November 1976, and the Lao People's Democratic Republic and Upper Volta in document A/31/L.9/Add.3 of 9 November 1976.

Deeply concerned about the fact that Israel has sent paramilitary personnel to train South African troops and about the sale of warships and other war matériel by Israel to South Africa in flagrant violation of the resolutions of the General Assembly and the Security Council,

Having considered the report of the Special Committee against *Apartheid* on relations between Israel and South Africa (A/31/22/Add.2),

1. Strongly condemns the continuing and increasing collaboration by Israel with the racist regime of South Africa as a flagrant violation of the resolutions of the United Nations and as an encouragement to the South African racist régime to persist in its criminal policies;

2. Requests the Secretary-General to disseminate widely the report of the Special Committee against *Apartheid*, in various languages, in order to mobilize public opinion against the collaboration by Israel with the racist régime of South Africa.

DOCUMENT A/31/L.10/REV.1 AND ADD.1* AND 2**

Afghanistan, Algeria, Bangladesh, Benin, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iraq, Jamaica, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: revised draft resolution

[Original: English]
[4 November 1976]

Apartheid in sports

The General Assembly,

Recalling its resolutions 2775 D (XXVI) of 29 November 1971 and 3411 E (XXX) of 28 November 1975 on *apartheid* in sports,

* Document A/31/L.10/Rev.1/Add.1 of 5 November 1976 was issued to add Afghanistan, Democratic Yemen, Guyana, Lesotho, Mozambique, Sri Lanka and United Arab Emirates to the list of sponsors of the draft resolution.

** Document A/31/L.10/Rev.1/Add.2 of 9 November 1976 was issued to add Bangladesh and Upper Volta to the list of sponsors of the draft resolution.

Reaffirming its unqualified support of the Olympic principle that there should be no discrimination on the grounds of race, religion or political affiliation,

Recognizing the importance in the international campaign against *apartheid* of the boycott of South African sports teams selected on the basis of *apartheid*,

Regretting that some national and international sports bodies and individual sportsmen have continued contacts with racist South African sports bodies in violation of the Olympic principle and resolutions of the United Nations,

Convinced that effective measures must be taken, as a matter of priority during the Decade for Action to Combat

Racism and Racial Discrimination, to abolish *apartheid* in all fields,

Taking note of the Declaration (A/31/104, annex I) and the Programme of Action (A/31/104, annex II) adopted by the International Seminar on the Eradication of *Apartheid* and in Support of the Struggle for Liberation in South Africa, held at Havana from 24 to 28 May 1976,

Noting also the resolution of the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976, endorsing the proposal for an international convention against *apartheid* in sports and requesting the United Nations to give urgent consideration to the formulation of such a convention (A/31/197, annex IV.A, resolution 6),

Noting further that in its report the Special Committee against *Apartheid*, *inter alia*, recommended that the General Assembly should consider the proposal for an international convention against *apartheid* in sports and that meanwhile the Assembly should adopt a declaration on *apartheid* in sports (A/31/22, sect. II, paras. 285 and 286),

1. *Welcomes* the proposal for an international convention against *apartheid* in sports to promote adherence to the Olympic principle of non-discrimination and to discourage and deny support to sporting events organized in violation of that principle;

2. *Decides* to establish an *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports, composed of the existing members of the Special Committee against *Apartheid* and seven other Member States to be appointed by the President of the General Assembly on the basis of equitable geographical distribution;

3. *Requests* the *Ad Hoc* Committee to prepare a draft declaration on *apartheid* in sports, as an interim measure, and to submit it to the General Assembly at its thirty-second session;

4. *Further requests* the *Ad Hoc* Committee to undertake preparatory steps towards the drafting of an international convention against *apartheid* in sports and to report thereon to the General Assembly at its thirty-second session;

5. *Urges* all States to implement the recommendations contained in the report of the Special Committee against *Apartheid* concerning *apartheid* in sports (A/31/22, sect. II, para. 284), namely:

(a) To convey the United Nations resolutions on *apartheid* and sports to all national sports bodies with a request that necessary action be taken to implement those resolutions;

(b) To refuse any official sponsorship, assistance or encouragement to sports contacts with South Africa, including official receptions to teams and payments of grants to sports bodies or teams or sportsmen involved in sporting competitions with South African teams or sportsmen;

(c) To refuse visas to South African sports bodies, sports teams or sportsmen, except for non-racial sports bodies endorsed by the Special Committee and the liberation movements;

(d) To deny facilities to sports bodies or sports teams or sportsmen for visits to South Africa;

(e) To encourage national sports bodies concerned to support the exclusion of South Africa from international sports bodies and tournaments;

6. *Calls upon* Member States and international sporting organizations to support actively projects undertaken in collaboration with the liberation movements towards the formation of non-racial teams truly representative of South Africa.

DOCUMENT A/31/L.11 AND ADD.1-3*

Afghanistan, Algeria, Bangladesh, Benin, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iraq, Ivory Coast, Jamaica, Kenya, Liberia, Libyan Arab Republic, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Nepal, Niger, Nigeria, Qatar, Rwanda, Sao Tome and Principe, Senegal, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Zaire and Zambia: draft resolution

[Original: English]
[1 November 1976]

*Programme of work of the Special Committee
against Apartheid*

The General Assembly,

Having considered the report of the Special Committee against *Apartheid* (A/31/22) and its special reports (A/31/22/Add.1-3),

Commending the Special Committee for its activities in the discharge of the mandate given to it by the General Assembly,

Noting with appreciation the work of the Centre against *Apartheid* in assisting the Special Committee,

Considering the need for further expansion of the activities of the Special Committee—in close co-operation with the specialized agencies, the movement of non-aligned countries, the Organization of African Unity, the League of Arab States, the South African liberation movements recognized by the Organization of African Unity, and other intergovernmental and non-governmental organizations—in this crucial stage of the struggle for the total eradication of *apartheid* and the exercise by the South African people of their right to self-determination.

1. *Requests* the Special Committee against *Apartheid* to continue and to intensify its activities to promote concerted international action against *apartheid* in accordance with the relevant resolutions of the General Assembly;

2. *Requests* all organs of the United Nations concerned with problems of decolonization to co-operate and consult with the Special Committee with a view to ensuring the co-ordination of efforts;

3. *Authorizes* the Special Committee:

(a) To send missions composed of members of the Special Committee and of the representatives of the African National Congress of South Africa and the Pan Africanist

Congress of Azania to Governments of Member States, to the headquarters of specialized agencies and other inter-governmental and non-governmental organizations as well as trade union confederations, as required, for consultations to promote the international campaign against *apartheid*;

(b) To take appropriate steps to promote closer co-operation with the movement of non-aligned countries, the Organization of African Unity and other appropriate intergovernmental organizations;

(c) To participate in conferences concerned with *apartheid*;

(d) To invite representatives of the South African national liberation movements recognized by the Organization of African Unity and those of other organizations, as well as experts on *apartheid*, for consultations on various aspects of *apartheid* and on action against *apartheid*;

4. *Authorizes* the Special Committee to organize a World Conference for Action against *Apartheid* in 1977, in accordance with the recommendations contained in paragraphs 296 to 302 of its report;

5. *Further authorizes* the Special Committee to convene an International Conference of Trade Unions against *Apartheid*, in accordance with paragraphs 269 to 274 of its report;

6. *Approves* the recommendations contained in the report of the Special Committee concerning information activity against *apartheid* by the United Nations and the specialized agencies (A/31/22/Add.3, sect. III) and requests it to take appropriate action towards the implementation of those recommendations;

7. *Authorizes* the Special Committee to establish an award to be presented to persons who have, in co-operation with the United Nations and in solidarity with the South African liberation movements, contributed significantly to the international campaign against *apartheid*;

8. *Requests* the Secretary-General to take all necessary steps to enable the Centre against *Apartheid* to continue to provide effective assistance to the Special Committee;

9. *Invites* all specialized agencies and other intergovernmental and non-governmental organizations to co-operate with the Special Committee in the discharge of its task.

* Documents A/31/L.11/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Ghana, Liberia and United Republic of Cameroon in document A/31/L.11/Add.1 of 3 November 1976; Afghanistan, Democratic Yemen, Guyana, India, Mozambique, Singapore, Sri Lanka, Thailand, Trinidad and Tobago and United Arab Emirates in document A/31/L.11/Add.2 of 5 November 1976; and Bangladesh and Upper Volta in document A/31/L.11/Add.3 of 9 November 1976.

DOCUMENT A/31/L.12 AND ADD.1-3*

Algeria, Bangladesh, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Comoros, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[2 November 1976]

Economic collaboration with South Africa

The General Assembly,

Having considered the report of the Special Committee against *Apartheid* (A/31/22) and its special reports (A/31/22/Add.1-3),

Recalling its resolutions on the policies of *apartheid* of the racist régime of South Africa,

Noting with grave concern that some Governments, in pursuing strategic and economic and other interests, continue to collaborate with the racist régime of South Africa and thereby encourage it to persist in its criminal policies,

1. *Proclaims* that any collaboration with the racist régime of South Africa constitutes a hostile act against the oppressed people of South Africa and a contemptuous defiance of the United Nations and the international community;

2. *Strongly condemns* the action of those States and foreign economic and other interests which continue to collaborate with the racist régime of South Africa;

3. *Calls upon* Member States still engaged in economic collaboration and trade with the racist régime of South

Africa to implement the relevant General Assembly resolutions and to cease forthwith any such collaboration with that régime;

4. *Calls upon* all Governments to take effective action to prohibit all loans to or investments in South Africa by banks and corporations within their national jurisdiction;

5. *Condemns* the intensified activities of transnational corporations, which continue to exploit the racially oppressed people of South Africa and plunder its natural resources and thereby are accomplices to the crimes of the *apartheid* régime;

6. *Requests* all agencies within the United Nations system to refrain from any dealings with corporations which provide any loans to, or make any investment in, South Africa;

7. *Requests* the Economic and Social Council to invite the Commission on Transnational Corporations to study and publicize the involvement of transnational corporations in the *apartheid* economy of South Africa;

8. *Requests* the International Monetary Fund to refrain forthwith from extending credits to South Africa;

9. *Requests* the Economic and Social Council to invite the Commission on Human Rights to give special attention to the scope and consequences of the activities of the transnational corporations in South Africa;

10. *Commends* all those Governments which have ceased all economic collaboration with the racist régime of South Africa in compliance with the relevant United Nations resolutions;

11. *Commends* all anti-*apartheid* movements, churches, trade unions and other organizations which are engaged in shareholder actions or other activities to discourage collaboration by transnational corporations with South Africa.

* Documents A/31/L.12/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Czechoslovakia, German Democratic Republic, Ghana, Liberia, Malaysia, Mongolia, Nepal, Sierra Leone, Somalia, Ukrainian Soviet Socialist Republic and United Republic of Cameroon in document A/31/L.12/Add.1 of 3 November 1976; Bulgaria, Byelorussian Soviet Socialist Republic, Democratic Yemen, Hungary, India, Indonesia, Mozambique, Poland, United Arab Emirates and Yugoslavia in document A/31/L.12/Add.2 of 5 November 1976; Bangladesh, Lao People's Democratic Republic, Pakistan and Upper Volta in document A/31/L.12/Add.3 of 9 November 1976.

DOCUMENT A/31/L.13* AND ADD.1-3**

Algeria, Bangladesh, Benin, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Guinea, Guinea-Bissau, Guyana, Iraq, Jamaica, Kenya, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Mozambique, Nepal, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[2 November 1976]

Situation in South Africa

The General Assembly,

Having considered the report of the Special Committee against *Apartheid* (A/31/22) and its special reports (A/31/22/Add.1-3),

Taking note of the national uprising of the oppressed people of South Africa against the *apartheid* régime,

Outraged by the continuing massacres and other atrocities by the racist régime of South Africa on schoolchildren and other peaceful demonstrators against *apartheid* and racial discrimination,

Gravely concerned about the military and other activities of the racist régime of South Africa and, in particular, about the nuclear collaboration aimed at the establishment of nuclear installations and the transfer of nuclear technology to South Africa,

Conscious that mercenaries and their organizations are active in the territory of South Africa and participate in the acts of aggression of that country against the African peoples and States members of the Organization of African Unity,

Convinced that the situation in South Africa constitutes a grave threat to international peace and security,

Reaffirming that the policy and practice of *apartheid* constitutes a crime against humanity,

Welcoming the coming into force of the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (resolution 3068 (XXVIII), annex),

Mindful of the special responsibility of the United Nations and the international community towards the oppressed people of South Africa and their liberation

movements and towards those imprisoned, restricted or exiled for their struggle against *apartheid*,

1. *Proclaims* that the racist régime of South Africa is illegitimate and has no right to represent the people of South Africa;

2. *Reaffirms* that the national liberation movements recognized by the Organization of African Unity—the African National Congress of South Africa and the Pan Africanist Congress of Azania—are the authentic representatives of the overwhelming majority of the South African people.

3. *Strongly condemns* the racist régime of South Africa for its criminal policies and practices of *apartheid*, its massacres of black people, including schoolchildren, and its ruthless repression against all those struggling against *apartheid*;

4. *Reaffirms* the legitimacy of the struggle of the oppressed people of South Africa and their liberation movements, by all possible means, for the seizure of power by the people and the exercise of their inalienable right to self-determination;

5. *Recognizes*, in particular, that the consistent defiance by the racist régime of South Africa of United Nations resolutions on *apartheid* and the continued brutal repression, including indiscriminate mass killings, by that régime leave no alternative to the oppressed people of South Africa but to resort to armed struggle to achieve their legitimate rights;

6. *Declares* that the situation in South Africa, resulting from the policies and actions of the racist régime, constitutes a grave threat to the peace, requiring action under Chapter VII of the Charter of the United Nations;

7. *Demands* the cessation of any form of military and nuclear co-operation with the racist régime of South Africa;

8. *Condemns* the racist régime in South Africa for encouragement of the activities of the mercenaries and their organizations in its territory and for their use against the African peoples and States members of the Organization of African Unity;

9. *Urgently appeals* to all States to enact laws declaring the recruitment, financing, training, transit and assembly of mercenaries for the racist régime of South Africa in their territories a punishable crime and prohibiting their citizens from enlisting as mercenaries;

* Incorporating document A/31/L.13/Corr.1, dated 9 November 1976.

** Documents A/31/L.13/Add.1-3 were issued to add the following countries to the list of sponsors of the draft resolution: Guyana, Liberia, Sierra Leone, Somalia and United Republic of Cameroon in document A/31/L.13/Add.1 of 3 November 1976; Democratic Yemen, Mozambique, Trinidad and Tobago, United Arab Emirates and Yugoslavia in document A/31/L.13/Add.2 of 5 November 1976; Bangladesh and Upper Volta in document A/31/L.13/Add.3 of 9 November 1976.

10. *Calls upon* the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, in particular:

(a) To desist from misusing their veto power in the Security Council to protect the South African racist régime;

(b) To enable the Security Council to determine the existence in South Africa of a threat to the peace and exercise its responsibilities under the Charter;

(c) Not to obstruct but to facilitate the adoption of a mandatory arms embargo and other indispensable measures, under Chapter VII of the Charter, to deal with the grave situation in South Africa;

11. *Appeals* to all States and organizations to provide all assistance required by the oppressed people of South Africa and their national liberation movements during their legitimate struggle, in the light of the recommendation of the Special Committee against *Apartheid*,

12. *Further calls upon* Member States and the specialized agencies, through emergency joint projects and financial assistance, to help Lesotho and other countries bordering South Africa to ensure the provision of educational facilities to the rapidly growing number of refugee students from South Africa;

13. *Appeals* to all Governments which have not yet done so to become parties to the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;

14. *Authorizes* the Special Committee to take all appropriate steps to promote such assistance, including the establishment of a joint United Nations/Organization of African Unity fund financed by voluntary contributions, as recommended in paragraph 264 of its report (A/31/22) and to assist the African National Congress of South Africa and the Pan Africanist Congress of Azania to maintain offices at United Nations Headquarters in New York;

15. *Commends* the anti-*apartheid* and solidarity movements and other non-governmental organizations which have taken action against *apartheid* and in support of the South African national liberation movements;

16. *Condemns* the racist régime of South Africa for its acts of aggression against neighbouring independent African States which have assisted the South African national liberation movements, and invites all Governments to provide those States, at their request, with all necessary assistance for defence against aggression;

17. *Proclaims* 16 June the International Day of Solidarity with the Struggling People of South Africa and calls upon Member States to commemorate this day in the most fitting way.

DOCUMENT A/31/L.14* AND ADD.1** and 2***

Algeria, Bangladesh, Benin, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iraq, Jamaica, Kenya, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Philippines, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

[Original: English]
[2 November 1976]

Programme of Action against Apartheid

The General Assembly,

Taking note of the report of the Special Committee against *Apartheid* (A/31/22) and its special reports (A/31/22/Add.1-3),

Welcoming the Declaration (A/31/104, annex I) and Programme of Action (A/31/104, annex II) adopted by the International Seminar on the Eradication of *Apartheid* and in Support of the Struggle for Liberation in South Africa, held at Havana from 24 to 28 May 1976,

Taking note of the resolutions adopted by the Council of Ministers of the Organization of African Unity at its twenty-seventh ordinary session, held at Port Louis from 24 June to 3 July 1976 (A/31/196 and Corr.1, annex),

Taking note also of the declarations and resolutions of the Fifth Conference of the Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (A/31/197, annexes I-IV),

Considering the need for a programme of action to be implemented by Governments, intergovernmental organizations, trade unions, churches, anti-*apartheid* and solidarity movements and other non-governmental organizations in order to assist the people of South Africa in their struggle for the total eradication of *apartheid* and the exercise of the right of self-determination by all the people of South Africa irrespective of race, colour and creed,

1. *Commends* to all Governments, organizations and individuals the Programme of Action against *Apartheid* annexed to the present resolution;

* Incorporating documents A/31/L.14/Corr.1 and 2, dated 3 and 9 November 1976, respectively.

** Document A/31/L.14/Add.1 of 5 November 1976 was issued to add Democratic Yemen, Hungary, India, Indonesia, Mozambique, Trinidad and Tobago, United Arab Emirates and Yugoslavia to the list of sponsors of the draft resolution.

*** Document A/31/L.14/Add.2 of 9 November 1976 was issued to add Bangladesh and Upper Volta to the list of sponsors of the draft resolution.

2. *Requests* all United Nations organs and specialized agencies concerned to participate in the implementation of the Programme of Action, in close co-operation with the Special Committee against *Apartheid*;

3. *Requests* the Special Committee, in co-operation with the Organization of African Unity, to promote the implementation of the Programme of Action and report, from time to time, on the progress achieved;

4. *Requests* the Secretary-General to ensure maximum publicity to the Programme of Action and provide all necessary assistance to the Special Committee in promoting its implementation.

ANNEX

Programme of Action against *Apartheid*

INTRODUCTION

1. The abolition of racist domination and exploitation in South Africa and assistance to the South African people to establish a non-racial society have become one of the primary concerns of the United Nations and the international community.

2. *Apartheid*, like slavery, must be eradicated because it is a crime against humanity.

3. *Apartheid* must be eradicated because it is an affront to human dignity and a grave threat to international peace and security.

4. *Apartheid* must be eradicated so that the continent of Africa may be finally emancipated, after all the miseries and tragedies to which it has been subjected for centuries, and enabled to play its rightful role in international affairs.

5. *Apartheid* must be eradicated because that is indispensable for the elimination of racism and for laying the basis for genuine international co-operation.

6. For 30 years the United Nations has been seized with the problem of racism in South Africa. It has made patient efforts to persuade the racist minority régimes to abandon the bitter legacy of the past and to work for a peaceful solution in accordance with the principles of human equality and international co-operation.

7. But these régimes have proved to be immune to persuasion. They have met the peaceful and just demands of the oppressed people by ruthless repression and have caused immense suffering in a desperate effort to preserve and consolidate racist domination.

8. The record of the *apartheid* régime which seized power in 1948 has few parallels in history for its inhumanity.

9. The black people, who constitute the overwhelming majority of the population of the country, have been constantly humiliated and brutally exploited. Millions of people have been forcibly moved from their homes to barren reserves or urban ghettos in an attempt to enforce racial segregation. Millions of Africans have been imprisoned under pass laws and other racist legislation. Thousands of patriots have been sentenced to long years in prison or tortured or banished. Hundreds of people have been massacred for peaceful demonstrations against racism.

10. The African workers have been denied elementary trade union rights; they have been imprisoned or killed for no more than the "offence" of participating in strikes.

11. The struggle of the South African people against this racist monster has constituted a notable contribution to the struggle of humanity for the principles of the Charter of the United Nations and the Universal Declaration of Human Rights.

12. The General Assembly recalls that it proclaimed, in resolution 3411 C (XXX) of 28 November 1975, that the United Nations and the international community have a special responsibility towards the oppressed people of South Africa and their liberation movements, and towards those imprisoned, restricted or exiled for their struggle against *apartheid* and that it reiterated its determination to devote increasing attention and all necessary resources to concert international efforts for the speedy eradication of *apartheid* in South Africa and the liberation of the South African people.

13. The General Assembly commends the courageous struggle of the oppressed people of South Africa, under the leadership of their national liberation movements recognized by the Organization of African Unity, to abolish racism. It reaffirms that their struggle for the total eradication of *apartheid* and the exercise of the right to self-determination by all the inhabitants of South Africa is fully legitimate. It reiterates its solidarity with all South Africans struggling against *apartheid* and for the principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights.

14. The General Assembly condemns the racist régime of South Africa for its repeated and flagrant defiance of United Nations resolutions. It denounces the manoeuvres of that régime to perpetuate and obtain acquiescence in its abhorrent *apartheid* policies. It denounces, in particular, the creation of bantustans as designed to deprive the African people of their inalienable rights in the country as a whole.

15. The General Assembly declares that the racist régime of South Africa is illegitimate and has no right to represent the people of South Africa. It recognizes that the national liberation movements are the authentic representatives of the great majority of the people of South Africa.

16. It is convinced that the collaboration by some Governments and vested interests with the racist régime of South Africa, total disregard of United Nations resolutions and legitimate demands by the South African people have impeded efforts for the eradication of *apartheid* and encouraged the racist régime to persist in its inhuman policies.

17. These Governments and economic interests have enabled the racist régime of South Africa to build up a military machine for the suppression of the people and for aggression against neighbouring States. They have made profits, amounting to billions of dollars, through the exploitation of African labour in South Africa. They bear a grave responsibility for the sufferings of the South African people and for the threat to international peace resulting from the situation.

18. The General Assembly considers *apartheid* a matter of universal concern. Governments, organizations and peoples all over the world must increase their support to the righteous struggle of the South African people for justice and for their inalienable right to self-determination, under the leadership of their national liberation movements.

19. The General Assembly mandates the Special Committee against *Apartheid* to launch—in co-operation with Governments, specialized agencies and other intergovernmental organizations, trade unions, churches and other non-governmental organizations—an international campaign to assist the oppressed people of South Africa in this crucial and decisive stage of their struggle for liberation:

No arms to South Africa!

No profit from *apartheid*!

No compromise with racism!

I. ACTION BY GOVERNMENTS

20. The General Assembly calls on all Governments, irrespective of any other differences, to unite in action against the crime of *apartheid* and to take vigorous and concerted measures in implementation of United Nations resolutions to isolate the *apartheid* régime and assist the oppressed people and their liberation movements until they attain freedom.

21. It calls on them, in particular, to:

A. Diplomatic, consular and other official relations

(a) Terminate diplomatic, consular and other official relations with the South African racist régime, or refrain from establishing such relations;

B. Military and nuclear collaboration

(b) Implement fully the arms embargo against South Africa without any exceptions or reservations and, in this connexion:

- (i) To refrain from the sale and shipment of arms, ammunition of all types and any vehicles or equipment for use of the armed forces and paramilitary organizations in South Africa;
- (ii) To refrain from the sale and shipment of equipment and materials for the manufacture and maintenance of arms, ammunition and military vehicles and equipment in South Africa;
- (iii) To refrain from the supply of spare parts for vehicles and equipment used by the armed forces and paramilitary organizations of South Africa;
- (iv) To revoke any licenses or patents granted to the South African racist régime or to South African companies for the manufacture of arms, ammunition and military vehicles and equipment and refrain from granting such licences and patents;
- (v) To prohibit investment in, or technical assistance for, the manufacture of arms and ammunition, aircraft, naval craft and other military vehicles and equipment in South Africa;
- (vi) To terminate any existing military arrangements with the racist régime of South Africa and refrain from entering into any such arrangements;
- (vii) To refrain from provision of training for members of the South African armed forces;
- (viii) To refrain from any joint military exercises with South Africa;
- (ix) To prohibit warships or military aircraft from visiting South African ports and airports and South African warships or military craft from visiting their territories;
- (x) To prohibit visits of military personnel to South Africa and visits by South African military personnel to their countries;
- (xi) To refrain from exchanges of military, naval or air attachés with South Africa;
- (xii) To refrain from purchasing any military supplies manufactured by, or in collaboration with, South Africa;
- (xiii) To refrain from any communications or contacts with the South African military establishment or installations;
- (xiv) To refrain from any other form of military co-operation with South Africa;
- (xv) To prohibit any violations of the arms embargo by corporations, institutions or individuals within their jurisdiction;
- (xvi) To refrain from any collaboration with South Africa in the nuclear field;
- (xvii) To prohibit any institutions, agencies or companies, within their national jurisdiction from delivering to South Africa, or placing at its disposal, any equipment or fissionable material or technology that will enable the racist régime of South Africa to acquire nuclear-weapon technology;

C. Economic collaboration

(c) Terminate all economic collaboration with South Africa and, in particular:

- (i) To refrain from supplying petroleum, petroleum products, or other strategic materials to South Africa;
- (ii) To refrain from extending loans, investments and technical assistance to the South African racist régime and companies registered in South Africa;
- (iii) To prohibit loans by banks or other financial institutions in their countries to the South African racist régime or South African companies;
- (iv) To prohibit economic and financial interests under their national jurisdiction from co-operating with the South African racist régime and companies registered in South Africa;
- (v) To deny tariff and other preferences to South African exports and any inducements or guarantees for investment in South Africa;
- (vi) To take appropriate action in international agencies and organizations—such as the European Economic Community, the General Agreement on Tariffs and Trade, the International Monetary Fund and the International Bank for Reconstruction and Development—for denial by them of all assistance and commercial or other facilities to the South African régime;
- (vii) To take appropriate action, separately or collectively, against transnational companies collaborating with South Africa;

D. Airlines and shipping lines

(d) To refuse landing and passage facilities to all aircraft belonging to the South African racist régime and companies registered under the laws of South Africa;

(e) To close ports to all vessels flying the South African flag;

(f) To prohibit airlines and shipping lines registered in their countries from providing services to and from South Africa;

E. Emigration

(g) To prohibit, or discourage the flow of immigrants, particularly skilled and technical personnel, to South Africa;

F. Cultural, educational, sporting and other collaboration with South Africa

(h) To suspend cultural, educational, sporting and other exchanges with the racist régime and with organizations or institutions in South Africa which practise *apartheid*;

(i) To implement United Nations resolutions on *apartheid* in sports and, in particular:

- (i) To refrain from all contact with sports bodies established on the basis of *apartheid*, or with racially selected sports teams from South Africa;
- (ii) To withhold any support from sporting events which are organized in violation of the Olympic principle, with the participation of racially selected teams from South Africa;
- (iii) To encourage sports organizations to refrain from any exchanges with racially selected teams from South Africa;

G. Assistance to the oppressed people of South Africa

(j) To provide financial and material assistance, directly or through the Organization of African Unity, to the South African liberation movements recognized by that organization;

(k) To encourage public collections in the country for assistance to the South African liberation movements.

(l) To contribute generously and regularly to the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme for Southern Africa, the United Nations Trust Fund for Publicity against *Apartheid* and other intergovernmental and non-governmental funds for assistance to the oppressed people of South Africa and their liberation movements;

(m) To encourage judicial organizations, other appropriate bodies and the public in general to provide assistance to those persecuted by the South African racist régime for their struggle against *apartheid*,

(n) To grant asylum and extend travel facilities and educational and employment opportunities to refugees from South Africa.

(o) To encourage the activities of anti-*apartheid* and solidarity movements and other organizations engaged in providing political and material assistance to the victims of *apartheid* and to the South African liberation movements;

H. Dissemination of information on apartheid

(p) To ensure, in co-operation with the United Nations and the South African liberation movements, the widest possible dissemination of information on *apartheid* and on the struggle for liberation in South Africa;

(q) To encourage the establishment of national organizations for the purpose of enlightening public opinion on the evils of *apartheid*,

(r) To encourage the information media to contribute effectively to the international campaign against *apartheid*;

(s) To provide broadcasting facilities to South African liberation movements;

(t) To take all necessary measures against the operations of propaganda organizations of the South African racist régime and of private organizations which advocate *apartheid*,

I. Other

(u) To accede to the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (resolution 3068 (XXVIII), annex);

(v) To observe annually the International Day for the Elimination of Racial Discrimination, on 21 March, and the Day of Solidarity with South African Political Prisoners, on 11 October;

(w) To promote action by intergovernmental organizations in support of the struggle for liberation in South Africa;

(x) To provide, at their request, all necessary assistance to independent African States subjected to acts of aggression by the South African racist régime in order to enable them to defend their sovereignty and territorial integrity.

II. ACTION BY SPECIALIZED AGENCIES AND OTHER INTERGOVERNMENTAL ORGANIZATIONS

22. The General Assembly calls on all specialized agencies and other intergovernmental organizations to contribute to the maximum to the international campaign against *apartheid*. It suggests in particular that they:

(a) Exclude the South African racist régime from any participation in their organizations;

(b) Deny any assistance to the South African racist régime;

(c) Invite representatives of the South African liberation movements recognized by the Organization of African Unity to attend, *inter alia*, their conferences and seminars and make financial provision for their participation;

(d) Provide appropriate assistance to the oppressed people of South Africa and to their liberation movements.

(e) Disseminate information against *apartheid* in co-operation with the United Nations;

(f) Provide employment within their secretariats and assistance for education and training to the oppressed people of South Africa.

III. ACTION BY TRADE UNIONS, CHURCHES, ANTI-APARTHEID AND SOLIDARITY MOVEMENTS AND OTHER NON-GOVERNMENTAL ORGANIZATIONS

23. The General Assembly commends the activities of all public organizations in denouncing the South African racist régime, in supporting United Nations resolutions against *apartheid*, in assisting the oppressed people of South Africa, and in mobilizing public opinion against *apartheid*.

24. It encourages them to concert and redouble their efforts, in co-operation with the Special Committee against *Apartheid* and with the Centre against *Apartheid*, and, in particular:

(a) To exert their influence to persuade Governments which continue to collaborate with the racist régime of South Africa to desist from such collaboration;

(b) To press all Governments to implement United Nations resolutions against *apartheid*.

(c) To expand campaigns for the boycott of South African goods;

(d) To intensify campaigns against banks and other transnational companies which collaborate with South Africa.

(e) To establish solidarity funds and provide assistance to the South African liberation movements;

(f) To assist political refugees from South Africa.

(g) To publicize the struggle for liberation in South Africa;

(h) To observe annually the International Day for the Elimination of Racial Discrimination, on 21 March, and the Day of Solidarity with South African Political Prisoners, on 11 October.

25. The General Assembly calls on trade unions, in particular:

(a) To organize rallies and information campaigns among the workers to make them fully aware of the problem of *apartheid* and to secure their collaboration in industrial action against South Africa;

(b) To support internationally co-ordinated boycotts of South African goods;

(c) To organize international trade union action to ban the handling of goods going to and from South Africa;

(d) To investigate the operations of companies with subsidiaries inside South Africa,

(e) To undertake, in the countries concerned, industrial action against transnational companies which refuse to recognize African trade unions in South Africa and fail to comply with internationally recognized labour standards;

(f) To give moral and financial support to the African and non-racial trade unions in South Africa, including legal assistance to imprisoned and restricted trade unionists.

(g) To intensify the campaigns against emigration of workers to South Africa;

(h) To request workers not to handle any arms orders to South Africa and to give full support to those workers who, on grounds of conscience, refuse to work on such orders.

26. The General Assembly appeals to churches and religious organizations, in particular:

(a) To exert all their influence and efforts to oppose any form of collaboration with the racist régime of South Africa;

(b) To expand campaigns against banks and transnational corporations collaborating with South Africa;

(c) To provide all forms of assistance to the oppressed people of South Africa and to their liberation movements;

(d) To disseminate information on the inhumanity of *apartheid* and on the righteous struggle of the oppressed people of South Africa.

27. The General Assembly appeals to sports bodies and sportsmen:

(a) To uphold the Olympic principle that no discrimination be allowed on the grounds of race, religion, or political affiliation;

(b) To refrain from all contact with sports bodies established on the basis of *apartheid*, or with racially selected sports teams from South Africa;

(c) To assist sportsmen and sports administrators persecuted in South Africa for their opposition to *apartheid* in sports;

(d) To take appropriate action to expel racist South African sports bodies from all international sports federations and competitions.

IV. ACTION BY THE SPECIAL COMMITTEE AGAINST *APARTHEID*

28. The General Assembly requests the Special Committee against *Apartheid*, with the assistance of the Centre against *Apartheid*, to take all appropriate measures to encourage concerted action against *apartheid* by Governments and intergovernmental and non-governmental organizations. It invites the Special Committee, in particular, to promote co-ordinated international campaigns:

(a) For assistance to the oppressed people of South Africa and their liberation movements;

(b) For an effective arms embargo against South Africa;

(c) Against all forms of nuclear co-operation with South Africa.

(d) Against all collaboration by Governments, banks and transnational corporations with South Africa;

(e) Against propaganda by the South African racist régime and its collaborators;

(f) For the unconditional release of South African political prisoners;

(g) For the boycott of racially selected South African sports teams.

29. The Assembly invites all specialized agencies, the Organization of African Unity and other intergovernmental organizations as well as trade unions, churches and other non-governmental organizations to co-operate with the Special Committee in the implementation of this Programme of Action.

DOCUMENT A/31/L.15 AND ADD.1*

Afghanistan, Algeria, Benin, Cuba, Denmark, Egypt, Finland, Ghana, Iceland, India, Iraq, Madagascar, Malaysia, Nigeria, Norway, Philippines, Qatar, Romania, Sri Lanka, Sweden, Uganda, Yemen and Yugoslavia: draft resolution

[Original: English]
[5 November 1976]

Investments in South Africa

The General Assembly,

Having considered the report of the Special Committee against *Apartheid* (A/31/22) and its special reports (A/31/22/Add.1-3),

Noting the increase of foreign investment in South Africa which abets and encourages the *apartheid* policies of that country,

Welcoming as a positive step the decision of some Governments to achieve the cessation of further investments in South Africa,

Considering that a cessation of new foreign investments in South Africa would constitute one important step in the struggle against *apartheid*,

Urges the Security Council, when studying the problem of the continued struggle against the *apartheid* policies of South Africa, to consider steps to achieve the cessation of further foreign investments in South Africa.

* Document A/31/L.15/Add.1 of 9 November 1976 was issued to add Denmark, Iraq, Malaysia, Philippines, Romania and Yemen to the list of sponsors of the draft resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 42nd plenary meeting, on 26 October 1976, the General Assembly, by a roll-call vote of 134 to none, with 1 abstention, adopted draft resolution A/31/L.5 as orally revised. For the final text, see resolution 31/6 A.¹

At its 58th plenary meeting, on 9 November 1976, the General Assembly adopted the following draft resolutions: draft resolution A/31/L.6 and Add.1-5 (for the final text, see resolution 31/6 B¹); draft resolution A/31/L.7 and Add.1-3 (*idem*, resolution 31/6 C¹); by a recorded vote of 110 to 8, with 20 abstentions, draft resolution A/31/L.8 and Add.1-3 (*idem*, resolution 31/6 D¹); by a recorded vote of 91 to 20, with 28 abstentions, draft resolution A/31/L.9 and Add.1-3 (*idem*, resolution 31/6 E¹); by a recorded vote of 128 to none, with 12 abstentions, draft resolution A/31/L.10/Rev.1 and Add.1 and 2 (*idem*, resolution 31/6 F¹); by a recorded vote of 133 to none, with 8 abstentions, draft resolution A/31/L.11 and Add.1-3 (*idem*, resolution 31/6 G¹); by a recorded vote of 110 to 6, with 24 abstentions, draft resolution A/31/L.12 and Add.1-3 (*idem*, resolution 31/6 H¹); by a recorded vote of 108 to 11, with 22 abstentions, draft resolution A/31/L.13 and Add.1-3 (*idem*, resolution 31/6 I¹); by a recorded vote of 105 to 8, with 27 abstentions, draft resolution A/31/L.14 and Add.1 and 2 (*idem*, resolution 31/6 J¹); by a recorded vote of 124 to none, with 16 abstentions, draft resolution A/31/L.15 and Add.1 (*idem*, resolution 31/6 K¹).

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 52 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/22 | Report of the Special Committee against <i>Apartheid</i> | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 22</i> |
| A/31/22/Add.1-3 | Special reports of the Special Committee against <i>Apartheid</i> | <i>Ibid.</i> , Supplement No. 22A. |
| A/31/104-S/12092 | Letter dated 1 June 1976 from the Chairman of the Special Committee against <i>Apartheid</i> to the Secretary-General, transmitting the text of the Declaration and the Programme of Action adopted by the International Seminar on the Eradication of <i>Apartheid</i> and in Support of the Struggle for Liberation in South Africa, held at Havana, from 24 to 28 May 1976 | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for April, May and June 1976</i> |
| A/31/115-S/12117 | Letter dated 24 June 1976 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | <i>Ibid.</i> |
| A/31/119-S/12120 | Letter dated 29 June 1976 from the representative of China to the Secretary-General | <i>Ibid.</i> |
| A/31/120-S/12121 | Letter dated 25 June 1976 from the representative of Brazil to the Secretary-General | <i>Ibid.</i> , Supplement for July, August and September 1976 |
| A/31/155 | Letter dated 20 July 1976 from the representative of the Federal Republic of Germany to the Secretary-General | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Ditto |
| A/31/277 | Report of the Secretary-General on the United Nations Trust Fund for South Africa | Ditto |
| A/31/280 | Letter dated 22 October 1976 from the representative of Liberia to the Secretary-General | Ditto |
| A/31/299 | Letter dated 28 October 1976 from the representative of the Central African Republic to the Secretary-General | Ditto |
| A/31/321 | Administrative and financial implications of the draft resolution contained in document A/31/L.11: report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |
| A/31/321/Add.1 | Administrative and financial implications of the draft resolution contained in document A/31/L.10/Rev.1: report of the Fifth Committee | <i>Idem.</i> |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|--|
| A/31/329 | Letter dated 12 November 1976 from the representative of the Libyan Arab Republic to the Secretary-General | Mimeographed |
| A/31/332-S/12231 | Letter dated 16 November 1976 from the representative of South Africa to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> |
| A/31/474 and Add.1 | Appointment of the members of the <i>Ad Hoc</i> Committee on the Drafting of an International Convention against <i>Apartheid</i> in Sports: notes by the Secretary-General | Mimeographed |
| A/31/L.10 and Add.1 | Algeria, Benin, Botswana, Burundi, Cape Verde, Chad, Comoros, Congo, Cuba, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Iraq, Kenya, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Morocco, Nepal, Niger, Nigeria, Philippines, Romania, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Yemen, Zaire and Zambia: draft resolution | Replaced by A/31/L.10/Rev.1 and Add.1 and 2 |
| A/C.5/31/42 | Administrative and financial implications of the draft resolution contained in document A/31/L.11: note by the Secretary-General | Mimeographed |
| A/C.5/31/43 | Administrative and financial implications of the draft resolution contained in document A/31/L.10/Rev.1: note by the Secretary-General | Ditto |
| A/SPC/31/4 | Letter dated 2 November 1976 from the President of the General Assembly to the Chairman of the Special Political Committee | Ditto |



Agenda item 53:* United Nations Relief and Works Agency for Palestine Refugees in the Near East:**

- (a) Report of the Commissioner-General;
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (c) Report of the United Nations Conciliation Commission for Palestine;
- (d) Report of the Secretary-General

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Special Political Committee*, 7th to 11th and 13th to 15th meetings, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 34th meeting, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 76th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda items 38 and 12), twenty-seventh session (item 40), twenty-eighth session (item 43), twenty-ninth session (item 38) and thirtieth session (item 54).

DOCUMENT A/31/240

Report of the Secretary-General

*[Original: English]
[4 October 1976]*

1. The present report is submitted to the General Assembly in pursuance of its resolution 3419 C (XXX) of 8 December 1975 concerning population and refugees displaced since 1967, in which the Assembly requested the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to report to it at its thirty-first session on Israel's compliance with paragraphs 3, 4 and 5 of the resolution. In paragraph 3 of that resolution, the Assembly called upon Israel to take immediate steps for the return of the displaced inhabitants and to desist from all measures that obstructed the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories. In paragraph 4, the Assembly reiterated its call upon Israel to take effective steps immediately for the return of the refugees concerned to the camps from which they had been removed in the Gaza Strip, to provide adequate shelters for their accommodation and to desist from further removal of refugees and destruction of their shelters. In paragraph 5, it condemned Israeli military

attacks on refugee camps and called upon Israel to desist from such attacks.

2. By a note verbale dated 20 January 1976, addressed to the Permanent Representative of Israel to the United Nations, the Secretary-General drew attention to his reporting responsibility under paragraph 6 of General Assembly resolution 3419 C (XXX) and requested the Government of Israel to forward to him, as soon as possible, any relevant information on the implementation of the respective provisions of the resolution.

3. By a note verbale dated 8 September 1976, the Permanent Representative of Israel, on instructions from his Government, conveyed to the Secretary-General the following comments:

"The Government of Israel has been and is fully conscious of the humanitarian aspects of the problem of the displaced persons who, following the outbreak of the war instigated by the Arab Governments in 1967, fled

from the area of hostilities. The Government of Israel has continued to seek to reconcile its desire to assist with the return of displaced persons with its responsibility for the safety, welfare and security of the population in the administered areas and in Israel, as well as the security of the State itself. It is common knowledge that certain Arab Governments continue to furnish aid and support to terrorist organizations grouped together in the Palestine Liberation Organization (PLO), which are established in and operate from their territory against Israel.

"Thus the prevailing situation does not permit a large-scale return of these displaced persons. Nevertheless and despite all these difficulties, the Government of Israel has, during this year as in previous years, continued to facilitate the return of persons displaced in 1967. The special arrangements for family reunion and hardship cases have been maintained, and co-operation in this respect with local Arab authorities has continued. It should be pointed out, however, that the facilities established by Israel for the orderly movement of people across the cease-fire lines, are being exploited by certain Arab Governments for purposes of subversion in order to facilitate the entry of terrorists and the transport of explosives into Israel-administered territory. Such actions undermine any efforts to improve the situation.

"As the Gaza Strip is specifically mentioned in the resolution in question, the Government of Israel wishes to draw attention not only to the greatly improved security situation in the Gaza Strip and the public order and tranquillity prevailing there in general, but also to the full employment and the vast amelioration in the economic condition of the refugees and the accelerated rate of development and building.

"Of the Gaza Strip's labour force numbering approximately 70,000, about 30,000—refugees and non-refugees alike—travel every day to work in Israel. The wages which they earn, equal to those of Israeli workers, enable them to achieve a standard of living never enjoyed by them before.

"Housing projects have been initiated by Israeli authorities to enable refugees to move out of the camps into relatively spacious one-storey homes of their own (between 750 and 850 square feet of floor space), with electricity and indoor plumbing, at modest cost (about \$6,000 per apartment) and on favourable financial terms (one third down-payment and mortgage arrangements for the balance). So many refugees have shown interest in taking advantage of this opportunity to improve their living conditions that, due to the limited land available for building purposes outside the camps, the authorities are now examining the possibility of providing two- and three-storey houses to refugee families.

"The now well-established public order and the economic prosperity are a direct result of the security measures which were taken by the authorities against Arab terror, which was rife in the Gaza Strip until 1971 and which for the most part struck at and grievously harmed the local population.

"By contrast, it is impossible to turn a blind eye to the situation in the refugee camps in Lebanon today. The

civil war in that country has exposed the complete falsity of the Arab charges against Israel, which have been incorporated into countless General Assembly resolutions condemning Israel without reason or justice.

"Recent events in Lebanon have proved what the Government of Israel had been saying for a number of years, namely, that the Arab terror organizations have taken over the refugee camps and have set up in them their operational bases, ammunition dumps, arms stores and training facilities. Arab Member States of the United Nations have made much of Israel's alleged attacks on refugee camps. But Israel has never attacked the refugee camps as such. It has, however, been constrained on occasion to act against the terror installations located in or near the camps. This was because the terror organizations have deliberately and callously turned the civilian population of the camps into hostages, using them as cover for their murderous activities and tools of their propaganda.

"The tragic fate of the inhabitants of Tel el-Zaatar is very much a case in point. In the words of André Fontaine, writing on 28 July 1976 in *Le Monde*:

" 'Their fighters, driven out of Jordan, tightly controlled in Syria, had been confined in camps in Lebanon. Taking advantage of the weakness of the State, they had gradually transformed the camps into bases for launching the raids and attacks which, at the risk of scandalizing world public opinion, maintained an atmosphere of tension in the region and prevented the Arab States which might have been tempted to do so from making peace with Israel.'*

"As a result, UNRWA activities in Lebanon have been completely paralysed, and the Agency has been forced to move its headquarters to Vienna and Amman. According to a recent article in the Beirut daily newspaper, *Al Nahar*, the terrorist organizations have even commandeered UNRWA offices in the camps, and confiscated food supplies from the Agency's stores in order to feed their men.

"The reports emanating from Lebanon in recent months have made it unnecessary to labour these points. It will suffice therefore to cite the letter dated 17 August 1976 from the Deputy Prime Minister of Lebanon to the President of the fifth Conference of Heads of State or Government of Non-Aligned Countries at Colombo, Sri Lanka, which was circulated, together with a letter from the Permanent Representative of Lebanon to the United Nations, as document A/31/179.¹ Mr. Chamoun's letter constitutes a comprehensive indictment of the destructive activities of the Palestinian terrorists in Lebanon and the way in which they have exploited the camps there. To quote Mr. Chamoun:

" '... The Palestinian revolution is the prime executor of the conspiracy against Lebanon. The Palestinians came to Lebanon 28 years ago as refugees. They were established in camps which they have transformed gradually

* Quoted in French in the original text.

¹ Document of 19 August 1976.

into military fortifications and in which they set up bases for training terrorists from various nationalities. They have breached the accord concluded with the Lebanese authorities in 1969 by installing heavy weapons in the camps and by preventing the Lebanese security forces from performing their duties therein. They have even occupied the UNRWA offices in the camps. Palestinian elements conspicuously circulated in the cities, streets and public squares with their arms. They set up barriers to check the identity of the peaceful passers-by. Many were kidnapped, tortured and killed. Others were imprisoned for years without any knowledge about their fate. It was only natural that these excesses were bound to lead to an explosion between the Palestinian outlaws and aggressors and the aggrieved Lebanese population. The continuing war since 13 April 1975 has daily revealed new evidence of the Palestinian determination to dominate the country. In their efforts to dominate Lebanon, the Palestinians often hid behind self-styled patriotic parties in Lebanon. And by pretending to support the demands of one group, they have succeeded in causing a division among the Lebanese. The Palestinians besieged cities and villages in the heartland of the Lebanese mountains and their remote summits, far away from the Palestinian camps, and have nothing to do with Palestine. They have also caused the dispersal of the Lebanese Army and security forces. They have continuously rejected the establishment of any regular force in Lebanon to restore and maintain law and order, be it Lebanese, Syrian or foreign. Thus, they were able to effect an unveiled occupation of a part of the city of Beirut and of south Lebanon, whereby nothing could be undertaken without their permission. They have taken over the centres of communication such as the Department of Post, Telegraph and Telephone, the Beirut International Airport, and the two harbours of Saida and Tyre. This is outright occupation of Lebanese territory, and a stop must be put to it, if there is a real will to end the present war.

“... The reported statement by the representative of the Palestine Liberation Organization in Colombo demanding the withdrawal of foreign troops from Lebanon is nothing but a new and blatant breach of Lebanon's sovereignty and an infringement upon the responsibilities and jurisdiction of its constitutional authorities. Irrespective of the legal basis for the entry of the Syrian forces into Lebanon on 1 June 1976, it remains the absolute right of the legal Lebanese authorities alone to determine the permissibility or otherwise of the Syrian presence in the country. These authorities have the sole right to request the Syrian forces to withdraw from Lebanon. The bitter and dubious fact is that the Palestinians are deliberately disregarding the truth and international law, because their main concern is first and last to prevent the presence in Lebanon of any armed force other than theirs in order to complete their conspiracy against Lebanon's integrity, unity and independence, and to make out of it an alternative national home to their Palestinian homeland which they have abandoned for what they consider to be an easier objective to attain. It is our hope that your Conference will take a clear and courageous step by communicating to the Palestine Liberation Organization, while it is talking about the withdrawal of foreign troops from Lebanon, that it has a duty to begin itself by withdrawing for Lebanon's land is not its own, but a free

and sovereign State whose destiny cannot be determined except by its people alone.”

“Hence General Assembly resolution 3419 C (XXX), like so many other anti-Israel resolutions, is based on a tissue of false allegations, being part of the Arab propaganda campaign against Israel. On the other hand, events in Lebanon in all their aspects have shown incontrovertibly that the statements made by and on behalf of the Government of Israel on these matters were reliable on every score.

“It is enough to compare the tragic fate suffered by Palestinian civilians in Lebanon and indeed by the population of Lebanon as a whole, with the peace, tranquillity, prosperity and progress enjoyed in all fields of life by the Arab population, including former refugees, in the areas administered by Israel, in order to recognize resolution 3419 C (XXX) for what it is, a worthless piece of Arab political warfare.”

4. With regard to paragraph 3 of General Assembly resolution 3419 C (XXX), the Secretary-General has obtained from the Commissioner-General of UNRWA such information as is available to him on the return of refugees registered with the Agency. As indicated in earlier reports of the Secretary-General² the Agency is not involved in any arrangements for the return of refugees—nor is the Agency involved in any arrangements for the return of displaced persons who are not registered refugees. Its information is therefore mainly based on requests by returning refugees for transfer of rations to the areas to which they have returned. The Agency would not necessarily be aware of the return of any refugees who did not ask for the provision of rations or services, but believes they would be very few in number. So far as is known to the Agency, between 1 July 1975 and 30 June 1976, 250 displaced refugees returned from east Jordan to the West Bank³ and 44 from east Jordan to the Gaza Strip. In the same period, 7 displaced refugees returned to the Gaza Strip from Egypt. Thus, taking into account the estimate given in paragraph 4 of last year's report, the number of displaced refugees who, to the Agency's knowledge, have returned to the occupied territories since June 1967 is slightly less than 8,800.

5. The following report on developments relating to paragraph 4 of the resolution is based on information received from the Commissioner-General.

6. Since the Secretary-General's report was made last year,⁴ there have been three cases of the punitive demolition of refugee shelters in the Gaza Strip.⁵ The Agency's

² Document A/9156 of 18 September 1973, para. 5; *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 38, document A/9740, para. 4; and *ibid.*, *Thirtieth Session, Annexes*, agenda item 54, document A/10253, para. 4.

³ Some of these may not be displaced refugees but members of the family of a displaced refugee who have now accompanied him on his return or joined him there, but who were not themselves displaced in 1967.

⁴ *Official Records of the General Assembly, Thirtieth Session, Annexes*, agenda item 54, document A/10253.

⁵ In addition, a refugee family which had purchased housing in one of the housing projects constructed near Rafah by the Israeli military authorities had its house demolished as a punitive measure.

position, which has been reiterated to the Israeli Ministry of Foreign Affairs on several occasions, is that the practice of punitive demolition of shelters is contrary to Israel's obligations under international law. The Agency's claims for compensation still remain unpaid.

7. Paragraphs 7 and 8 of last year's report referred to the situation of refugees whose shelters were demolished by the Israeli authorities in July-August 1971.⁶ So far, only 67 of those families have received free alternative accommodation from the Israeli authorities—that is, in addition to the 53 hardship cases from the Rafah camp referred to in paragraph 7 of last year's report, 14 other families have been accommodated in vacated shelters in the camps. Forty-two of the refugee families who were affected by the 1971 demolitions and who, with others, had constructed make-shift shelters on land near the Jabalia camp, were given eviction notices by the Israeli authorities and eventually had their shelters demolished. Those families have now been given permission by the Israeli authorities to reconstruct their shelters on other nearby land as a temporary measure.

8. There have been no further developments in regard to the plans of the Israeli authorities (see para. 8 of last year's report) to provide land and a cash grant of 20,000 Israel pounds per family to those who were still suffering hardship.

9. The current position is that of a total of 2,554 families affected by demolitions in July-August 1971, only 67 have been provided with free alternative accommodation by the Israeli authorities; that of the 266 families who were found by the joint survey of March-July 1973⁷ to be cases of hardship, 208 families still remain in the same state; and that several families who were either reported in the joint survey of 1973 as having found adequate temporary accommodation or who were excluded from the survey on those grounds have since had to move for various reasons, but in most cases because their landlords requested them to leave the overcrowded accommodation either let or lent to them.⁸

⁶ In July-August 1971, the Israeli authorities demolished a number of shelters in the Jabalia, Beach and Rafah camps, the stated purpose being to construct access roads within the camps. These demolitions affected 2,554 refugee families comprising 15,855 persons; a total of 7,729 shelter rooms were demolished. The developments in regard to the rehousing of these families are referred to in the Commissioner-General's report to the Secretary-General circulated at the Assembly's twenty-sixth session (A/8383 and Add.1), the Secretary-General's reports to the General Assembly at its twenty-seventh (*Official Records of the General Assembly, Twenty-seventh Session, Annexes*, agenda item 40, document A/8814), and twenty-eighth (A/9155) sessions and in the reports referred to in foot-note 2 above.

⁷ This survey was conducted jointly by the Agency and the Israeli authorities in order to establish the facts regarding the condition of those families affected by the July-August 1971 demolitions who, in the Agency's opinion, were still in need. The survey covered 942 families selected by the Agency on the basis of preliminary surveys made by the Agency of the conditions at that time of the 2,554 families affected by the 1971 demolitions, and established that 706 of the 942 families were inadequately housed, of whom 266 were considered to be serious cases of hardship (see A/9155, paras. 6-8).

⁸ This development was foreshadowed to some extent in para. 8 of the Secretary-General's report for 1973 (A/9155).

10. The Agency is concerned at the lack of progress in the rehousing of the refugee families still in need as a result of the 1971 demolitions. It has continued to press the Israeli authorities both in the Gaza Strip and at the level of the Ministry of Foreign Affairs for urgent action on this matter and has suggested that an immediate practical step would be to make available free of charge to those refugees who are still in need as a result of the 1971 demolitions, existing vacant accommodation in the housing projects established by the Israeli authorities.

11. In the meantime, demolitions have continued to take place at the instance of the Israeli authorities in the Gaza Strip, which have had the effect of reducing the stock of available housing. Apart from the cases of punitive demolition mentioned in paragraph 6 above, demolitions have taken place in the following contexts.

12. As indicated in paragraph 9 of last year's report, shelters are demolished, in some cases, to make way for the construction or widening of roads, construction of facilities such as water reservoirs and bus stations. Refugee families whose shelters are to be demolished in these circumstances are given the option by the Israeli authorities of purchasing accommodation in a Government housing project or purchasing land for the construction of housing; as an alternative, they are allocated shelters vacated in another section of the camp by families who have voluntarily opted for the purchase of new housing. While the Israeli authorities provide loans to refugees who so purchase new accommodation in one or other of the housing projects, the move of these refugees from their existing shelters is obligatory and they are required eventually to pay for the new housing.

13. Another practice which continues is that refugees whose shelters are not scheduled for demolition but who wish to purchase new accommodation in one or other of the housing projects established by the Israeli authorities are required, by the Israeli authorities, to demolish their shelters, unless the authorities indicate that certain shelters are required for reallocation. This practice, as well as that mentioned in paragraph 12 above, has the effect of reducing the available stock of shelter accommodation in the Gaza Strip at a time when there is a pressing need for housing for refugees.

14. In regard to both these practices, the refugees concerned are allowed by the Israeli authorities to salvage materials from their demolished shelters. They are also compensated for private additions or improvements to Agency shelters, but no compensation has been paid for Agency shelters so demolished.

15. In connexion with the above-mentioned practices, in the period from 1 July 1975 to 30 June 1976, a total of 370 families comprising 2,222 persons moved from their shelters in the Rafah and Beach camps to new housing—against payment—in one or other of the housing projects established by the Israeli authorities; 16 other refugee families comprising 114 persons—out of 108 refugee families who purchased plots of land in one of the projects on the understanding that they would construct houses to a standard design—have constructed and moved into new housing. A total of 688 shelter rooms were demolished in

the camps and 28 shelter rooms were spared for allocation to 16 other families—comprising 48 persons—who had lost their shelters.

16. A further development is that the Israeli authorities have informed a number of refugee families in the Beach camp—487 families so far—that their shelters are to be demolished. These families were offered the options referred to in paragraph 12 above. The Agency has expressed its concern at this development at a time when a pressing need exists for accommodation to rehouse those who are in need, and has asked for clarification of the intentions of the Israeli authorities in regard to these projected demolitions. Most recently, refugees inhabiting 36 shelters in the Khan Yunis camp along a road leading to a new housing project were informed by the Israeli authorities that their shelters were also scheduled for demolition and that they were to discuss their housing plans with the Governor of Khan Yunis. This matter also is being followed up by the Agency.

17. The report for 1974⁹ referred, in paragraphs 12 to 15, to the various contexts in which demolition had taken place in the Gaza Strip in the period from July 1967 to 30 June 1974 and went on to provide statistics regarding such demolition and the provision of new housing. It may be useful to summarize the latest position. Between July 1967 and 30 June 1976, 12,544 shelter rooms were demolished in the refugee camps in the Gaza Strip, by or at the instance of the Israeli military authorities—this figure also takes into account cases in which refugee families who wished to purchase housing in one of the housing projects were required by the Israeli military authorities to demolish their shelter accommodation. A total of 4,736 refugee families were affected. According to the Agency's information, in the same period the Israeli military authorities constructed a total of 2,654 housing units comprising 5,821 rooms in the housing projects established by them in the Gaza Strip; in addition the Agency, in the same period, constructed, at the expense of the Israeli authorities, 416 units comprising 1,834 rooms for 914 families. On these figures, therefore, the construction of new accommodation has fallen far short of what has been compulsorily demolished. Moreover, the great majority of the units in the housing projects established by the Israeli military authorities have only been offered for sale and not as free replacement housing. According to the Agency's information, of the 4,736 refugee families mentioned above, only 1,074 families have received free alternative accommodation and these include 108 families who were accommodated in vacated shelters. These statistics have been brought to the attention of the Israeli authorities.

⁹ Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 38, document A/9740.

18. With regard to paragraph 5 of resolution 3419 C (XXX), the information available to the Commissioner-General of UNRWA indicates that, since 2 December 1975, there have been no Israeli air attacks on refugee camps (see A/31/13, paras. 67 and 68).

19. With regard to the comments of the Government of Israel relating to UNRWA and its operations, the Commissioner-General of the Agency has made the following observations for the purpose of clarification:

(a) Although the Agency moved its headquarters temporarily to Vienna and Amman at the beginning of 1976 because of the situation in Beirut described in the Commissioner-General's report for the period 1 July 1975 to 30 June 1976 (*ibid.*, paras. 1-3, 24 and 25), the Agency's operations in Lebanon, while seriously affected, have not been completely paralysed. Despite difficult conditions, all the Agency's normal services have continued to operate in varying degrees, though with interruptions, throughout 1975 and 1976, except in the worst affected area, Beirut. Recently, emergency relief and medical care have been extended to refugees displaced from camps in eastern Beirut and with the arrival of supplies of commodities through the Syrian Arab Republic, ration distribution has been carried out by local staff under headquarters guidance in all areas.

(b) In the course of the fighting, there have been occupation of Agency buildings and destruction of Agency property by armed men belonging to various factions. In regard specifically to the confiscation of food-stuffs by Palestinian organizations, in the one case in 1975—before the headquarters was moved—in which Palestinian organizations were involved, a protest made to the Palestine Liberation Organization was followed by restitution. It is relevant to note in this connexion that the valuable food-stuffs, medical supplies and other stores in the Agency's central warehouse in Beirut have escaped looting, owing to the protection provided in the absence of normal government security by an armed PLO unit.

(c) As the reference to the "Cairo Agreement" in the quotation included in the note of the Government of Israel makes clear, security in camps in Lebanon was not the responsibility of the Agency. The position in regard to the occupation of some Agency buildings in camps in Lebanon referred to in the quotation is described in the Commissioner-General's report to the General Assembly for the period 1 July 1969 to 30 June 1970¹⁰ and in subsequent reports.

¹⁰ *Ibid.*, Twenty-fifth Session, Supplement No. 13.

DOCUMENT A/31/254

**Report of the United Nations Conciliation Commission for Palestine:
note by the Secretary-General transmitting the report**

[Original: English]
[4 October 1976]

The thirtieth report of the United Nations Conciliation Commission for Palestine, covering the period from 30 September 1975 to 30 September 1976, the text of which is attached to the present note, was transmitted by the Chairman of the Commission by letter of 30 September 1976 for communication to the States Members of the United Nations in accordance with paragraph 6 of General Assembly resolution 512 (VI) of 26 January 1952 and paragraph 3 of General Assembly resolution 3419 B (XXX) of 8 December 1975.

ANNEX

**Thirtieth report of the United Nations Conciliation Commission
for Palestine**

1. In paragraph 3 of resolution 3419 B (XXX) of 8 December 1975, the General Assembly noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of Assembly resolution 194 (III) and requested the Commission to exert continued efforts towards the implementation thereof and to report thereon as appropriate, but no later than 1 October 1976. The present report is submitted pursuant to that request.

2. In its twenty-fourth^a and twenty-fifth^b reports, covering the periods from 24 December 1965 to 30 September 1966 and from 1 October 1966 to 30 September 1967, the Commission responded to earlier requests by the General Assembly, in its resolutions 2052 (XX) of 15 December 1965 and 2154 (XXI) of 17 November 1966, in connexion with the implementation of paragraph 11 of resolution 194 (III). In those reports, the Commission noted that examination of various ways in which it might be possible to intensify its efforts with any prospect of advancing matters towards the implementation of paragraph 11 of resolution 194 (III) had compelled the conclusion that all the ways envisaged presupposed substantial changes in the situation. The events which had occurred in 1967 and thereafter complicated an already very complex problem. Although the Commission had noted a certain improvement in the situation during the year 1974-1975, the past year had not produced similar progress toward a final settlement.

3. In the course of 1972, in response to formal requests from interested parties, and after consultation with the Legal Counsel of the United Nations, the Commission decided that those interested parties could have access to certain documents of the Commission,^c with the understanding that the recipient Governments would continue to treat valuation figures contained therein on a confidential basis. Copies of such documents would be furnished on the understanding that any expenses should be borne by the delegation concerned.

^a *Official Records of the General Assembly, Twenty-first Session, Annexes*, agenda item 32, document A/6451.

^b *Ibid.*, *Twenty-second Session, Annexes*, agenda item 34, document A/6846.

^c Microfilms of land registers received from the Mandatory Government; RP-1 forms (identification of property parcels including individual valuation figures); and Index of owners' names (which provides means of direct reference to the holdings recorded in the name of each owner).

4. In accordance with the Commission's decision to make available to the interested parties, upon request, copies of certain documents and materials in its possession, and in pursuance of such a request by Egypt, the duplication work was undertaken and completed in June 1974, at which time copies of the relevant set of documents were transmitted to the Permanent Mission of Egypt to the United Nations. On 31 May 1974, the Commission received a request from Jordan for copies of the same set of documents and the Commission agreed that the Permanent Mission of Jordan be supplied also with the same set of documents as Egypt; the copies were subsequently supplied to Jordan. The Commission also agreed to supply the Permanent Mission of Egypt with a second set of microfilm copies of the documents at the Mission's expense. Egypt received the second set of copies in March and May 1975.

5. In accordance with a decision taken by the Committee on the Exercise of the Inalienable Rights of the Palestinian People at its 9th meeting on 30 March 1976, the Chairman of that Committee, by a letter dated 31 March 1976, requested the Secretary-General to invite members of the Commission to communicate to it their views and observations on those aspects of the Commission's work which they considered useful for the work of the Committee.

6. In reply to the Chairman's letter, the Secretary-General, by a letter dated 30 April 1976, transmitted to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People a statement summarizing the work of the Commission from its inception to date. In his letter, the Secretary-General stated that the summary had been checked for accuracy by members of the Commission. Subsequently, the summary was issued as a document of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.^d

7. In response to a further request from the Committee on the Exercise of the Inalienable Rights of the Palestinian People "to obtain from the United Nations Conciliation Commission, for Palestine, an inventory of Arab property in Israel and the territories occupied by Israel", the Commission decided that it had no objection to that Committee, as it was an organ of the United Nations, having access to the following documents in the Commission's possession:

(a) Microfilms of land registers received from the Mandatory Government,

(b) RP-1 forms (identification of property parcels including individual valuation figures);

(c) Index of owners' names (which provides means of direct reference to the holdings recorded in the name of each owner).

8. The Commission notes that the periods covered by its two previous reports, in 1974^e and 1975^f were marked by intensive diplomatic activity directed towards a Middle East settlement which could lead to a just and lasting peace in the area. That momentum was not maintained during the past year, owing in part to the recent developments in the area. Accordingly, the circumstances governing the possibilities open to the Commission have remained up to now essentially unchanged. The Commission, however, hopes that the situation in the region will improve considerably in the near future, enabling it to carry forward its work more vigorously.

^d Document A/AC.183/4 of 12 May 1976.

^e *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 38, document A/9789.

^f *Ibid.*, *Thirtieth Session*, agenda item 54, document A/10271.

DOCUMENT A/31/279

**Report of the Working Group on the Financing of the United Nations
Relief and Works Agency for Palestine Refugees in the Near East**

[Original: English]
[25 October 1976]

Letter of transmittal

25 October 1976

Sir,

We have the honour to submit to you the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which was adopted unanimously by the Working Group on 25 October 1976.

Accept, Sir, the assurances of our highest consideration.

(Signed)

Ilter TÜRKMEN, Chairman (Turkey)
C. Kobina SEKYI, Vice-Chairman (Ghana)
Erik TELLMANN, Rapporteur (Norway)
Albert TUROT (France)
Tsuyoshi MATSUMOTO (Japan)
Edouard GHORRA (Lebanon)
Christopher THOMAS (Trinidad and Tobago)
Christopher BATTISCOMBE (United Kingdom of Great Britain and Northern Ireland)
David ROWE (United States of America)

The President of the General Assembly
United Nations
New York

INTRODUCTION**A. Origin and background of the Working Group**

1. The Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East was established by the General Assembly under resolution 2656 (XXV) of 7 December 1970. The Working Group submitted an interim report to the General Assembly on 14 December 1970.¹¹ In resolution 2728 (XXV) of 15 December 1970, the Assembly requested the Working Group to continue its work in accordance with the two resolutions.

2. By resolution 2791 (XXVI) of 6 December 1971, the General Assembly approved the report of the Working Group covering the previous year¹² and requested the Working Group to continue its work for one year in accordance with the provisions of its previous mandate and to submit a comprehensive report on all aspects of the financing of UNRWA to the Assembly at its twenty-seventh session. In compliance with that resolution, the Working

Group submitted, on 24 October 1972, a report to the General Assembly.¹³

3. By resolution 2964 (XXVII) of 13 December 1972, the General Assembly commended the Working Group for its work, endorsed the conclusion of the Working Group that further vigorous and constant fund-raising activities on behalf of UNRWA were essential and requested the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General of UNRWA, for the financing of the Agency for a further period of one year. The Working Group reported to the Assembly again on 19 October 1973.¹⁴

4. By resolution 3090 (XXVIII) of 7 December 1973, the General Assembly again commended the Working Group, noted its report with appreciation, and requested it to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year. On 1 November 1974, the Working Group reported to the Assembly on its activities in 1974.¹⁵

5. By resolution 3330 (XXIX) of 17 December 1974, the General Assembly again commended the Working Group, noted its report with appreciation, and requested it 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. In 1975, the Working Group issued two reports to the General Assembly, the first a special report, dated 26 September 1975,¹⁶ and the second the customary annual report, dated 6 November 1975.¹⁷

B. Consideration of the report of the Working Group at the thirtieth session of the General Assembly

6. The two reports of the Working Group on its activities were considered by the General Assembly at its thirtieth session under agenda item 54, on the United Nations Relief and Works Agency for Palestine Refugees in the Near East. The Assembly referred the item to the Special Political Committee, which considered it at its 974th and 977th to 982nd meetings, on 11 November and between 14 and 21 November 1975.

7. At the 981st meeting of the Special Political Committee, the representative of Yugoslavia introduced a draft

¹¹ *Ibid.*, Twenty-fifth Session, Annexes, agenda item 35, document A/8264.

¹² Document A/8476 and Corr.1 of 26 October 1971.

¹³ *Official Records of the General Assembly, Twenty-seventh Session, Annexes*, agenda item 40, document A/8849.

¹⁴ Document A/9231 of 19 October 1973.

¹⁵ *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 38, document A/9815.

¹⁶ *Ibid.*, Thirtieth Session, Annexes, agenda item 54, document A/10268.

¹⁷ *Ibid.*, document A/10334.

resolution sponsored by Austria, Belgium, Colombia, Finland, the Federal Republic of Germany, India, Indonesia, Iran, Malaysia, New Zealand, the Philippines, the Sudan, and Yugoslavia,¹⁸ in accordance with which the General Assembly would:

- (a) Commend the Working Group for its work;
- (b) Note with appreciation the report of the Working Group;
- (c) Request the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;
- (d) Request the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

8. At its 982nd meeting, the Special Political Committee adopted the draft resolution unanimously.

9. At its 2430th plenary meeting, on 8 December 1975, the General Assembly considered the draft resolution regarding the Working Group which had been recommended by the Special Political Committee, together with other draft resolutions under the same agenda item. The Assembly adopted the draft resolution without objection as resolution 3419 D (XXX).

C. Terms of reference of the Working Group

10. In resolution 3419 D (XXX), the General Assembly requested the Working Group 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.

ACTIVITIES OF THE WORKING GROUP AND DEVELOPMENTS DURING 1976

11. At the time of the issue, on 6 November 1975, of last year's annual report by the Working Group to the General Assembly,¹⁷ the future of UNRWA remained uncertain because of its desperate financial condition. Happily, enough special contributions arrived to permit the Agency to finish the year without collapse. When Sir John Rennie, the Commissioner-General, spoke to a plenary meeting of the General Assembly on 8 December,¹⁹ he reported that the estimated deficit at that moment remained at about \$6.6 million, so that it would be necessary to defer the commitment of funds for school building, to forgo the making-up of earlier shortages of rations and to carry the balance of the deficit on working capital. The effect of those measures and of an improvement in exchange rates and in the price of flour eliminated the deficit and UNRWA eventually closed its accounts with a small surplus of \$1.8 million.

12. UNRWA entered 1976, however, with a higher estimated deficit than before, no less than \$55 million in a

budget of nearly \$140 million. To add further to the problems of the Agency, the continued fighting in Lebanon required the temporary transfer of UNRWA headquarters from Beirut, one part going to Amman and the remainder, because of shortage of accommodation in Amman, to Vienna. Those moves brought additional costs to the Agency, but fortunately they were more than offset by lower commodity prices and depreciation of local currencies against the United States dollar.

13. On 10 March 1976, the Working Group held a meeting to hear a report from the Commissioner-General, who was in New York, on the Agency's current situation and to determine whether the Working Group could take any action to assist the Secretary-General and the Commissioner-General in their efforts to obtain additional financing. With the concurrence of the Commissioner-General, the Working Group decided that its Chairman should send two circular letters:

(a) A letter to all representatives of United Nations Members and observers and to the heads of the specialized agencies, drawing their attention to the financial crisis of UNRWA and urging additional contributions to the Agency;

(b) A letter to the chairmen of the regional groups, requesting their permission to make an oral presentation to a meeting of the members of their groups.

14. The letters were dated 19 March. The first letter, which contained a warning to the addressees, read as follows:

"...

"During the first two months of 1976, the Agency's financial position has deteriorated even further. In order to continue its present minimum level of humanitarian services, UNRWA will need to spend this year about \$138 million, entailing an estimated deficit of about \$51.5 million for the calendar year. This bleak fiscal prospect has been exacerbated by the civil disturbances in Lebanon, which required temporary relocation of the Agency's headquarters to Amman and stationing a small administrative and financial unit in Vienna.

"...

"I know that your Government realizes the disastrous effects which termination or reduction of UNRWA's help to the Palestine refugees would produce. Any such action should be seen in the context of the delicate and potentially explosive political situation in the Middle East. A reduction of UNRWA's current minimum level of services to the refugees would destabilize further the situation in the area. In addition to causing painful suffering to the unfortunate refugees themselves, such action could negatively affect the prospects for peace in the Middle East.

"In accordance with the terms of General Assembly resolution 3419 D (XXX) of 8 December 1975, which renewed the mandate of the Working Group on the Financing of UNRWA, I am bringing this dangerous

¹⁸ *Ibid.*, document A/10411, para. 12 and para. 15, draft resolution D.

¹⁹ *Ibid.*, Thirtieth Session Plenary Meetings, 2430th meeting.

situation to your attention and to that of other Permanent Representatives and Permanent Observers to the United Nations, as well as to the heads of the specialized agencies, with the request that you urgently communicate these facts to your Government or governing bodies. . . .”

15. In response to the Chairman's letter to the chairmen of the regional groups, he received invitations to make oral presentations regarding the Agency's situation at meetings of the group of Western European and other States on 20 April and of the group of Asian States on 21 April. In those presentations, the Chairman said, *inter alia*:

“During the past several years, UNRWA has faced steadily increasing financial difficulties. These have expanded to such a point that they require constant efforts by the Secretary-General and the Commissioner-General, assisted by the Working Group, to raise funds for the Agency. Only the generous response to these appeals on the part of certain Member Governments enabled the Agency to continue its good work. For, as you know, UNRWA is a United Nations agency completely dependent on the voluntary donations of those who support it; and, unfortunately, not all Member States have given their support. . . .

“ . . .

“The Commissioner-General has now reported to the Working Group that he is now forced to consider a reduction or termination of services to the refugees and that he will have to implement such action soon unless the continuing extensive efforts to obtain additional financial commitments are successful.

“ . . .

“If UNRWA reduces or terminates its services to the refugees, that action will most certainly have sharply destabilizing effects on the delicate political situation in the Middle East. You are all aware how fragile is the situation there and how particularly sensitive are conditions now as a result of the tragic events in Lebanon. Curtailment of UNRWA's humanitarian services would not only cause painful damage to the unfortunate refugees themselves, but could negatively affect political prospects in the Middle East.”

16. The Chairman concluded his appeals by urging the representatives who were present to report those facts urgently to their Governments and to recommend that they respond generously to the appeal of the Commissioner-General for regular or special contributions to UNRWA.

17. On 28 April, the Chairman of the Working Group also met with the Permanent Representative of Luxembourg in his capacity as Representative of the President of the Council of Ministers of the European Economic Community and made a similar presentation to him for the information of those Governments.

18. Despite those efforts by the Commissioner-General and by the Working Group and despite a few additional contributions, the situation of UNRWA did not improve sufficiently, but became more serious as more of the funds

pledged for 1976 were expended. By 3 June, when the Commissioner-General came again to New York to report to the Secretary-General and the Working Group, the budgetary difficulties had become so acute that the Commissioner-General warned that the Agency might face financial collapse by the end of July.

19. The Working Group, with the concurrence of the Commissioner-General, decided to follow up its earlier appeal of 19 March with another letter from its Chairman to representatives of all United Nations Members and observers and to heads of the specialized agencies. This letter, dated 8 June, warned of the risk of collapse of the Agency by the end of July.

20. The Secretary-General also intensified his efforts to assist the Commissioner-General in his fund-raising efforts. For example, the Secretary-General held special meetings on 16 and 17 June with the participation of the Commissioner-General, the Chairman of the Working Group, and the representatives of a number of States, including major contributors, and the Governments of host countries to emphasize the seriousness of the crisis and ask those present to consider urgently what they could do to help.

21. During the summer and early autumn, UNRWA received about \$27 million in additional contributions. The States which made those contributions included: Belgium, Canada, Cyprus, Denmark, Finland, France, Germany, Federal Republic of, Japan, Kuwait, Luxembourg, Mauritius, Netherlands, Norway, San Marino, Saudi Arabia, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America (see annex below). Those States pledging regular contributions for the support of UNRWA, many of them over a period of many years, are listed in table 16 of the report of the Commissioner-General to the General Assembly (A/31/13).

22. As a result of those developments, the Commissioner-General was able to report to the Working Group, at its meeting on 15 October, that the Agency's budgetary deficit had been reduced to approximately \$11 million. The Commissioner-General informed the Working Group that he believed, in consequence, that it would be possible to assure the continuance of the Agency's operations through the end of 1976, though at the expense of cutbacks in certain services which could only be avoided if further contributions were received.

THE FINANCIAL SITUATION OF UNRWA

23. In 1976, the financial difficulties of UNRWA have been more acute than ever before and suspension of services has only narrowly been averted. The budget figures for 1976 included in chapter II of the Commissioner-General's report for 1974-1975²⁰ and a provisional estimate of income based on the pledging conference and past experience showed that a deficit of \$55 million was projected in a budget of \$139.7 million. After the operating budget had been prepared, the Working Group was informed, in a memorandum of 8 March 1976, that the deficit was still in excess of \$50 million, and by May—as shown in a later memorandum of 13 May—this figure had been reduced only to \$43 million.

²⁰ *Ibid.*, Thirtieth Session, Supplement No. 13 and corrigendum.

24. Because of lack of cash and, subsequently, when the cash position had improved, because of the continuing large deficit, the Agency was unable to purchase more flour after March and had to rely on contributions of flour in kind, which cover only about one third of annual requirements. As a result, normal issue of flour could not be made in some fields and, in others, the normal issue was maintained only by borrowing from Governments of host countries against repayment later from donated flour, repayment that would cause a shortage of flour for issue later in the year unless the financial position improved to the point where further purchase was possible.

25. Urgent appeals were made for further contributions and met with a significant response, but nevertheless in September, if a substantial contribution had not been received in time, the Commissioner-General would have been obliged to inform the UNRWA Advisory Commission that services could not be maintained beyond the end of October 1976 because liabilities, including contingent liabilities for the payment of separation benefits to local staff, would be in excess of assets, the Agency would be insolvent, and continued expenditure on services to the refugees would bring the Commissioner-General into breach of financial regulation 9.5 of the Financial Regulations of UNRWA. An immediate consequence would have been the issue of notices of termination to nearly 16,000 local and international staff, with the exception only of those required for residual duties.

26. So far, about \$27 million has been received in special contributions in 1976, almost all of this amount since the beginning of June, raising estimated income for the year to almost \$113.8 million. There has also been some further significant reduction in estimated expenditure, mainly as a result of appreciation of the United States dollar against the local currencies used by the Agency. Estimated expenditure is now approximately \$125 million, so that the deficit has been reduced to \$11.2 million.

27. The Commissioner-General believes that the threat of suspension of services in 1976 can now be averted, though if other additional contributions are not received, it will be necessary to forgo the making-up of short issues of flour and the commitment of funds included in the budget for school building. Funds included for the latter purpose in 1975 could not be committed for the same reason, but more class-rooms are essential if children are not to be turned away from school; already a high proportion of the Agency's schools are on double shift and a triple shift is impractical. It may also be necessary to run down still further the already inadequate working capital—that is, the excess of assets over liabilities—which will aggravate the supply and cash problems which the Agency encounters every year. Moreover, the budget contains inadequate provision for reconstruction and replacement of equipment in Lebanon, which will be an urgent need as soon as a settlement is achieved there.

CONCLUDING REMARKS

28. As stated in previous reports, the Working Group continues to assume that, as long as the just and lasting

settlement of the problem of the Palestine refugees has not been achieved, the services of UNRWA in the form of relief assistance, health care and education remain indispensable.

29. Despite the special and additional contributions made this year to help UNRWA overcome its acute financial problems, a considerable deficit still exists. Moreover, while the Agency will probably be able to maintain its essential services throughout 1976, it will have to curtail certain expenditures for which budgetary provisions have been made. The Working Group is duty-bound to emphasize once again the gravity of the continuing critical financial situation facing UNRWA. The Agency's cash position remains as precarious as ever, and the longer-term problems of financial security for the Agency's operations remain unsolved. As pointed out above, if the working capital is depleted to the expected extent, the Agency will face serious operational problems at the beginning of 1977.

30. Although no new programmes have been developed, the expenditure figures for the last four years have doubled from \$62.5 million in 1973 to an estimated \$125.7 million—originally \$139.7 million—in the current year. This increase is primarily due to international and local inflationary pressures and currency instability. This has placed a considerable financial strain on the Agency, which thus far has managed, only with great difficulty, by means of additional voluntary contributions primarily from a relatively small number of donor countries, to avoid reduction or suspension of its services.

31. The Working Group is convinced that any reduction in the services provided by the Agency would have very serious implications for the refugees themselves, for the countries in which they live, and for the prospects for a peaceful settlement in the Middle East as a whole. As in the past, the Working Group would view the prospect of any reduction or suspension with grave concern. The Group considers the continuation of the Agency's services to be an obligation of the United Nations acting on behalf of the international community, and continues to believe that the financing of UNRWA should be put on a firmer basis.

32. The Working Group has noted the aggravation of the Agency's chronic financial weakness caused by its contingent liability for separation benefits for local staff. The Group understands that the Commissioner-General has referred to this problem in his report to the General Assembly and has noted that this could be alleviated if the Assembly accepted a contingent liability against the United Nations budget for these benefits (A/31/13, paras. 8-10). The Working Group suggests that, without prejudice to the principle of voluntary financing, this idea merits further consideration by the Assembly.

33. The Working Group would like to reiterate and underline its previously expressed belief that the situation whereby a small group of countries bears the major burden of financing the Agency's budget no longer corresponds with the requirements of the situation. Moreover, it is inconsistent with the terms of General Assembly resolution 3331 A (XXIX), in which the Assembly renewed the mandate of the Agency for a further three years and called

upon non-contributing Governments to contribute and contributing Governments to consider increasing their contributions. This resolution was supported by 122 States Members of the United Nations.

34. The Working Group therefore urgently requests that, in conformity with their international responsibilities in general and the requirements of the critical financial situation facing UNRWA in particular, those Governments which have not contributed in the past and those Governments which have so far contributed inadequately be willing to reconsider seriously their position and contribute generously to this common effort.

35. The Working Group wishes to record its appreciation for and draw the attention of the General Assembly to the generosity and dedication to humanitarian needs which have been demonstrated by those contributors to UNRWA listed in the annex below and in table 16 of the report of the Commissioner-General to the Assembly (*ibid.*, annex I).

ANNEX

Additional contributions pledged during the course of 1976

| | <i>U.S. dollars</i> |
|--|---------------------|
| Belgium | 52 630 |
| Canada | 303 000 |
| Cyprus | 240 |
| Denmark | 247 120 |
| Finland | 51 640 |
| France | 306 120 |
| Germany, Federal Republic of | 397 330 |
| Japan | 500 000 |
| Kuwait | 1 000 000 |
| Luxembourg | 47 440 |
| Mauritius | 1 000 |
| Netherlands | 387 300 |
| Norway | 180 830 |
| San Marino | 6 000 |
| Saudi Arabia | 10 000 000 |
| Sweden | 454 000 |
| United Kingdom of Great Britain and Northern Ireland | 1 385 140 |
| United States of America | 12 000 000 |
| TOTAL | 27 319 790 |

DOCUMENT A/31/333

Report of the Special Political Committee

[Original: English]
[19 November 1976]

INTRODUCTION

1. The item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East: (a) Report of the Commissioner-General; (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East; (c) Report of the United Nations Conciliation Commission for Palestine; (d) Report of the Secretary-General" was included in the provisional agenda of the thirty-first session of the General Assembly.

2. At its 4th plenary meeting, on 24 September 1976, 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 Special Political Committee examined the item at its 7th to 11th meetings and at its 13th to 15th meetings, between 25 October and 8 November 1976. The Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1975 to 30 June 1976 (A/31/13 and Corr.1);

(b) Report of the Secretary-General (A/31/240) submitted in pursuance of General Assembly resolution 3419 C (XXX) of 8 December 1975;

(c) Note by the Secretary-General (A/31/254) transmitting the report of the United Nations Conciliation Commission for Palestine submitted in accordance with General Assembly resolutions 512 (VI) of 26 January 1952 and 3419 B (XXX) of 8 December 1975;

(d) Report of the Working Group on the Financing of UNRWA (A/31/279) submitted in accordance with General Assembly resolution 3419 D (XXX) of 8 December 1975.

4. The Committee began its consideration of the item by hearing a statement by the Commissioner-General of UNRWA, who introduced his report. At the 8th meeting, the representative of Norway, Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group.

CONSIDERATION OF DRAFT RESOLUTIONS

5. In the course of the consideration of the item by the Special Political Committee, five draft resolutions were submitted as set forth below.

A. Draft resolution A/SPC/31/L.2

6. At the 10th meeting, the representative of the United States of America introduced a draft resolution (A/SPC/31/L.2) concerning assistance to Palestine refugees and financial contributions to UNRWA.

7. At its 14th meeting, the Committee adopted the draft resolution by 96 votes to none, with 1 abstention (see para. 17 below, draft resolution A).

B. Draft resolution A/SPC/31/L.3

8. At the 13th meeting, the representative of Sweden introduced a draft resolution (A/SPC/31/L.3) entitled "Assistance to persons displaced as a result of the June 1967 hostilities", which was sponsored by Austria, Belgium, Canada, Colombia, Denmark, Finland, the Federal Republic of Germany, Greece, Indonesia, Japan, Norway, the Philippines and Sweden, subsequently joined by India, Ireland, Italy, Malaysia, the Netherlands, Trinidad and Tobago and Uganda.

9. At its 14th meeting, the Committee unanimously adopted the draft resolution (see para. 17 below, draft resolution B).

C. Draft resolution A/SPC/31/L.4

10. At the 13th meeting, the representative of Iran introduced a draft resolution (A/SPC/31/L.4) entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East", which was sponsored by Austria, Belgium, Finland, the Federal Republic of Germany, Indonesia, Iran, Malaysia, New Zealand, Pakistan, the Sudan and Yugoslavia, subsequently joined by Uganda.

11. On 4 November, the Secretary-General, in accordance with rule 153 of the rules of procedure of the General Assembly, submitted a statement (A/SPC/31/L.7) on the administrative and financial implications of the draft resolution.

12. At its 14th meeting, the Committee unanimously adopted the draft resolution (see para. 17 below, draft resolution C).

D. Draft resolution A/SPC/31/L.5

13. At the 14th meeting, the representative of Afghanistan, in introducing a draft resolution (A/SPC/31/L.5) entitled "Population and refugees displaced since 1967", which was sponsored by Afghanistan, Cyprus, India and Pakistan, orally revised the draft resolution by inserting the word "continued" before the word "refusal" in operative paragraph 2. Subsequently, Bangladesh, Bhutan, Greece, Grenada, Indonesia, Malaysia, Mali, the Philippines, Uganda, the United Republic of Tanzania and Yugoslavia joined as sponsors of the draft resolution.

14. At its 15th meeting, the Committee adopted the draft resolution by a recorded vote of 101 to 2, with 2 abstentions (see para. 17 below, draft resolution D). The voting was as follows:²¹

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Benin, Botswana,

Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Equatorial Guinea, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Surinam, 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 Tanzania, United States of America, Upper Volta, Uruguay, Yemen, Yugoslavia, Zaire, Zambia.

Against: Costa Rica, Israel.

Abstaining: Malawi, Papua New Guinea.

E. Draft resolution A/SPC/31/L.6

15. At the 14th meeting, the representative of Pakistan introduced a draft resolution (A/SPC/31/L.6) entitled "Palestine refugees in the Gaza Strip", which was sponsored by Afghanistan, Cyprus, India and Pakistan, subsequently joined by Bangladesh, Bhutan, Greece, Grenada, Indonesia, Malaysia, Mali, the Philippines, Uganda, the United Republic of Tanzania and Yugoslavia.

16. At its 15th meeting, the Committee adopted the draft resolution by a recorded vote of 101 to 2, with 2 abstentions (see para. 17 below, draft resolution E). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Benin, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Equatorial Guinea, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Surinam, 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, Upper Volta, Uruguay, Yemen, Yugoslavia, Zaire, Zambia.

²¹ The delegations of Ghana and the United Republic of Cameroon subsequently informed the Secretariat that if they had been present when the vote was taken, they would have voted in favour of the draft resolution.

Against: Costa Rica, Israel.

Abstaining: Papua New Guinea, United States of America.

Recommendations of the Special Political Committee

17. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolutions:

**UNITED NATIONS RELIEF AND WORKS AGENCY
FOR PALESTINE REFUGEES IN THE NEAR EAST**

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 3419 (XXX) of 8 December 1975 and all previous resolutions referred to therein, including resolution 194 (III) of 11 December 1948,

Taking note of the annual report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1975 to 30 June 1976 (A/31/13 and Corr.1),

1. *Notes with deep regret* that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

2. *Expresses its thanks* to the Commissioner-General and to the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for their continued dedicated and effective efforts under difficult circumstances to provide essential services for the Palestine refugees, and to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. *Notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III)²² and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report as appropriate, but no later than 1 October 1977;

4. *Directs attention* to the continuing seriousness of the financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as outlined in the Commissioner-General's report;

²² For the report of the United Nations Conciliation Commission for Palestine covering the period from 30 September 1975 to 30 September 1976, see A/31/254, annex.

5. *Notes with profound concern* that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the United Nations Relief and Works Agency for Palestine Refugees in the Near East is still insufficient to cover essential budget requirements in the present year, and that, at presently foreseen levels of giving, deficits will recur each year;

6. *Calls upon* all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the budgetary deficit projected in the Commissioner-General's report, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

B

***Assistance to persons displaced as a result of the
June 1967 hostilities***

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967, 2452 C (XXIII) of 19 December 1968, 2535 C (XXIV) of 10 December 1969, 2672 B (XXV) of 8 December 1970, 2792 B (XXVI) of 6 December 1971, 2963 B (XXVII) of 13 December 1972, 3089 A (XXVIII) of 7 December 1973, 3331 C (XXIX) of 17 December 1974 and 3419 A (XXX) of 8 December 1975,

Taking note of the annual report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1975 to 30 June 1976 (A/31/13 and Corr.1),

Concerned about the continued human suffering resulting from the June 1967 hostilities in the Middle East,

1. *Reaffirms* its resolutions 2252 (ES-V), 2341 B (XXII), 2452 C (XXIII), 2535 C (XXIV), 2672 B (XXV), 2792 B (XXVI), 2963 B (XXVII), 3089 A (XXVIII), 3331 C (XXIX) and 3419 A (XXX);

2. *Endorses*, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in serious need of continued assistance as a result of the June 1967 hostilities;

3. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

C

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 2964 (XXVII) of 13 December 1972, 3090 (XXVIII) of 7 December 1973, 3330 (XXIX) of 17 December 1974 and 3419 D (XXX) of 8 December 1975,

Having considered the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/31/279),

Taking into account the annual report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1975 to 30 June 1976 (A/31/13 and Corr.1),

Gravely concerned at the alarming financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, imminently endangering the essential minimum services being provided to the Palestine refugees,

Emphasizing the urgent need for extraordinary efforts in order to maintain, at least at their present minimum level, the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its work;

2. Notes with appreciation the report of the Working Group;

3. Requests the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

D

Population and refugees displaced since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of

10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974 and 3419 C (XXX) of 8 December 1975,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1975 to 30 June 1976 (A/31/13 and Corr.1), and the report of the Secretary-General of 4 October 1976 (A/31/240),

1. Reaffirms the right of the displaced inhabitants to return to their homes and camps in the territories occupied by Israel since 1967;

2. Deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

3. Calls once more upon Israel:

(a) To take immediate steps for the return of the displaced inhabitants;

(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

4. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly by the opening of the thirty-second session on Israel's compliance with paragraph 3 of the present resolution.

E

Palestine refugees in the Gaza Strip

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974 and 3419 C (XXX) of 8 December 1975,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1975 to 30 June 1976 (A/31/13 and Corr.1) and the report of the Secretary-General of 4 October 1976 (A/31/240),

1. Calls once more upon Israel:

(a) To take effective steps immediately for the return of the refugees concerned to the camps from which they were

removed in the Gaza Strip and to provide adequate shelters for their accommodation;

(b) To desist from further removal of refugees and destruction of their shelters;

2. *Requests* the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly by the opening of the thirty-second session on Israel's compliance with paragraph 1 of the present resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 76th plenary meeting, on 23 November 1976, the General Assembly voted on draft resolutions A to E submitted by the Special Political Committee in its report (A/31/333, para. 17). Draft resolution A was adopted by 115 votes to none, with 2 abstentions; draft resolutions B and C were adopted without objection; draft resolution D was adopted by a recorded vote of 118 to 2, with 2 abstentions; and draft resolution E by a recorded vote of 118 to 2, with 3 abstentions. For the final text, see resolutions 31/15 A to E.²³

²³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 53 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|--|
| A/31/13 and Corr.1 | Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (1 July 1975-30 June 1976) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 13</i> and corrigendum |
| A/SPC/31/L.2 | Draft resolution | For the sponsors and the text, see A/31/333, para. 17, draft resolution A |
| A/SPC/31/L.3 | Draft resolution | <i>Idem</i> , para. 8 and para. 17, draft resolution B |
| A/SPC/31/L.4 | Draft resolution | <i>Idem</i> , para. 10 and para. 17, draft resolution C |
| A/SPC/31/L.5 | Draft resolution | <i>Idem</i> , para. 13 and para. 17, draft resolution D |
| A/SPC/31/L.6 | Draft resolution | <i>Idem</i> , para. 15 and para. 17, draft resolution E |
| A/SPC/31/L.7 | Administrative and financial implications of the draft resolution contained in document A/SPC/31/L.4: note by the Secretary-General <i>Administrative and financial implications of draft resolution C submitted by the Special Political Committee in document A/31/333</i> | Mimeographed |
| A/31/341 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |
| A/C.5/31/53 | Note by the Secretary-General | Mimeographed |



**Agenda item 54: * Comprehensive review of the whole question of peace-keeping operations
in all their aspects: report of the Special Committee on Peace-keeping Operations****

C O N T E N T S

| <i>Document No.</i> | <i>Title</i> | <i>Page</i> |
|--|---|-------------|
| A/31/337 | Report of the Special Committee on Peace-keeping Operations | 1 |
| A/31/419 | Report of the Special Political Committee | 7 |
| Action taken by the General Assembly | | 8 |
| Check list of documents | | 8 |

* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Special Political Committee*, 32nd to 36th meetings, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 50th meeting, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 100th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 39), twenty-seventh session (item 41), twenty-eighth session (item 44), twenty-ninth session (item 39) and thirtieth session (item 51).

DOCUMENT A/31/337

Report of the Special Committee on Peace-keeping Operations

*[Original: English]
[23 November 1976]*

1. At its thirtieth session, the General Assembly, following consideration of the report of the Special Committee on Peace-keeping Operations,¹ adopted resolution 3457 (XXX) of 10 December 1975, which read as follows:

[For the text, see Official Records of the General Assembly, Thirtieth Session, Supplement No. 34.]

2. Following the adoption of that resolution, the Special Committee held 2 meetings, on 4 March and 19 November 1976. The Working Group of the Special Committee held 12 meetings, on 12 May and on 6, 7, 8, 11, 12, 15, 21 and 29 October 1976.

3. At its 67th meeting on 4 March 1976, the Special Committee, having taken note of paragraph 2 of General Assembly resolution 3457 (XXX), agreed to authorize the Working Group to renew its efforts towards the completion of agreed guidelines for carrying out peace-keeping operations in conformity with the Charter of the United Nations and to devote its attention also to the consideration of specific questions related to the practical implementation of such operations, so that the Special Committee would be able to report to the General Assembly at its thirty-first session.

4. At the same meeting, the Special Committee re-elected its officers for a further term of one year.

5. At its 68th meeting, on 19 November, the Special Committee had before it the tenth report of the Working Group, the text of which is annexed to the present report. It considered the report and took note of it.

6. The Special Committee notes with satisfaction that its Working Group was able to elaborate further the draft formulas for the articles of agreed guidelines for United Nations peace-keeping operations which were set out in the appendix to the eighth report of the Working Group.² The Special Committee is pleased to report, with regard to the text of the title, introduction and articles 1, 2, 3 and 4 that new formulas representing a measure of agreement have been achieved, except for paragraph 1 of article 1, where it was not possible to reach such a measure of agreement. These new drafts, together with the drafts for articles 5 to 13, which appeared in the appendix to the eighth report of the Working Group, are set forth in working document No. 3 of the Working Group, which is contained in appendix I to the latter's tenth report. The Special Committee shares the belief of its Working Group that, while much work remains to be done, working document No. 3 represents progress towards the completion of agreed guidelines for carrying out United Nations peace-keeping operations, as was requested in paragraph 2 of General Assembly resolution 3457 (XXX).

¹ *Official Records of the General Assembly, Thirtieth Session, Annexes*, agenda item 51, document A/10366.

² *Ibid.*, *Twenty-ninth Session, Annexes*, agenda item 39, document A/9827, annex.

7. The Special Committee accepts the reservations set forth in paragraph 6 of the Working Group's tenth report.

8. Despite the progress made this year, the Special Committee regrets that it has not yet been able to fulfil the task of achieving agreed guidelines for United Nations peace-keeping operations. In this connexion, the Special Committee wishes to reiterate the statement in paragraph 6 of its report to the General Assembly at its thirtieth session¹ that the task of achieving such agreed guidelines is a difficult one, since the issues involved are of a fundamental nature. More time and greater accommodation are required to overcome existing differences.

9. If the General Assembly decides to renew the mandate of the Special Committee to develop agreed guidelines for peace-keeping operations, the Special Committee believes that it should also continue to devote attention to the consideration of specific questions related to practical implementation of peace-keeping operations.

ANNEX

Tenth report of the Working Group*

1. At its 67th meeting, on 4 March 1976, the Special Committee on Peace-keeping Operations agreed to authorize its Working Group, in conformity with General Assembly resolution 3457 (XXX) of 10 December 1975, to renew its efforts towards the completion of agreed guidelines for carrying out peace-keeping operations in conformity with the Charter of the United Nations and to devote its attention also to the consideration of specific questions related to the practical implementation of such operations, so that the Special Committee would be able to report to the General Assembly at its thirty-first session.

2. Following the meeting of the Special Committee, the Working Group met on 12 May 1976 to decide upon the procedural aspects of its work in 1976. It took a decision that, in the current year, instead of meeting on a one-meeting-per-week basis as it had done in previous years, it would hold one substantive session in the first week of September. Later, it was agreed between the members of the Working Group that the timing of the session would be rescheduled for 6 to 12 October 1976.

3. At the same meeting on 12 May, the Working Group, while discussing its programme of work, decided to invite members of the Special Committee which were not members of its Working Group as well as those States which had contributed or were contributing personnel for United Nations peace-keeping operations to make available to the Working Group any views or suggestions which they might wish to submit regarding the issues to be considered by the Working Group in accordance with the terms of reference in General Assembly resolution 3457 (XXX).

4. In the course of its substantive session, held from 6 to 12 and on 15, 21 and 29 October, the Working Group concentrated its efforts on the elaboration of agreed guidelines for carrying out peace-keeping operations in conformity with the Charter of the United Nations. As a basis for its discussion, it used working documents Nos. 1 and 2 of the Working Group which appeared in the seventh and eighth reports of the Working Group. It also considered a number of concrete proposals which were put forward during the discussion for the purpose of reaching agreement on guidelines for United Nations peace-keeping operations.

5. As a result, the Working Group was able to elaborate further the draft formulas for the articles of agreed guidelines for United

* Previously circulated as document A/AC.121/L.27 and Corr.1.
 a *Official Records of the General Assembly, Twenty-eighth Session, Annexes*, agenda item 44, document A/9236, annex II.

b *Ibid.*, *Twenty-ninth Session, Annexes*, agenda item 39, document A/9827, annex.

Nations peace-keeping operations which were set out in the appendix to the eighth report of the Working Group. The Working Group is pleased to report, with regard to the text of the title, introduction and articles 1, 2, 3 and 4, that new formulas representing a measure of agreement have been achieved, except for paragraph 1 of article 1, where it was not possible to reach such a measure of agreement. These new drafts, together with the drafts for articles 5 to 13, which appeared in the appendix to the eighth report of the Working Group, are set forth in working document No. 3 of the Working Group, which is contained in appendix I to the present report. The Working Group believes that, while much work remains to be done, working document No. 3 represents progress towards the completion of agreed guidelines for carrying out United Nations peace-keeping operations as was requested in paragraph 2 of General Assembly resolution 3457 (XXX).

6. In submitting the texts of these draft formulas to the Special Committee, the Working Group would like to emphasize that these texts represent a set of tentative and preliminary drafts which is not necessarily exhaustive and is subject to further consideration in the Working Group, and that no provision of these texts should be referred to as having been agreed upon. With regard to draft article 1, the Working Group reiterates the following position, set forth in paragraph 3 of its seventh report:

"The Working Group reached agreement in principle that 12 items should be included in the list of responsibilities to be exercised directly by the Security Council in the prompt establishment, direction and control of peace-keeping operations, it being understood that these items are headings for questions of substance which will be discussed at length after the Working Group concludes its consideration of the working document [A/AC.121/L.18] and its elaboration of a listing of respective responsibilities of other appropriate United Nations organs regarding peace-keeping operations..."^a

as well as in paragraph 5 of its eighth report:

"... As a starting point for these deliberations the Working Group used the provisions of 12 draft articles submitted on the issue by the Chairman of the Special Committee, in which had been incorporated the agreed list (non-exhaustive) of responsibilities to be exercised directly by the Security Council as set out in the 1973 report of the Special Committee."^b

It was understood that, with regard to article 4, paragraph 8, any decision on whether reports should be oral or written, public or restricted, would be taken by the Committee and that the last sentence in article 4, paragraph 2, was accepted on the understanding that it applied to subparagraphs (b) and (c) taken together.

7. During the consideration of specific questions related to the practical implementation of peace-keeping operations, the Working Group decided that the views and suggestions which were received following the Working Group's decision taken on 12 May 1976, and which are reproduced in appendix II to the present report, be circulated for comment to the members of the Special Committee which are not members of the Working Group and to States which have contributed or are contributing personnel for United Nations peace-keeping operations. It will be noted that, in the written replies received and the oral views expressed, mention was made, *inter alia*, of the possibility of arranging, under the auspices of the United Nations, training courses on special problems encountered in peace-keeping operations, the preparation of manuals and the working-out of guidelines for the establishment of stand-by forces.

8. The Working Group also authorized the Secretariat, in the context of giving further consideration to specific questions related to the practical implementation of peace-keeping operations, to update working file No. 1 of 15 April 1969 on Material on the United Nations military observers established or authorized by the Security Council for observation purposes pursuant to Security Council resolutions.^c

9. The meetings of the Working Group were held under the chairmanship of the Chairman of the Special Committee and the

c *Ibid.*, *Twenty-fourth Session, Annexes*, agenda item 35, document A/7742, annex.

four Vice-Chairmen, serving in rotation. The meetings were also attended by representatives of some of the members of the Special Committee not members of the Working Group, as well as by representatives of Member States which had submitted their views and suggestions on the questions under General Assembly resolution 3457 (XXX). They took part in the consideration by the Working Group of the issues set forth in that resolution.

Appendix I

WORKING DOCUMENT NO. 3 OF THE WORKING GROUP OF THE SPECIAL COMMITTEE ON PEACE-KEEPING OPERATIONS

Draft formulas for articles of agreed guidelines for United Nations peace-keeping operations

Title

Draft articles of guidelines for further United Nations peace-keeping operations under the authority of the Security Council and in accordance with the Charter of the United Nations.

Introduction

The aim of the present draft guidelines is to ensure, by the acceptance of principles and the institution of methods, that peace-keeping operations shall be used in the common interests of the United Nations.

Article 1

[1. The Security Council has the authority over the establishment, direction and control of peace-keeping operations.]

2. Responsibilities to be exercised directly by the Council in this respect are as follows:

- (a) Authorization;
- (b) Definition of purpose and mandate;
- (c) Kind of advice and assistance required by the Council;
- (d) Duration and related questions;
- (e) Financial arrangements;
- (f) Size (magnitude);
- (g) Authorization for appointment of deputy commanders;
- (h) Ultimate direction and control during the operation;
- (i) Subsequent alterations;
- (j) Agreements with contributing countries (model agreement and changes thereto);
- (k) Agreements with host country (including model status of forces agreement and changes thereto);
- (l) Approval of roster of potential commanders.

Article 2

The Security Council may, in accordance with the provisions of the Charter of the United Nations, decide to delegate its authority over aspects of peace-keeping operations.

Article 3

In matters of peacekeeping all authority shall be exercised in conformity with relevant decisions of the Security Council.

Article 4

1. The Security Council may, at the time of establishment of a peace-keeping operation, decide to establish a committee under Article 29 of the Charter in order to assist the Council in the performance of its functions. The committee shall be directly responsible to the Security Council.

2. The committee shall consist of the following:

- (a) The representatives of the five permanent members of the Security Council;
- (b) The representatives of five non-permanent members designated by the Security Council, following a suitable system of rotation;
- (c) The representatives of not more than five States designated by the Security Council from among those providing military contingents or personnel, also following a suitable system of rotation.

In the composition of the committee equitable geographical balance shall be one of the guiding principles.

3. As a general rule, and unless the committee decides otherwise, the representatives of countries where the peace-keeping operation is being conducted may attend the meetings of the committee and participate in the discussions.

4. Representatives of countries providing voluntarily on a substantial scale financial and other material contributions such as facilities, services and equipment, may be invited to attend the meetings of the committee and participate in the discussions.

5. The Secretary-General or his representative shall attend the meetings of the committee.

6. The committee shall meet as frequently as necessary for its work. It may also be convened at any time at the request of any one of its members, the Secretary-General, or the representative of a country where a peace-keeping operation is being conducted.

7. The committee shall report to the Security Council at its request. In addition, the committee may make special reports, with recommendations, if any, on matters regarding the peace-keeping operation requiring decision or the attention of the Council.

8. Decisions of the committee on procedural matters shall be made by an affirmative vote of a majority of the members of the committee. There will be no voting on other issues, and, in the absence of unanimity, the views expressed in the committee shall be reflected in the reports to the Security Council.

[For the text of articles 5 to 13, see Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 39, document A/9827, annex, appendix.]

Appendix II

VIEWS AND SUGGESTIONS SUBMITTED BY THE MEMBERS OF THE SPECIAL COMMITTEE ON PEACE-KEEPING OPERATIONS AND THOSE STATES WHICH ARE TROOP CONTRIBUTORS TO UNITED NATIONS PEACE-KEEPING OPERATIONS REGARDING THE ISSUES PROVIDED FOR IN GENERAL ASSEMBLY RESOLUTION 3457 (XXX)

Austria

[Original: English]

Statement made by the representative of Austria on 15 October 1976 at the meeting of the Working Group of the Special Committee on Peace-keeping Operations

Although Austria is not a member of the Working Group, my delegation has always attached great interest to its work not only because my country is a member of the Special Committee on Peace-keeping Operations but especially since it has contributed for many years military and other personnel to the various United Nations operations, in particular the United Nations Peace-keeping Force in Cyprus, the second United Nations Emergency Force and the United Nations Disengagement Observer Force.

It is widely recognized and appreciated that United Nations contingents have proved able to fulfil and carry out their tasks and goals—under sometimes very difficult circumstances—in a most efficient way, and it is with deep regret that we see that the Working Group in the 11 years which have elapsed since its establishment has unfortunately not been quite as successful as the various United Nations Forces have been. Yet, I think there is a certain hope and feeling—taking into account the outcome of the meetings held during these last days and the readiness to co-operate expressed by all delegations—that this Group can really make progress in elaborating and agreeing on guidelines for peace-keeping operations which would make some of their aspects more acceptable to some Member States of the United Nations. Any possible achievements in the work of this Group would also bear on the functioning and well-being of the individual man in the field itself—a fact to which my country—and I am sure all those which have sent contingents to

the operation theatres—attaches the utmost importance. Tragic incidents and casualties in the past reflect the precarious circumstances under which the military personnel sometimes has to fulfil its difficult duties in the maintenance of peace in all our interest. And it is very sad for me to state also that several Austrians have lost their lives or suffered dismemberment while on duty in the United Nations peace services.

I consider it therefore as very apprehensible and important that a second area of work to be carried out by the Working Group has been added to their former responsibilities, namely, the study of specific matters related to the practical implementation of peace-keeping operations.

I studied very carefully the letters of the distinguished delegations of Canada, Denmark, Finland, Greece, Italy and Sweden which were transmitted to you in reply to your letter of 19 May 1976, and I would very much appreciate it if this statement could also be considered as answer to your corresponding letter to the Austrian delegation and be reflected in the Working Group's report. We will make copies available to all delegations present. In an earlier communication to you, dated 31 August 1976, we have already expressed our particular interest in taking part in the meetings of this Group.

One of the primary concerns contained in the letters of the earlier mentioned delegations is the question of appropriate training of peace-keeping personnel. This concern is not a recent one but has, rather, been put forward during many years. I may just recall previous proposals set forth in this context by the distinguished representative of Canada and the statement made last Friday by my esteemed Swedish colleague.

Members of the United Nations contingents have often met various difficulties in the fulfilment of their duties due to quite different operation and employment conditions in comparison to their home countries. Besides, peace-keeping operations have their special implications which have to be met by every individual man in the field. Therefore, we join in the concern for an appropriate training of such personnel as it was expressed in the above-mentioned letters. I would also like to draw the attention of the distinguished delegates to the introduction to the Secretary-General's 1974 report on the work of the Organization, in which he stated:

"Practical experience has shown that prior training in the techniques of peace-keeping is most valuable, especially in the earlier stages of a peace-keeping operation. I hope, therefore, that further progress can be made in including training for United Nations peace-keeping in the programmes of national armies of Member States."^a

Up until now nothing has been reported to us on the progress achieved in implementing relevant programmes of national armies of Member States. And it is not sure whether all Member States will eventually be in a position to implement such a highly technical programme and the appropriate techniques. On the other hand, it is one of the preliminary goals of the United Nations to secure a broad and equitable geographical representation when establishing peace-keeping forces.

Therefore, I would like to suggest organizing—under the aegis and guidance of the United Nations—regional seminars in all regional groups to guarantee an efficient and appropriate training of military personnel. Member States of all five regional groups have so far participated in peace-keeping operations, and I am sure they will be ready to provide and share their knowledge and experience with other countries. Austria would be prepared to make available some qualified training personnel for these purposes as far as our region is concerned.

After establishing such seminars on a regular basis and scheduling the seminars themselves, they might wish to consider an even closer co-operation and exchange of views among them which could also be realized without any major difficulties, i.e., by organizing or establishing an interregional training seminar with broad and

equitable geographical participation as it is the goal for the United Nations forces themselves.

The Austrian delegation is aware of the wide-ranging aspects of this proposal and would only like to submit it to the deliberation of the distinguished delegations at an appropriate time.

Denmark

[Original: English]

Memorandum dated 13 September 1976 from the Permanent Representative of Denmark to the United Nations addressed to the Chairman of the Special Committee on Peace-keeping Operations and its Working Group

The Government of Denmark has always taken a keen interest in the peace-keeping operations of the United Nations, as is well known to the Committee and to the United Nations as a whole. Danish personnel has participated in most of the peace-keeping operations and military observer tasks established by the United Nations. Moreover, Denmark has demonstrated its awareness of the need of these activities by acting as a voluntary financial contributor to several of the peace-keeping operations.

The Danish Government on several occasions, e.g., in its note of 14 March 1972 to the Secretary-General,^b has expressed its deep disappointment that the mandate entrusted to the Special Committee on Peace-keeping Operations and its Working Group remains far from being fulfilled and that in spite of many years of deliberations it has not proved possible to work out agreed guidelines for carrying out peace-keeping operations in conformity with the Charter of the United Nations.

Denmark adheres firmly to the belief that the peace-keeping operations of the United Nations are a most significant and important tool in the efforts of the Organization to maintain or restore international peace and security in accordance with the Charter. Peace-keeping operations cannot in themselves solve political problems. But they can help to reduce tension between conflicting parties and thereby create an atmosphere conducive to realistic negotiations between them. Hence, no efforts should be spared in the study of or search for ways and means to establish the necessary guidelines for such operations. It is, therefore, important that the Special Committee, and especially its principal members, strengthen their efforts to overcome the existing substantial difference concerning the basic political and institutional issues involved.

Parallel to such efforts, the Special Committee and its Working Group should, however, in the opinion of the Danish Government, devote its attention to considerations of specific questions related to the practical implementation of peace-keeping operations, as was indicated in the ninth report of the Working Group and confirmed by the General Assembly in its resolution 3457 (XXX). While up to now it has always been possible to establish peace-keeping activities whenever recognized need arose, much could be done in the practical fields to enhance the capacity of the United Nations to meet future needs with less improvisation and in a more efficient and economic way. In this connexion, the Working Group should seriously consider the various proposals and suggestions made previously by various Member countries, for instance, the working-out of a manual for forthcoming operations, the initiating of training of selected personnel from potential participants in United Nations peace-keeping operations, either by the organization itself or by individual Member countries, and the working-out of guidelines for the establishment of stand-by forces in various Member countries selected on a broad geographical basis.

In its consideration of specific questions related to the practical implementation of peace-keeping operations, the Working Group should take into account the practical experiences derived from participation in the United Nations peace-keeping operations by Member countries. In this connexion, Denmark wants to point to

^b See document A/AC.121/L.15 of 17 April 1972.

^a *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 1A, sect. VIII.*

^c *Official Records of the General Assembly, Thirtieth Session, Annexes, agenda item 51, document A/10366, annex.*

the special study on the Nordic stand-by forces for United Nations peace-keeping operations which was circulated in 1973 in document A/SPC/165.d

Denmark, of course, will always be ready to further share its experience of peace-keeping operations with the Working Group.

Finland

[Original: English]

Letter dated 5 October 1976 from the Permanent Representative of Finland to the United Nations addressed to the Chairman of the Special Committee on Peace-keeping Operations and its Working Group

In accordance with her policy of neutrality, Finland supports the United Nations as the principal instrument for the maintenance of international peace and security. The Government of Finland has consistently taken a strong and active interest in the United Nations peace-keeping operations by contributing men or money to each of the peace-keeping operations undertaken by the United Nations so far. Furthermore, the Finnish Government decided in 1968, in close co-operation with the Governments of Denmark, Norway and Sweden, to establish a stand-by contingent and to make other arrangements designed to enable it to respond promptly and effectively to any request for its services in a United Nations peace-keeping operation. Because of these arrangements, the Finnish Government has been ready to act immediately when the Secretary-General has made a request for troops.

The Special Committee on Peace-keeping Operations, established by the General Assembly in 1965, has, from its inception, made great efforts to fulfil the mandate entrusted to it. Although the crucial importance of the peace-keeping activities in endeavours to strengthen the United Nations over-all capacity for maintaining international peace and security has been widely recognized, the political will among Member States is still lacking with respect to agreed guidelines for peace-keeping operations. It is natural, therefore, that Member States have voiced impatience with this state of affairs and have repeatedly expressed the hope that guidelines for peace-keeping operations should be agreed upon. My Government shares these feelings and expresses the hope that all members of the Special Committee on Peace-keeping Operations will continue their work towards the completion of agreed guidelines. These guidelines should, of course, also make it possible to solve the issue of financing in a satisfactory manner.

In General Assembly resolution 3457 (XXX), the Special Committee was also requested to devote its attention to the consideration of specific questions related to the practical implementation of peace-keeping operations. The Government of Finland also shares the view that increased attention should be given to the practical operational problems. In particular, note should be taken of the practical experiences obtained in the United Nations Emergency Force and the United Nations Disengagement Observer Force. All our experiences from these, as well as other, peace-keeping operations undertaken by the United Nations so far show, *inter alia*, that the immediate availability of the appropriate national contingents, as well as adequate preparations in regard to the organization, training and use of peace-keeping forces, are of crucial importance.

The principle of broad geographical representation is essential to the political balance of peace-keeping operations, and here some progress has been made in recent years. In this context, attention should also be paid to the opportunities for the observers and contingents from potential participants in all geographical regions to obtain the necessary training for peace-keeping work. We therefore support the idea expressed earlier that the United Nations be given a special role to play in facilitating and co-ordinating the training efforts of the potential participating countries. Consideration should also be given to such practical aspects of peace-keeping as the preparation of manuals on the operational problems relating to peace-keeping.

^d *Ibid.*, Twenty-eighth Session, Annexes, agenda item 44.

The Finnish Government would, in this connexion, like to draw the attention of the members of the Working Group to the special study on the Nordic stand-by forces for United Nations peace-keeping operations undertaken jointly by Denmark, Finland, Norway and Sweden in October 1972, which is contained in United Nations document A/SPC/165.d

The Government of Finland will be ready to share its experiences of peace-keeping operations with the Working Group.

Greece

[Original: English]

Memorandum from the Chargé d'affaires, a.i., of Greece to the United Nations addressed to the Chairman of the Special Committee on Peace-keeping Operations and its Working Group

The position of Greece regarding the peace-keeping activities of the United Nations was stated on 25 September 1975 before the General Assembly at its thirtieth session by His Excellency Mr. Dimitri S. Bitsios, the Foreign Minister of Greece, who said:

"... we attach special importance to the strengthening of the role of the United Nations in the maintenance and consolidation of international peace and security. The United Nations has certainly played a positive role thus far in the prevention of armed conflicts, especially in seeing that confrontations were kept localized and in promoting the disengagement of opposing sides. And I consider it my duty to emphasize most particularly, and to express my deepest appreciation for, the way in which the United Nations Peace-keeping Force in Cyprus (UNFICYP) has performed its functions under very difficult and sometimes extremely dangerous conditions."e

The effectiveness of peace-keeping operations is a matter of immediate concern to Greece because of the presence in Cyprus, since 1964, of UNFICYP, whose importance has been further enhanced by the events of July and August 1974. More generally, Greece supports the existence and maintenance of such peace-keeping forces, which constitute a guarantee for international peace and security.

The wider use of peace-keeping forces depends on a more general acceptance of the United Nations as a means of maintaining international peace and security. On the level of implementation there is a real need for protecting unconstrained fulfilment of peace-keeping tasks. To this end the establishment of strong and therefore more effective peace-keeping forces seems advisable, especially as regards more personnel and better equipment.

It will also be necessary to take adequate measures in order to prevent national forces from attacking peace-keeping forces, exerting pressure on them or hindering their operations in any way. Peace-keeping forces have repeatedly been attacked by national forces and suffered human losses. It is pertinent to recall in this context Security Council resolution 359 (1974) of 15 August 1974, in which the Council deeply deplored the fact that members of UNFICYP had been killed or wounded, demanded that parties concerned should fully respect the international status of the United Nations Force and emphasized the fundamental principle that the status and the safety of the members of UNFICYP must be respected by the parties under all circumstances.

The United Nations should react more vigorously to attacks against its peace-keeping forces in order to prevent a spreading of such attacks, which would put in doubt the very usefulness of peace-keeping bodies. It appears, therefore, that a system of immediate, automatic and effective international condemnation of such attacks is called for. If such a system is not adopted, the carrying-out of peace-keeping operations by United Nations forces will become problematic, Member countries will not contribute forces and the whole peace-keeping system might collapse.

^e *Ibid.*, Thirtieth Session, Plenary Meetings, 2362nd meeting.

*Italy**[Original: English]*

Letter dated 15 July from the Permanent Representative of Italy to the United Nations addressed to the Chairman of the Special Committee on Peace-keeping Operations and its Working Group

The Italian Government is convinced, as is well known, that one of the primary objectives of the international community is to enable the United Nations to carry out under the best conditions the safeguarding of peace and international security.

As the Secretary-General himself has underlined, this is the most arduous and delicate role which the world Organization is called upon to play. Italy, although not a member of the Working Group, has participated actively in the efforts—which, unfortunately, have so far produced very little result—to define the so-called “guidelines”. In so doing, we had noted with interest certain, however slight, indications of progress which had seemed to emerge from the 1974 negotiations. Unfortunately, these encouraging signs have not been confirmed in the course of this exercise last year.

For our part, we continue to believe that in order to overcome the grave obstacle presented by the divergent views concerning the mandates of the Secretary-General and of the Security Council, the best way to deal with the problem is to follow an approach which should be pragmatic, realistic and flexible at the same time. We see no better way, at this juncture, which could enable the Working Group to find solutions or formulations capable of reconciling the opposing views put forward until now. With reference to the competence of a possible subsidiary organ of the Security Council (as referred to in Article 29 of the Charter), the Italian Government remains convinced of the necessity to avoid that such a competence be defined in too binding or rigid terms.

The essential goal in this regard is, in fact, to establish adequate conditions enabling the United Nations to intervene promptly and effectively to restore peace when circumstances arise endangering peace. It would therefore be necessary to create a juridical framework sufficiently well outlined so as to supply the United Nations organs with the legal rules on the matter and, at the same time, sufficiently flexible to enable the same organs to select and apply the kind of intervention best suited for emergency situations.

While, indeed, it is only fair to recognize that the peace-keeping operations thus far undertaken have proved particularly effective, the impossibility of foreseeing the kind of situations which the United Nations might be confronted with in the future requires—in our opinion—a basic body of rules concerning the interventions to be carried out making good use not only of past experience (which should certainly be borne in mind) but also exercising as much foresight as possible of what can occur.

In view of these objectives, we believe that the Working Group should, at its next session, strenuously renew its efforts and that all parties should give concrete proof of that goodwill and spirit of conciliation which, by resolution 3457 (XXX), they pledged to make manifest.

In regard to procedure, the Canadian proposal to give preference to the practical questions, isolating them from the larger context of questions of principle, seems useful to us if the debate on the general guidelines continues to reflect the well-known stalemate situation. We see in this proposal an attempt to bring about a general agreement on individual practical questions, an agreement hopefully to be expanded to the more controversial issues.

We continue to believe that it would be advisable, furthermore, that the Special Committee meet as frequently as possible and that the Working Group report to it with similar frequency on its work.

*Sweden**[Original: English]*

Letter dated 23 June 1976 from the Permanent Representative of Sweden to the United Nations addressed to the Chairman of the Special Committee on Peace-keeping Operations and its Working Group

The Government of Sweden, in a corresponding answer of 14 March 1972 and 21 June 1973 to the Secretary-General,^f expressed its deep disappointment at the fact that the mandate entrusted to the Special Committee on Peace-keeping Operations remained far from fulfilment and took the opportunity to urge the principal members of the Special Committee to demonstrate the necessary degree of political accommodation, and to express the hope that the Committee as a whole would subsequently prove able to redeem its promise to make a renewed collective effort to break the deadlock.

As is evident from General Assembly resolution 3457 (XXX) of 10 December 1975, it has not proved possible to realize substantial progress towards the completion of agreed guidelines for carrying out peace-keeping operations. The Swedish Government therefore regretfully now has to reiterate the expression of its disappointment.

The Swedish Government notes the view expressed by the Special Committee and its Working Group that more time and greater accommodation are required to overcome existing differences. The Swedish Government expresses the hope that it will be possible after many years of deliberations to overcome the existing differences and reach a final agreement on the guidelines.

The Swedish Government notes that the Special Committee and its Working Group intend to devote their attention also to consideration of specific questions related to the practical implementation of peace-keeping operation. The Swedish Government wishes to express its support for this line of action. Sweden, as a country contributing military personnel to all United Nations peace-keeping operations, considers it essential that in this context note be taken of the practical experiences derived from participation in the United Nations peace-keeping operations. All our experience from these operations undertaken so far shows that adequate preparations in regard to the organization, training and use of peace-keeping forces are of vital importance.

Sweden, like a number of other countries, has already established stand-by or similar forces for short notice employment with United Nations peace-keeping operations. One of the basic prerequisites for enabling the United Nations to mount effective peace-keeping operations is, no doubt, the existence of such forces.

Another basic prerequisite for the United Nations peace-keeping forces is the immediate availability of specially trained personnel. Only if such personnel is available from different parts of the world will it be possible to achieve the desirable broad-based composition of the peace-keeping forces. For these reasons, Sweden considers it important that more attention be given to the training aspects. In our opinion, the United Nations has an important role to play in facilitating and co-ordinating such training efforts. We hope that a study of these problems will pave the way for more training activities, particularly on the practical level.

We also hope that the special study on the Nordic stand-by forces for United Nations peace-keeping operations can contribute to the further work concerning practical implementation of peace-keeping operations.

Sweden is ready to share its experiences of peace-keeping operations with the Working Group.

^f See documents A/AC.121/L.15 of 17 April and A/AC.121/L.20 of 28 August 1973.

DOCUMENT A/31/419

Report of the Special Political Committee

[Original: English]
[14 December 1976]

1. The item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations" was included in the provisional agenda of the thirty-first session in accordance with General Assembly resolution 3457 (XXX) of 10 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 Special Political Committee considered the item at its 32nd to 36th meetings, between 6 and 13 December 1976.

4. The Special Political Committee had before it the report of the Special Committee on Peace-keeping Operations (A/31/337), submitted pursuant to General Assembly resolution 3457 (XXX).

5. At the 35th meeting, the representative of Egypt introduced a draft resolution (A/SPC/31/L.15) sponsored by Algeria, Argentina, Austria, Bangladesh, Brazil, Canada, Colombia, Cyprus, Czechoslovakia, Egypt, the German Democratic Republic, India, Italy, Japan, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka and Yugoslavia.

6. At the same meeting, the Committee adopted the draft resolution 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 resolution:

Comprehensive review of the whole question of peace-keeping operations in all their aspects

The General Assembly,

Recalling its resolutions 2006 (XIX) of 18 February 1965, 2053 A (XX) of 15 December 1965, 2249 (S-V) of 23 May 1967, 2308 (XXII) of 13 December 1967, 2451 (XXIII) of 19 December 1968, 2670 (XXV) of

8 December 1970, 2835 (XXVI) of 17 December 1971, 2965 (XXVII) of 13 December 1972, 3091 (XXVIII) of 7 December 1973, 3239 (XXIX) of 29 November 1974 and 3457 (XXX) of 10 December 1975,

Having examined the report of the Special Committee on Peace-keeping Operations (A/31/337) and the report submitted to the Special Committee by its Working Group (*ibid.*, annex),

Conscious that there is urgent need for an early agreement on guidelines that would govern United Nations peace-keeping operations and strengthen the capability of the United Nations to respond to future peace-keeping needs in an effective manner,

Noting that limited progress has been made towards the completion of agreed guidelines for conducting peace-keeping operations in conformity with the Charter of the United Nations,

Considering that a demonstration of political will and greater conciliation remain necessary for an early completion of such agreed guidelines,

1. *Takes note* of the report of the Special Committee on Peace-keeping Operations;

2. *Requests* the Special Committee and its Working Group to renew efforts and to intensify negotiations for an early completion of agreed guidelines for peace-keeping operations, in conformity with the Charter of the United Nations, before the thirty-second session of the General Assembly;

3. *Urges* members of the Special Committee and its Working Group, including the permanent members of the Security Council represented therein, to demonstrate political will and a spirit of conciliation during the negotiations to be held in 1977;

4. *Requests* the Special Committee to give further attention to the consideration of specific questions related to the practical implementation of peace-keeping operations;

5. *Requests* the Special Committee to report to the General Assembly at its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 100th plenary meeting, on 15 December 1976, the General Assembly adopted the draft resolution submitted by the Special Political Committee in its report (A/31/419, para. 7). For the final text, see resolution 31/105.¹

¹ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39.*

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 54 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/SPC/31/L.15 | Draft resolution | For the sponsors and the text, see A/31/419, paras. 5 and 7 |
| | <i>Administrative and financial implications of the draft resolution submitted by the Special Political Committee in document A/31/419</i> | |
| A/31/445 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first session, Annexes</i> , agenda item 92 |
| A/C.5/31/85 | Note by the Secretary-General | Mimeographed |



**Agenda item 55: * Report of the Special Committee to Investigate Israeli Practices
Affecting the Human Rights of the Population of the Occupied Territories****

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Special Political Committee*, 17th to 19th, 22nd to 26th and 28th to 32nd meetings, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 50th meeting, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 101st meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 40), twenty-seventh session (item 42), twenty-eighth session (item 45), twenty-ninth session (item 40) and thirtieth session (item 52).

DOCUMENT A/31/399

Report of the Special Political Committee

*/Original: English/
/13 December 1976/*

Introduction

1. The item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3525 (XXX) of 15 December 1975.

2. At its 4th plenary meeting on 24 September 1976, 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 Special Political Committee considered the item at its 17th to 19th, 22nd to 26th and 28th to 32nd meetings between 10 November and 6 December.

4. The Committee had before it the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/31/218), the report of the Secretary-General (A/31/235 and Add.1 and 2) submitted in accordance with paragraph 3 of resolution 3525 D (XXX), and the report of the Secretary-General (A/31/302) submitted in accordance with paragraph 12 (d) of resolution 3525 A (XXX) and paragraph 2 of resolution 3525 C (XXX). The Committee also had before it the following documents: a note verbale

dated 25 February 1976 from the Mission of the Syrian Arab Republic to the Secretariat (A/31/57); a letter dated 29 March 1976 from the representative of the Syrian Arab Republic to the Secretary-General (A/31/72 and Corr.1); two letters dated 1 and 3 November 1976 respectively from the representative of Israel to the Secretary-General (A/31/303-S/12223 and A/31/307-S/12224); and a letter dated 18 November 1976 from the representative of Iraq to the Secretary-General (A/31/339 and Corr.1).

5. At the 17th meeting, Mr. Keba Mbaye, the representative of Senegal on the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, introduced the Committee's report.

6. At the same meeting, the Chairman informed the members of the Special Political Committee that he had received two requests, one from the representative of the Syrian Arab Republic and the other from the representative of Israel, that they be given an opportunity to show films relating to the item under consideration.

7. At the 18th meeting, the representative of Senegal proposed that the Israeli film should first be shown to the Special Committee, which would report to the Special Political Committee whether or not it regarded that film as covered by the Special Committee's terms of reference. The

Committee adopted the proposal by a roll-call vote of 66 to 23, with 16 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Bahrain, Bangladesh, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mongolia, Mozambique, Niger, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Togo, 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, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Dominican Republic, Finland, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Malawi, Netherlands, New Zealand, Nicaragua, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Bahamas, Brazil, Ecuador, El Salvador, Ethiopia, France, Ivory Coast, Japan, Mexico, Nepal, Paraguay, Portugal, Singapore, Swaziland, Thailand, Trinidad and Tobago.

8. The decision of the Committee was the subject of letters dated 12 and 22 November, respectively, from the representatives of Israel (A/SPC/31/6) and the Syrian Arab Republic (A/SPC/31/8) to the Secretary-General.

9. At the 19th meeting, the film entitled "Quneitra: death of a city" was shown to the members of the Committee.

10. At the 22nd meeting, the Chairman informed the Committee that requests had been received from the Secretary-General of the World Peace Council and from the Vice-President of the Afro-Asian People's Solidarity Organization for hearings in connexion with the item, and that those requests had been endorsed by the representative of the Libyan Arab Republic in two letters dated 10 November addressed to the Chairman. The Committee decided to accede to those requests and to hear the representatives of the two organizations at an appropriate time; however, it was subsequently indicated that the representatives had left New York and would present their views in written form.

Consideration of draft resolutions

11. In the course of its deliberations, the Special Political Committee considered four draft resolutions, as set forth below.

A. Draft resolution A/SPC/31/L.9

12. At the 30th meeting, the representative of Bangladesh introduced a draft resolution (A/SPC/31/L.9) sponsored by Bangladesh, the Central African Republic, Chad,

the Comoros, Cuba, India, Indonesia, the Lao People's Democratic Republic, Malaysia, Pakistan and Yugoslavia.

13. At its 31st meeting, the Committee adopted the draft resolution by a roll-call vote of 102 to 3, with 4 abstentions (see para. 23 below, draft resolution A). The voting was as follows:¹

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Sweden, Syrian Arab Republic, Thailand, 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, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, Nicaragua, United States of America.

Abstaining: Colombia, Costa Rica, Liberia, Malawi.

B. Draft resolution A/SPC/31/L.10

14. At the 30th meeting, the representative of Indonesia introduced a draft resolution (A/SPC/31/L.10) sponsored by Bangladesh, the Central African Republic, Chad, the Comoros, Cuba, India, Indonesia, the Lao People's Democratic Republic, Malaysia, Mozambique, Pakistan, Uganda, the United Republic of Tanzania and Yugoslavia.

15. At its 31st meeting, the Committee adopted the draft resolution by a roll-call vote of 107 to none, with 2 abstentions (see para. 23 below, draft resolution B). The voting was as follows:²

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Finland, France, German Democratic

¹ The representatives of Malta and Senegal later stated that, had their delegations been present when the vote was taken, they would have voted in favour of the draft resolution.

² The representative of Senegal later stated that, had his delegation been present when the vote was taken, it would have voted in favour of the draft resolution.

Republic, Germany, Federal Republic of, Ghana, Greece, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Sweden, Syrian Arab Republic, Thailand, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Israel, Nicaragua.

C. Draft resolution A/SPC/31/L.11

16. At the 30th meeting, the representative of Pakistan introduced a draft resolution (A/SPC/31/L.11) sponsored by Afghanistan, Bangladesh, the Comoros, Cuba, Cyprus, the Gambia, Guinea, India and Pakistan.

17. On 1 December, the Secretary-General, in accordance with rule 153 of the rules of procedure of the General Assembly, submitted a statement (A/SPC/31/L.13) on the administrative and financial implications of the draft resolution.

18. At its 31st meeting, the Committee adopted the draft resolution by a roll-call vote of 84 to 3, with 22 abstentions (see para. 23 below, draft resolution C). The voting was as follows:²

In favour: Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Finland, German Democratic Republic, Ghana, Greece, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, Nicaragua, United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Liberia, Malawi,

Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

D. Draft resolution A/SPC/31/L.12

19. At the 31st meeting, the representative of Cuba introduced a draft resolution (A/SPC/31/L.12) sponsored by Afghanistan, Bangladesh, the Byelorussian Soviet Socialist Republic, the Comoros, Cuba, the Gambia, the German Democratic Republic, Guinea, India, Malta, Pakistan, Uganda and the Ukrainian Soviet Socialist Republic.

20. At the same meeting, the representative of Cuba, on behalf of the sponsors, introduced an oral revision to the draft resolution, deleting the third preambular paragraph which read:

"Taking note of the findings of the expert engaged by the Special Committee to the effect that the city of Quneitra has been almost totally destroyed by 'deliberate action' of the Israeli forces of occupation before Israel's withdrawal from the city in 1974".

21. On 1 December, the Secretary-General, in accordance with rule 153 of the rules of procedure of the General Assembly, submitted a statement (A/SPC/31/L.14) on the administrative and financial implications of the draft resolution.

22. At its 31st meeting, the Committee adopted the draft resolution, as revised, by a roll-call vote of 81 to 2, with 26 abstentions (see para. 23 below, draft resolution D). The voting was as follows:²

In favour: Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Greece, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, Nicaragua.

Abstaining: Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Liberia, Malawi, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Recommendations of the Special Political Committee

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

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

A

The General Assembly,

Guided by the principles of the Charter of the United Nations, in particular the principles of sovereignty and territorial integrity,

Bearing in mind the rules of international law concerning occupation, in particular the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³

1. *Strongly deplores* the measures taken by Israel in the Arab territories occupied since 1967 that alter their demographic composition or geographical nature, and particularly the establishment of settlements;

2. *Declares* that such measures have no legal validity and cannot prejudice the outcome of the search for the establishment of peace, and considers that such measures constitute an obstacle to the achievement of a just and lasting peace in the area;

3. *Declares further* that all legislative and administrative measures taken by Israel, including the expropriation of land and properties thereon and the transfer of populations, which purport to change the legal status of Jerusalem are invalid and cannot change that status;

4. *Urgently calls once more upon* Israel to rescind all those measures and to desist forthwith from taking any further measures which tend to change the demographic composition, geographical nature or status of the occupied Arab territories or any part thereof, including Jerusalem.

B

The General Assembly,

Recalling its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974 and 3525 B (XXX) of 15 December 1975,

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³

Noting that Israel and those Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to that Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Deplores* the failure of Israel to acknowledge the applicability of that Convention to the territories it has occupied since 1967;

3. *Calls again upon* Israel to acknowledge and to comply with the provisions of that Convention in all the Arab territories it has occupied since 1967, including Jerusalem;

4. *Urges once more* all States parties to that Convention to exert all efforts in order to ensure respect for and compliance with the provisions thereof in all the Arab territories occupied by Israel since 1967, including Jerusalem.

C

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations as well as the principles and provisions of the Universal Declaration of Human Rights,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³ as well as of other relevant conventions and regulations,

Recalling its resolutions on the subject, as well as those adopted by the Security Council, the Commission on Human Rights and other United Nations bodies concerned and by specialized agencies,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/31/218), which contains, *inter alia*, public statements made by leaders of the Government of Israel,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly;

2. *Deplores* the continued refusal by Israel to allow the Special Committee access to the occupied territories;

3. *Calls again upon* Israel to allow the Special Committee access to the occupied territories;

4. *Deplores* the continued and persistent violation by Israel of the Geneva Convention relative to the Protection

³ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

of Civilian Persons in Time of War, of 12 August 1949, and other applicable international instruments;

5. *Condemns*, in particular, the following Israeli policies and practices:

(a) The annexation of parts of the occupied territories;

(b) The establishment of Israeli settlements therein and the transfer of an alien population thereto;

(c) The evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories, and the denial of their right to return;

(d) The confiscation and expropriation of Arab property in the occupied territories and all other transactions for the acquisition of land involving the Israeli authorities, institutions or nationals on the one hand, and the inhabitants or institutions of the occupied territories on the other;

(e) The destruction and demolition of Arab houses;

(f) Mass arrests, administrative detention and ill-treatment of the Arab population;

(g) The ill-treatment of persons under detention;

(h) The pillaging of archaeological and cultural property;

(i) The interference with religious freedoms and practices, particularly as manifested most recently in Al-Khalil, as well as family rights and customs;

(j) The illegal exploitation of the natural wealth, resources and population of the occupied territories;

6. *Reaffirms* that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in the occupied territories constitutes a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and of the relevant United Nations resolutions;

7. *Demands* that Israel desist forthwith from the policies and practices referred to in paragraphs 5 and 6 above;

8. *Reiterates* its call upon all States, international organizations and specialized agencies not to recognize any changes carried out by Israel in the occupied territories and to avoid actions, including those in the field of aid, which might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

9. *Requests* the Special Committee, 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 arises thereafter;

10. *Requests* 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 the present resolution;

(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;

(d) To report to the General Assembly at its thirty-second session on the tasks entrusted to him in the present paragraph;

11. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories".

D

The General Assembly,

Recalling its resolutions 3240 C (XXIX) of 29 November 1974 and 3525 C (XXX) of 15 December 1975,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/31/218), in particular section V thereof, entitled "Quneitra", and annex III thereto, a report entitled "Quneitra: report on nature, extent and value of damage" submitted by a Swiss expert engaged by the Special Committee,

1. *Expresses its appreciation* of the thoroughness and impartiality with which the expert engaged by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories discharged the tasks entrusted to him;

2. *Condemns* the massive, deliberate destruction of Quneitra perpetrated during Israeli occupation and prior to the withdrawal of Israeli forces from that city in 1974;

3. *Recognizes* that the Syrian Arab Republic is entitled to full and adequate compensation, under international law and in equity, for the massive damage and deliberate destruction perpetrated in Quneitra while it was under Israeli occupation, and to all other legal remedies in accordance with applicable international law and practice;

4. *Takes note* of the statements made by the representative of the Syrian Arab Republic before the Special Political Committee, to the effect that his Government reserves 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 above-mentioned report or not falling within the scope of his assignment;

5. *Requests* the Special Committee to complete its survey on all the aspects referred to in paragraph 4 above and to report thereon to the General Assembly at its thirty-second session;

6. *Requests* the Secretary-General to provide the Special Committee with all the facilities required for the completion of the tasks referred to in the previous paragraphs.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meeting, on 16 December 1976, the General Assembly voted on draft resolutions A to D submitted by the Special Political Committee in its report (A/31/399, para. 23). Draft resolution A was adopted by a recorded vote of 129 to 3, with 4 abstentions; draft resolution B by a recorded vote of 134 to none, with 2 abstentions; draft resolution C by a recorded vote of 100 to 5, with 30 abstentions; and draft resolution D by a recorded vote of 97 votes to 3, with 36 abstentions. For the final text, see resolutions 31/106 A to D.⁴

⁴ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 55 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--------------------------|--|--|
| A/31/57 | Note verbale dated 25 February 1976 from the Mission of the Syrian Arab Republic to the Secretariat | Mimeographed |
| A/31/72 and Corr.1 | Letter dated 29 March 1976 from the representative of the Syrian Arab Republic to the Secretary-General | Ditto |
| A/31/218 | Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories: note by the Secretary-General transmitting the report | Ditto |
| A/31/235 and Add.1 and 2 | Report of the Secretary-General submitted in accordance with General Assembly resolution 3525 D (XXX) | Ditto |
| A/31/302 | Report of the Secretary-General submitted in accordance with General Assembly resolutions 3525 A and C (XXX) | Ditto |
| A/31/303-S/12223 | Letter dated 1 November 1976 from the representative of Israel to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> |
| A/31/307-S/12224 | Letter dated 3 November 1976 from the representative of Israel to the Secretary-General | <i>Ibid.</i> , |
| A/31/339 and Corr.1 | Letter dated 18 November 1976 from the representative of Iraq to the Secretary-General | Mimeographed |
| A/SPC/31/6 | Letter dated 12 November 1976 from the representative of Israel to the Secretary-General | Ditto |
| A/SPC/31/8 | Letter dated 22 November 1976 from the representative of the Syrian Arab Republic to the Secretary-General | Ditto |
| A/SPC/31/L.9 | Draft resolution | For the sponsors and the text, see A/31/399, para. 12 and para. 23, draft resolution A |
| A/SPC/31/L.10 | Draft resolution | <i>Idem</i> , para. 14 and para. 23, draft resolution B |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/SPC/31/L.11 | Draft resolution | <i>Idem</i> , para. 16 and para. 23, draft resolution C |
| A/SPC/31/L.12 | Draft resolution | <i>Idem</i> , para. 19 and para. 23, draft resolution D |
| A/SPC/31/L.13 | Administrative and financial implications of the draft resolution contained in document A/SPC/31/L.11: note by the Secretary-General | Mimeographed |
| A/SPC/31/L.14 | Administrative and financial implications of the draft resolution contained in document A/SPC/31/L.12: note by the Secretary-General | Ditto |
| | <i>Administrative and financial implications of draft resolutions submitted by the Special Political Committee in document A/31/399</i> | |
| A/31/446 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |
| A/C.5/31/79 | Note by the Secretary-General [draft resolution C] | Mimeographed |
| A/C.5/31/80 | Note by the Secretary-General [draft resolution D] | Ditto |



Agenda item 56:* United Nations Conference on Trade and Development:**

- (a) Report of the Conference on its fourth session;
- (b) Report of the Trade and Development Board;
- (c) Report of the Secretary-General of the United Nations Conference on Trade and Development;
- (d) Confirmation of the appointment of the Secretary-General

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 2nd, 45th, 46th, 48th to 54th, 60th to 62nd, 64th, 67th and 69th meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 10th and 106th meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 41), twenty-seventh session (item 43), twenty-eighth session (item 51), twenty-ninth session (item 42) and thirtieth session (item 55).

DOCUMENTS A/31/231 AND ADD.1

Report of the Second Committee

DOCUMENT A/31/231

PART I

*[Original: English]
[28 September 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled:

“United Nations Conference on Trade and Development:

- “(a) Report of the Conference on its fourth session;
- “(b) Report of the Trade and Development Board;
- “(c) Report of the Secretary-General of the United Nations Conference on Trade and Development;
- “(d) Confirmation of the appointment of the Secretary-General”

and to allocate subitems (a), (b) and (c) to the Second Committee; subitem (d) would be considered in plenary meetings. The Assembly also recommended that the Second Committee should consider the question of the enlargement of the Trade and Development Board and report thereon as a matter of priority.

2. At its 2nd meeting, on 27 September, the Second Committee considered the question of the amendments to General Assembly resolution 1995 (XIX) of 30 December 1964 as amended by Assembly resolution 2904 (XXVII) of 26 September 1972, which had been recommended by the United Nations Conference on Trade and Development in section I, paragraph 5, of its resolution 90 (IV) of 30 May 1976 (see TD/217, part one, sect. A). The Committee had before it a draft resolution proposed by the Chairman (A/C.2/31/L.6), which he orally revised by inserting the words “section I, paragraph 5, of” between the words “*Having considered*” and the words “resolution 90 (IV)”, so that the preambular paragraph read as follows:

“*Having considered* section I, paragraph 5, of resolution 90 (IV) relating to institutional issues, adopted by the United Nations Conference on Trade and Development on 30 May 1976”.

3. The Secretary of the Committee made a statement on the administrative and financial implications of the draft resolution.

4. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.6, as orally revised, without a vote (see para. 6 below).

5. Also at the same meeting, the representative of the Union of Soviet Socialist Republics made a statement. An

account of the discussion in the Committee on the item is contained in the relevant summary record (A/C.2/31/SR.2).

Recommendation of the Second Committee

6. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Amendments to General Assembly resolution 1995 (XIX) as amended by Assembly resolution 2904 (XXVII)

The General Assembly,

Having considered section 1, paragraph 5, of resolution 90 (IV) relating to institutional issues, adopted by the United Nations Conference on Trade and Development on 30 May 1976,

1. *Decides* to replace paragraphs 5, 7 and 8 of section II of its resolution 1995 (XIX) of 30 December 1964, as amended by resolution 2904 (XXVII) of 26 September 1972, by the following:

“5. Membership of the Board shall be open to all members of the Conference. Those members of the Conference wishing to become members of the Board shall communicate their intention to do so, in writing, to the Secretary-General of the Conference.

“... .

“7. The Secretary-General of the Conference shall bring the communications referred to in paragraph 5 above to the attention of the President of the Board, who, at the commencement of the following regular, special or resumed session of the Board, or during such session as the case may be, shall announce the membership of the Board. Membership of the Board shall be for an indefinite period, subject to the provisions of paragraph 8 below.

“8. Any member of the Board which wishes to relinquish its membership shall inform the Secretary-General of the Conference, in writing, of its intention to do so. The Secretary-General of the Conference shall bring such communications to the attention of the President of the Board, who, at the commencement of the following regular, special or resumed session, or during such session as the case may be, shall announce the revised membership of the Board”;

2. *Further decides* that the present members of the Trade and Development Board shall remain in office until the new membership of the Board is established in accordance with paragraphs 5 and 7 of resolution 1995 (XIX) as amended by the present resolution.

DOCUMENT A/31/231/ADD.1

PART II

*[Original: English]
[17 December 1976]*

1. The Second Committee continued its consideration of agenda item 56 at its 45th, 46th, 48th to 54th, 60th to

62nd, 64th, 67th and 69th meetings, between 17 November and 15 December 1976. An account of the discussions of the Committee is contained in the relevant summary records (A/C.2/31/SR.45, 46, 48-54, 60-62, 64, 67 and 69).

2. At the 45th meeting, on 17 November, the Secretary-General of the United Nations Conference on Trade and Development made an introductory statement.

3. The Committee had before it the following documents:

(a) Report of the United Nations Conference on Trade and Development on its fourth session (TD/217);

(b) Report of the Trade and Development Board on its seventh special session and on the first part of its sixteenth session (A/31/15 and Corr.1);

(c) Report of the Secretary-General of the United Nations Conference on Trade and Development on the evaluation of the results of the fourth session of the Conference (A/31/276);

(d) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(e) Letter dated 3 October 1976 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General transmitting the text of a statement by the Soviet Government on the restructuring of international economic relations (A/C.2/31/2);

(f) Relevant part of the report of the Economic and Social Council on the work of its resumed sixty-first session (A/31/3/Add.1 (part IV)).

4. The Committee had before it five draft resolutions, as set forth in sections I to V below.

I

5. At its 60th meeting, on 6 December, the Committee adopted without a vote a draft resolution (A/C.2/31/L.57) entitled “Amendment to General Assembly resolution 1995 (XIX) as amended by Assembly resolutions 2904 (XXVII) and 31/2: termination of the Interim Co-ordinating Committee for International Commodity Arrangements”, which had been proposed by the Chairman (see para. 26 below, draft resolution I).

II

6. At the 62nd meeting, on 8 December, the representative of Malta, on behalf of the Bahamas, Bahrain, Barbados, Cyprus, Fiji, Jamaica, Madagascar, Maldives, Malta, Mauritius, the Netherlands, New Zealand, the Philippines, Sri Lanka, Trinidad and Tobago and Uganda, introduced a draft resolution (A/C.2/31/L.47) entitled “Action programme in favour of developing island countries”, which he revised by adding, in the third preambular paragraph, the word “respectively” after the words

"specific action" and the words "countries and in favour of" after the words "least developed"; in operative paragraphs 2 and 3, the words "special measures" were replaced by the words "specific action".

7. The sponsors accepted an amendment proposed orally by the Federal Republic of Germany, by which the word "many" was added before the words "developing countries" in the fourth preambular paragraph.

8. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.47, as orally revised, without a vote (see para. 26 below, draft resolution II).

9. Statements in explanation of vote were made by the representatives of Bulgaria (on behalf also of the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics) and the United States of America.

III

10. At the 64th meeting, on 10 December, the representative of Mali, on behalf of Afghanistan, Bhutan, Bolivia, Burundi, Chad, the Lao People's Democratic Republic, Lesotho, Malawi, Mali, Nepal, the Niger, Paraguay, Rwanda, Singapore, Swaziland, Uganda, the Upper Volta and Zambia, introduced a draft resolution (A/C.2/31/L.52) entitled "Special measures in favour of land-locked developing countries". Botswana and Zaire joined in sponsoring the draft resolution.

11. The sponsors accepted an amendment proposed by the Federal Republic of Germany, by which the words "special measures" in the fourth preambular paragraph were replaced by the words "specific action". As a consequence, the title of the draft resolution was changed to read "Specific action in favour of land-locked developing countries".

12. The sponsors also accepted an amendment proposed by Colombia, by which the word "developing" was added after the word "land-locked" in operative paragraph 4.

13. Statements in explanation of vote were made before the vote by the representatives of the Libyan Arab Republic, Mauritania, Kenya, Algeria, Pakistan, France, the Syrian Arab Republic, Morocco, Nicaragua, India, the United Kingdom of Great Britain and Northern Ireland, Tunisia, Yemen, Iran, Madagascar, the United States of America, Nigeria, Sri Lanka, Colombia, Chile, Iraq, China, Turkey, Indonesia, Japan, Senegal, Austria, the Ivory Coast, Peru, Guinea, the Gambia, Yugoslavia and the Netherlands.

14. The Committee then voted on draft resolution A/C.2/31/L.52, as orally revised, as follows:

(a) Operative paragraph 6, on which a separate vote had been requested by Pakistan, was adopted by a recorded vote of 37 to 3, with 78 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Austria, Bangladesh, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelo-

ussian Soviet Socialist Republic, Chad, Chile, Costa Rica, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mongolia, Nepal, Niger, Paraguay, Poland, Rwanda, Singapore, Swaziland, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Upper Volta, Uruguay, Venezuela, Zaire, Zambia.

Against: India, Kenya, Pakistan.

Abstaining: Algeria, Australia, Bahamas, Bahrain, Barbados, Belgium, Benin, Burma, Canada, China, Colombia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea, Honduras, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malta, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Peru, Philippines, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Surinam, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Yemen, Yugoslavia.

(b) Draft resolution A/C.2/31/L.52, as a whole, as orally revised, was adopted by 85 votes to none, with 15 abstentions (see para. 26 below, draft resolution III).

15. Statements in explanation of vote were made after the vote by the representatives of Argentina, Bangladesh, Greece, Brazil, Bulgaria (on behalf also of the Byelorussian Soviet Socialist Republic, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), Sweden, the Netherlands (on behalf of the nine members of the European Economic Community), Israel, Thailand, Uruguay, Jordan, the Sudan, Romania and Jamaica.

IV

16. At the 61st meeting, on 7 December, the representative of the Sudan, on behalf of Bangladesh, Ethiopia, Pakistan, the Philippines, the Sudan, Uganda and the United Republic of Cameroon, introduced and orally revised a draft resolution (A/C.2/31/L.46) entitled "Debt problems of developing countries". The changes were the following:

(a) In the third preambular paragraph, the phrase "as well as declining real prices of primary commodities exported by developing countries" was added after the words "exports of developing countries";

(b) Operative paragraph 4 (a) (ii), which had read:

"Multilateral development finance institutions should provide programme assistance to each most seriously affected country, least developed, island and land-locked developing country in an amount no less than its debt service payments to these institutions. In the case of other interested developing countries, and to the extent

sought by such countries, multilateral development finance institutions should provide programme assistance to them in an amount no less than their service payments to these institutions”

was replaced by the following text:

“Multilateral development finance institutions are invited to commit new resources in an appropriate form within their lending policies and practices which should continue to respond increasingly to the needs of the developing countries”;

(c) In operative paragraph 7, the phrase “and requests the Secretary-General of the United Nations Conference on Trade and Development to report thereon to the General Assembly at its thirty-second session” was added at the end of the paragraph.

17. At the 67th meeting, on 13 December, the representative of the Sudan, on behalf of the sponsors who now included the Central African Republic, Democratic Yemen and India, introduced revised draft resolution A/C.2/31/L.46/Rev.1, which incorporated the changes referred to above, and which read as follows:

“The General Assembly,

“...[text of the preamble identical with that of the preamble to draft resolution V in paragraph 26 below],

“1. *Stresses* that all these measures should be considered and implemented in a manner not prejudicial to the credit-worthiness of any developing country;

“2. *Considers* that it is integral to the establishment of the New International Economic Order to give a new orientation to procedures of reorganization of debt owed to developed countries away from the past experience of a primarily commercial framework towards a developmental approach;

“3. *Affirms* the urgency of reaching a general and effective solution to the debt problems of developing countries;

“4. *Agrees* that international action for debt relief should include the following:

“(a) *Official debts:*

“(i) *Bilateral debt owned to developed countries:*

“a. The least developed, land-locked and island developing countries should have their official debts converted into grants;

“b. Other most seriously affected countries should receive the same treatment as above, or as a minimum, should have their outstanding official debts recomputed at the present terms of the International Development Association with a minimum grant element of 90 per cent;

“c. Debt relief should also be provided by developed bilateral creditors and donors to other developing countries seeking relief;

“(ii) *Multilateral debts:*

“Multilateral development finance institutions are invited to commit new resources in an appropriate form within their lending policies and practices which should continue to respond increasingly to the needs of the developing countries;

“(b) *Commercial debts:*

“(i) International agreement should be reached to consolidate debts of interested developing countries and to reschedule payments over a period of at least 25 years;

“(ii) The consolidation of commercial debts and the rescheduling of payments should be achieved by the funding of the commercial debts of the interested developing countries;

“(iii) A financial facility to refinance the burdensome short-term loans such as those contracted in recent years should be established for the use of interested developing countries;

“(iv) With respect to commercial debts contracted through financial markets or credit institutions by developing countries seeking debt relief, two possible relief solutions may be applied:

“a. The Governments of the countries of origin of credit institutions should adopt measures to persuade these institutions to reschedule or refinance the total capital and interest due. This refinancing should be made at the lowest market rates, or at the original rate, whichever is more favourable to the debtor. The amortization period should be at least the same as for the original operation being refinanced at the time of such refinancing;

“b. The grant of a loan and interest subsidy by the Governments of the developed creditor countries participating in the rescheduling of the official debt of the debtor country for refinancing the private financial debts of the country. The amount of this loan should be equivalent to the capital and interest due and should be on the same conditions established for the rescheduling of the public debt;

“5. *Further agrees* that future debt negotiations should be considered within the context of internationally agreed development targets, national development objectives and international financial co-operation, and debt reorganization of interested developing countries carried out in accordance with the objectives, procedures and institutions evolved for the above purpose;

“6. *Urges* the International Conference on Economic Co-operation to reach an early agreement on the question of immediate and generalized debt relief of the official debts of the most seriously affected, least developed, land-locked and island developing countries, and on the reorganization of the entire system of debt renegotiations to give it a developmental rather than a commercial orientation;

“7. *Requests* the Ministerial Meeting of the Trade and Development Board of the United Nations Conference on

Trade and Development, to be held in 1977, to review results of negotiations on this question in other forums and to reach agreement on concrete measures to provide an immediate solution to the debt problems of developing countries, and requests the Secretary-General of the United Nations Conference on Trade and Development to report thereon to the General Assembly at its thirty-second session."

18. In introducing the draft resolution, the sponsors again orally revised it as follows:

(a) Operative paragraph 4 was deleted;

(b) Operative paragraph 1 became operative paragraph 4;

(c) In the first part of operative paragraph 5 (formerly paragraph 6), the phrase "official debts of the most seriously affected, least developed, land-locked and island developing countries" was replaced by the phrase "official debts of the developing countries, in particular of the most seriously affected, least developed, land-locked and island developing countries".

19. Statements in explanation of vote were made before the vote by the representatives of the Netherlands (on behalf of the nine members of the European Economic Community), Sweden, the United States of America, Japan and Australia.

20. The Committee then adopted draft resolution A/C.2/31/L.46/Rev.1, as orally revised, by 92 votes to 1, with 28 abstentions (see para. 26 below, draft resolution IV).

21. Statements in explanation of vote were made by the representatives of Nicaragua and Bulgaria (on behalf also of the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics).

V

22. At the 69th meeting, on 15 December, Mr. M. P. Lohani, Vice-Chairman of the Committee, on the basis of informal consultations, submitted a draft resolution (A/C.2/31/L.93) entitled "Report of the United Nations Conference on Trade and Development on its fourth session". At the request of the Vice-Chairman, the representative of the Philippines introduced the draft resolution and informed the Committee that it had been revised: operative paragraph 13 had been placed at the end of the draft resolution and the other paragraphs renumbered accordingly.

23. The representative of the Philippines, on behalf of the States Members of the United Nations which are members of the Group of 77, withdrew the draft resolution which had been submitted to the Committee in document A/C.3/31/L.44, entitled "Report of the United Nations Conference on Trade and Development on its fourth session", and which read as follows:

"The General Assembly,

"Recalling its resolutions 1995 (XIX) of 30 December 1964, 2626 (XXV) of 24 October 1970, 3201 (S-VI) and

3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

"Mindful that Member States agreed by adopting resolution 3362 (S-VII) that the aim of the United Nations Conference on Trade and Development at its fourth session should be to reach decisions on specific issues of interest to developing countries,

"Recalling further its resolution 3459 (XXX) of 11 December 1975 in which the Assembly, in ver alia, urged that the United Nations Conference on Trade and Development at its fourth session adopt decisions that could be promptly and effectively implemented,

"Having considered the report of the United Nations Conference on Trade and Development on its fourth session (TD/217), held at Nairobi from 5 to 31 May 1976, and the report of the Trade and Development Board on its seventh special session and on the first part of its sixteenth session (A/31/15 and Corr.1),

"Recalling also the Declaration and Programme of Action¹ adopted by the Third Ministerial Meeting of the Group of 77 at Manila setting out the objectives and proposals of the developing countries at the fourth session of the United Nations Conference on Trade and Development,

"Reaffirming the important role of the United Nations Conference on Trade and Development in the implementation of resolutions 3201 (S-VI), 3202 (S-VI) and 3362 (S-VII),

"Noting with concern that the agreements reached by the United Nations Conference on Trade and Development at its fourth session were limited in nature and scope and did not respond adequately to the provisions of General Assembly resolution 3362 (S-VII) and even less to the proposals of the developing countries as set out in the Manila Declaration and Programme of Action,

"Considering that, in view of the inadequacies of the above-mentioned agreements, it is all the more necessary that the agreements be urgently implemented and further elaborated in accordance with the proposals of the developing countries,

"1. Takes note of the report of the United Nations Conference on Trade and Development on its fourth session and the report of the Trade and Development Board on its seventh special session and on the first part of its sixteenth session;

"2. Endorses the decision in resolution 93 (IV) of the United Nations Conference on Trade and Development, by which the Conference adopted an integrated programme for commodities, and welcomes the decision of the Trade and Development Board to establish the Ad Hoc Intergovernmental Committee for the Integrated Programme for Commodities;

¹ *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), annex V (TD/195).

"3. *Takes note also* of the calendar for the preparatory meetings and negotiations on individual commodities and affirms the importance of concluding them by the end of 1978;

"4. *Affirms* that a fundamental objective of the international negotiations on commodities, in accordance with Conference resolution 93 (IV) is to improve and protect in real terms the purchasing power of the export earnings of developing countries from commodities, as well as to avoid excessive fluctuations in their prices;

"5. *Welcomes* the commitments for contributions to the Common Fund announced by a number of countries and urges others, in particular developed countries, to make specific pledges for contributions to the Fund before the commencement of the negotiating conference in March 1977;

"6. *Urges* the developed countries to respond positively in the preparatory meetings for international negotiations on individual products and calls for expeditious action on the establishment of the Common Fund during the negotiating conference to be held in March 1977;

"7. *Endorses further* Conference resolution 96 (IV) on a set of interrelated and mutually supporting measures for expansion and diversification of exports of manufactures and semi-manufactures of developing countries and in particular the agreement, *inter alia*, on the extension of the coverage of the generalized system of preferences and on the continuation of the system beyond the initial period of ten years and to make it a permanent feature of the trade policies of the developed countries;

"8. *Welcomes* Conference resolution 97 (IV) on transnational corporations and expansion of trade in manufactures and semi-manufactures and urges that the recommendations and measures contained therein should be put into effect;

"9. *Requests* that immediate and concrete agreements be reached in the context of the multilateral trade negotiations on the set of specific issues identified in Conference resolution 91 (IV) and in particular in paragraph 15 of that resolution, as well as on other issues of interest to developing countries;

"10. *Takes note* of the adoption of Conference resolution 94 (IV) dealing with certain aspects of the debt problems of the developing countries and requests the Trade and Development Board, at its ministerial session in 1977, to take urgent action in this regard;

"11. *Endorses* Conference resolution 98 (IV), in which the Conference recommended a series of special measures in favour of the least developed, land-locked and island developing countries and requests all organizations concerned within the United Nations system to incorporate these recommendations in their activities and implement them as a matter of urgency;

"12. *Endorses* resolution 150 (XVI) of the Trade and Development Board on the transfer of real resources to

developing countries (see A/31/15, vol. II, annex I) and consequently urges all developed countries to meet the targets specified therein, especially the 0.7 per cent target for official development assistance; improve the terms and conditions of official development assistance; make the transfer of resources predictable, continuous and increasingly assured; increase substantially the flow from multilateral development institutions to developing countries at the earliest possible date; improve and expand the access of developing countries to capital markets as well as liberalize the capital flow to developing countries; and take all the necessary steps to implement the decision forthwith;

"13. *Urges* the International Monetary Fund to resume the work on the reform of the international monetary system and to give in that context special consideration to the interests of the developing countries and in particular reach an early decision on the link between the creation of special drawing rights and additional development finance;

"14. *Decides* to hold the fifth session of the United Nations Conference on Trade and Development in 1979 and requests the Trade and Development Board at its seventeenth session to recommend the place, date and duration of the meeting, taking into account the offer made in this regard by the Government of the Philippines;

"15. *Endorses* Conference resolution 89 (IV) and the establishment within the Conference of the intergovernmental group of experts which should elaborate the draft of an international code of conduct on transfer of technology as soon as possible and decides to convene a United Nations conference of plenipotentiaries, under the auspices of the United Nations Conference on Trade and Development, to be held early in 1978 to negotiate on the draft elaborated by the group of experts, and to adopt and conclude an international code of conduct for the transfer of technology;

"16. *Welcomes* Conference resolution 87 (IV) on the strengthening of the technological capacity of developing countries and, in particular, the establishment of an advisory service within the Conference and resolution 88 (IV) on industrial property which stresses the importance of the Conference in these fields;

"17. *Endorses* Conference resolution 90 (IV) on institutional issues in which the Conference decided, *inter alia*, to strengthen the United Nations Conference on Trade and Development as an organ of the General Assembly for deliberations, negotiations, review and implementation of international trade and related issues of international economic co-operation towards the realization of the objectives of General Assembly resolutions 3201 (S-VI) and 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII);

"18. *Endorses* Conference resolution 92 (IV) and welcomes the establishment by the Trade and Development Board at its sixteenth session of the Committee on Economic Co-operation among Developing Countries as an open-ended main committee of the Board;

"19. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to study the relevant portions of the Declaration and Programme of Action adopted by the Third Ministerial Meeting of the Group of 77 at Manila and the Action Programme for Economic Co-operation among non-aligned and other developing countries adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries at Colombo (A/31/197, annex III) and of the report of the Conference on Economic Co-operation among Developing Countries held at Mexico City (A/C.2/31/7 and Add.1) and to submit his recommendations to the Committee at its first session for actions to be financed from the United Nations budget;

"20. *Endorses* Conference resolution 86 (IV) and decides to include Arabic among the official and working languages of the machinery of the Conference, particularly all sessions of the Conference, the Trade and Development Board and the main committees, and requests the Secretary-General of the Conference to take all necessary actions in this regard;

"21. *Welcomes* Conference resolution 95 (IV) on trade relations among countries having different economic and social systems as well as decisions 138 (XVI) and 139 (XVI) of the Trade and Development Board on the creation of intergovernmental groups of experts to develop a new dynamic orientation for trade between developing countries and socialist countries of Eastern Europe (A/31/15, vol. II, annex I);

"22. *Emphasizes* the immediate need for the provision of increased resources for the secretariat of the United Nations Conference on Trade and Development resulting from the need to increase the effectiveness of the Conference as a main negotiating forum according to paragraph 1 (b) of resolution 90 (IV) and from other decisions of the fourth session of the Conference and the tasks initially assigned under the programme budget for the biennium 1976-1977, bearing in mind the exercise of greater flexibility in budgetary, financial and administrative matters by the Secretary-General of the Conference in the utilization of resources;

"23. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to ensure that, in the recruitment of staff, the principle of equitable geographical distribution shall be fully implemented;

"24. *Urges* all States members of the United Nations Conference on Trade and Development, in particular the developed countries, to implement, through action at the national and intergovernmental levels, the resolutions and decisions adopted by the Conference at its fourth session and by the Trade and Development Board at the first part of its sixteenth session and also to continue negotiations and reach agreements urgently on the remaining important issues contained in the Manila Declaration and Programme of Action."

24. The Committee then adopted draft resolution A/C.2/31/L.93 without a vote (see para. 26 below, draft resolution V).

25. Statements in explanation of vote were made by the representatives of Colombia, Mexico, Bulgaria (on behalf also of the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), Australia, the Netherlands (on behalf of the nine members of the European Economic Community), Japan, Greece, the United States of America and China.

Recommendations of the Second Committee

26. The Second Committee recommends to the General Assembly the adoption of draft resolutions I to V below:

DRAFT RESOLUTION I

Amendment to General Assembly resolution 1995 (XIX) as amended by Assembly resolutions 2904 (XXVII) and 31/2: termination of the Interim Co-ordinating Committee for International Commodity Arrangements

The General Assembly,

Having considered Trade and Development Board decision 145 (XVI) of 23 October 1976 on the question of the terms of reference of the Advisory Committee to the Board and to the Committee on Commodities (see A/31/15, vol. II, annex I),

Decides to terminate the Interim Co-ordinating Committee for International Commodity Arrangements and, accordingly, to delete the second sentence of paragraph 23 (a) of section II of General Assembly resolution 1995 (XIX) of 30 December 1964, as amended by resolutions 2904 (XXVII) of 26 September 1972 and 31/2 of 29 September 1976, so that paragraph 23 (a) will read as follows:

"(a) A committee on commodities which, *inter alia*, will carry out the functions which are now performed by the Commission on International Commodity Trade and the Interim Co-ordinating Committee for International Commodity Arrangements."

DRAFT RESOLUTION II

Action programme in favour of developing island countries

The General Assembly,

Recalling its resolution 3338 (XXIX) of 17 December 1974 in which it invited the executive heads of the organizations concerned within the United Nations system to intensify their efforts with respect to developing island countries, within their fields of competence,

Recalling further its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation in which it, *inter alia*, called for special measures to be undertaken by developed countries and developing countries in a position to do so to assist in the structural transformation of the economy of the least developed, land-locked and island developing countries,

Recalling also resolution 98 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development (see TD/217, part one, sect. A) in which a series of special measures and specific action, respectively, in favour of the least developed countries and in favour of the land-locked and island developing countries were recommended as supplementary action to the general measures applicable to all developing countries in the spirit of the Declaration and the Programme of Action on the Establishment of a New International Economic Order.²

Recognizing the particular impediments hampering the economic development of many developing island countries, especially their difficulties in respect of transport and communication, the smallness of their economies and markets, their low resource endowment and their heavy dependence on a few commodities for foreign exchange earnings,

1. *Invites* the executive heads of the organizations concerned within the United Nations system, in particular the United Nations Development Programme, in the continuation of their efforts with respect to developing island countries to incorporate in their regional and interregional programmes the relevant recommendations contained in resolution 98 (IV) of the United Nations Conference on Trade and Development;

2. *Urges* all Governments, in particular those of the developed countries, to lend their support, in the context of their assistance programmes, for the implementation of the specific action envisaged in favour of developing island countries within the framework of their development plans and priorities;

3. *Calls upon* the Secretary-General to submit to the General Assembly at its thirty-second session, through the Economic and Social Council, a progress report on the implementation of specific action in favour of developing island countries.

DRAFT RESOLUTION III

Specific action in favour of land-locked developing countries

The General Assembly,

Recalling its resolution 2971 (XXVII) of 14 December 1972 and resolution 63 (III) of 19 May 1972 of the United Nations Conference on Trade and Development,³

Recalling also its resolutions 3169 (XXVIII) of 17 December 1973 and 3311 (XXIX) of 14 December 1974 on special measures related to the particular needs of the land-locked developing countries,

Bearing in mind various other resolutions adopted by the General Assembly and its related organs and by specialized

agencies emphasizing special and urgent measures in favour of land-locked developing countries,

Aware of the need to implement immediately the resolutions adopted by the United Nations, the United Nations Conference on Trade and Development, particularly its resolution 98 (IV) of 31 May 1976 (see TD/217, part one, sect. A) and other related organs of the United Nations calling for specific action in favour of land-locked developing countries,

Noting with concern that the problems of the land-locked developing countries have not found adequate solutions and that concrete and effective operational measures have not yet been taken in their favour,

Noting further that the difficulties faced by the land-locked developing countries, especially their remoteness from the sea, impede their active and full participation in the world economic life and hamper their development,

1. *Requests* the Secretary-General, in consultation with the Secretary-General of the United Nations Conference on Trade and Development, the land-locked countries and the specialized agencies, to find ways and means of improving the economic situation of the land-locked developing countries through the urgent implementation of resolutions 63 (III) and 98 (IV) of the United Nations Conference on Trade and Development;

2. *Calls upon* Member States and the entire international community to give special attention to the trade requirements of the land-locked developing countries, including the possible provision of preferential treatment of their goods;

3. *Invites* the appropriate organs of the United Nations system, as well as the regional development banks, to pay special attention to the particular problems of the land-locked developing countries in their assistance to national, subregional and regional infrastructural projects related to transit;

4. *Urges* the developed countries and all others in a position to do so to provide technical and/or financial assistance in the form of grants or in the form of concessional loans on appropriate terms to the land-locked developing countries for the construction, improvement and maintenance of their transit roads;

5. *Calls upon* the Governments of developed and developing countries to invite and urge shipowners, members of liner conferences and insurance companies, as far as is feasible, to establish freight rates and premiums for the land-locked developing countries, which will encourage and assist the expansion of trade of these countries, and to develop promotional rates for non-traditional exports of these countries, which will facilitate the opening up of new markets and the development of new trade flows;

6. *Invites* all Member States and the competent international organizations to assist the land-locked developing countries in facilitating the exercise of their right of free access to and from the sea.

² General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).

³ See *Proceedings of the United Nations Conference on Trade and Development, Third Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.73.II.D.4), annex I.A.

DRAFT RESOLUTION IV

Debt problems of developing countries

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 and 3362 (S-VII) of 16 September 1975,

Further recalling resolution 94 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development (see TD/217, part one, sect. A),

Noting with grave concern that heavy debt-service payments, current account deficits stemming from maladjustments in the world economy, inadequate balance-of-payments support and long-term development assistance, coupled with tight conditions and the high cost of loans in international capital markets and difficulties of access to markets in developed countries for exports of developing countries, as well as declining real prices of primary commodities exported by developing countries, have, among other things, combined to impose a serious and critical strain on the import capacity and reserves of developing countries, thus jeopardizing their development process,

Aware that the deterioration in the terms of trade of developing countries and the high-cost short-term borrowing to which they have had to resort recently have seriously aggravated their debt burden,

Convinced that the situation facing the developing countries can be mitigated by decisive and urgent relief measures in respect of both their official and commercial debts and that these measures are essential to restore the momentum of growth lost during the economic crisis and to achieve the targets of the International Development Strategy for the Second United Nations Development Decade,⁴

Acknowledging that, in the present circumstances, there are sufficient common elements in the debt-servicing difficulties faced by various developing countries to warrant the adoption of general measures relating to their existing debt,

Recognizing the especially difficult circumstances and debt burden of the most seriously affected, least developed, land-locked and island developing countries,

1. *Considers* that it is integral to the establishment of the new international economic order to give a new orientation to procedures of reorganization of debt owed to developed countries away from the past experience of a primarily commercial framework towards a developmental approach;

2. *Affirms* the urgency of reaching a general and effective solution to the debt problems of developing countries;

3. *Agrees* that future debt negotiations should be considered within the context of internationally agreed de-

velopment targets, national development objectives and international financial co-operation, and debt reorganization of interested developing countries carried out in accordance with the objectives, procedures and institutions evolved for the above purpose;

4. *Stresses* that all these measures should be considered and implemented in a manner not prejudicial to the credit-worthiness of any developing country;

5. *Urges* the International Conference on Economic Co-operation to reach an early agreement on the question of immediate and generalized debt relief of the official debts of the developing countries, in particular of the most seriously affected, least developed, land-locked and island developing countries, and on the reorganization of the entire system of debt renegotiations to give it a developmental rather than a commercial orientation;

6. *Requests* the Ministerial Meeting of the Trade and Development Board, to be held in 1977, to review the results of negotiations on this question in other forums and to reach agreement on concrete measures to provide an immediate solution to the debt problems of developing countries, and requests the Secretary-General of the United Nations Conference on Trade and Development to report thereon to the General Assembly at its thirty-second session.

DRAFT RESOLUTION V

Report of the United Nations Conference on Trade and Development on its fourth session

The General Assembly,

Recalling its resolutions 1995 (XIX) of 30 December 1964, as amended,⁵ 2626 (XXV) of 24 October 1970, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

Mindful that in its resolution 3362 (S-VII) it stated that an important aim of the United Nations Conference on Trade and Development at its fourth session was to reach decisions on specific issues of interest to the developing countries,

Recalling further its resolution 3459 (XXX) of 11 December 1975 in which it, *inter alia*, urged all Member States to ensure that negotiations at the fourth session of the United Nations Conference on Trade and Development were action-oriented, so that the decisions achieved by the Conference could be promptly and effectively implemented,

Having considered the report of the United Nations Conference on Trade and Development on its fourth session (TD/217), held at Nairobi from 5 to 31 May 1976, and the report of the Trade and Development Board on its seventh special session and on the first part of its sixteenth session (A/31/15 and Corr.1),

⁴ General Assembly resolution 2626 (XXV).

⁵ See resolution 2904 (XXVII) of 26 September 1972, resolution 31/2 of 29 September 1976 and draft resolution I above.

Reaffirming the important role of the United Nations Conference on Trade and Development in the realization of the objectives of General Assembly resolutions 3201 (S-VI), 3202 (S-VI) and 3362 (S-VII),

Noting with concern that the agreements reached by the United Nations Conference on Trade and Development at its fourth session were limited in nature and, despite some positive results in certain areas, responded only partially to the provisions of resolution 3362 (S-VII),

Noting the Declaration and Programme of Action adopted by the Third Ministerial Meeting of the Group of 77 at Manila,⁶ setting out the objectives and proposals of the developing countries at the fourth session of the United Nations Conference on Trade and Development, and the view of the developing countries that their objectives and proposals were not adequately met at the Conference,

Considering that the agreements reached at the fourth session of the Conference, despite their limited nature, should be urgently implemented, for they could give added impetus to the efforts of the international community towards achievement of the objectives of development,

Considering further that other concerns of the developing countries also deserve the urgent attention of the world community,

1. *Takes note* of the report of the United Nations Conference on Trade and Development on its fourth session and the report of the Trade and Development Board on its seventh special session and on the first part of its sixteenth session;

2. *Endorses* resolution 93 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development concerning the integrated programme for commodities and urges that the objectives of the integrated programme, as enumerated therein, be vigorously pursued;

3. *Welcomes* the establishment of the *Ad Hoc* Intergovernmental Committee for the Integrated Programme for Commodities, takes note of the decision by the Trade and Development Board on preparatory meetings for international negotiations on individual commodities and urges all countries participating in those meetings to respond constructively in order to ensure that these meetings be concluded no later than February 1978;

4. *Notes* that steps have been taken towards the negotiation of a common fund, including proposals put forward in this regard;

5. *Takes note* of the specific contributions to a common fund announced by a number of countries and of the support to such a common fund expressed by others, particularly at the fourth session of the United Nations Conference on Trade and Development, and invites the countries concerned to consider, if appropriate, making specific pledges before the commencement of the negotiating conference on a common fund, open to all members of the Conference, to be convened by the Secretary-General

of the United Nations Conference on Trade and Development no later than March 1977;

6. *Endorses further* resolution 96 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development relating to a set of interrelated and mutually supporting measures for expansion and diversification of exports of manufactures and semi-manufactures of developing countries, in particular the decisions on the extension of the coverage of the generalized system of preferences to as many products of export interest to developing countries as possible and on the continuation of the system beyond the initial period of ten years as originally envisaged, and requests developed countries to consider, as appropriate, making it a continuing feature of their trade policies;

7. *Recalls* resolution 97 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development concerning transnational corporations and expansion of trade in manufactures and semi-manufactures, draws the attention of the Economic and Social Council and the concerned organizations of the United Nations system to the recommendations and measures contained therein and requests that appropriate consideration be given to means of ensuring that transnational corporations make a positive contribution to the economic development of developing countries;

8. *Recalls* resolution 91 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development concerning multilateral trade negotiations and requests that immediate and concrete agreements be reached in multilateral trade negotiations, particularly on the issues of special interest to developing countries, in such a way as to secure additional benefits for their international trade;

9. *Takes note* of resolution 94 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development dealing with the debt problems of developing countries and requests the Trade and Development Board at its ministerial session in 1977 to review the action taken in pursuance of that resolution;

10. *Endorses* resolution 98 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development recommending a series of special measures and specific action, respectively, in favour of the least developed and in favour of land-locked and island developing countries, and requests all organizations concerned within the United Nations system to incorporate the relevant recommendations in their activities and implement them as a matter of urgency;

11. *Takes note* of Trade and Development Board resolution 150 (XVI) of 23 October 1976 on the transfer of real resources to developing countries (see A/31/15, vol. II, annex I);

12. *Urges* the International Monetary Fund to continue its work on the reform of the international monetary system and to give in that context special and urgent consideration to the interests of the developing countries and to the link between the creation of special drawing rights and additional development finance, taking fully into account the relevant provisions of General Assembly resolution 3362 (S-VII);

⁶ *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), annex V (TD/195).

13. *Endorses* resolution 89 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development relating to the establishment within the Conference of an intergovernmental group of experts which should elaborate the draft of an international code of conduct on the transfer of technology as soon as possible, and decides to convene a United Nations conference under the auspices of the United Nations Conference on Trade and Development, to be held early in 1978, to negotiate on the draft elaborated by the group of experts mentioned above and to take all decisions necessary for the adoption of the final document embodying the code of conduct for the transfer of technology, including the decision on its legal character;

14. *Welcomes* resolution 87 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development concerning the strengthening of the technological capacity of developing countries and, in particular, the establishment of an advisory service within the Conference, as well as Conference resolution 88 (IV) of 30 May 1976 on industrial property, which recognizes the important role played respectively by the Conference and the World Intellectual Property Organization in this area, and requests them to continue their co-operation in this field;

15. *Recalls* resolution 90 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development relating to institutional issues, and affirms, in the context of section I of that resolution, that the functions mentioned therein should be strengthened in order to increase the effectiveness of the Conference as an organ of the General Assembly for deliberation, negotiation, review and implementation in the field of international trade and related issues of international economic co-operation which would play a major role in the improvement of the conditions of international trade, the acceleration of the growth of the world economy, including in particular the economic development of developing countries, and in the realization of the objectives of Assembly resolutions 3201 (S-VI), 3202 (S-VI), 3281 (XXX) and 3362 (S-VII);

16. *Endorses* resolution 92 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development relating to measures of support by developed countries and international organizations for the programme of economic co-operation among developing countries, and welcomes the establishment by the Trade and Development Board at its sixteenth session of the Committee on Economic Co-operation among Developing Countries, as an open-ended main committee of the Board;

17. *Requests* the Secretary-General of the United Nations Conference on Trade and Development, in preparing the reports called for in Trade and Development Board decision 142 (XVI) of 23 October 1976, to study the relevant portions of the report of the Conference on Economic Co-operation among Developing Countries, held at Mexico City (see A/C.2/31/7 and Add.1), and other relevant proposals of the developing countries;

18. *Endorses* resolution 86 (IV) of 28 May 1976 of the United Nations Conference on Trade and Development and decides to include Arabic among the official and working languages of the machinery of the Conference, particularly

all sessions of the Conference, the Trade and Development Board and its main committees, and requests the Secretary-General of the Conference to take all necessary measures in this regard;

19. *Recalls* resolution 95 (IV) of 31 May 1976 of the United Nations Conference on Trade and Development relating to trade relations among countries having different economic and social systems as well as Trade and Development Board decision 138 (XVI) of 23 October 1976 on the identification of trade possibilities in favour of developing countries which would result from the implementation of various multilateral schemes of countries members of the Council for Mutual Economic Assistance, and decision 139 (XVI) of 23 October 1976 aimed at developing a new dynamic orientation for trade between developing countries and socialist countries of Eastern Europe, respecting the interests of all parties concerned, as specified in section I of resolution 95 (IV);

20. *Emphasizes* the need for the provision of adequate resources for the secretariat of the United Nations Conference on Trade and Development resulting from the relevant resolutions and decisions of the fourth session of the Conference, the Trade and Development Board and the tasks initially assigned in the programme budget for the biennium 1976-1977;

21. *Requests* the competent United Nations authorities to ensure that, in the recruitment of the staff of the United Nations Conference on Trade and Development, the principle of equitable geographical distribution is fully observed;

22. *Urges* all States members of the United Nations Conference on Trade and Development, in particular the developed countries, to implement urgently, through action at the national and intergovernmental levels, the agreements reached by the Conference at its fourth session and by the Trade and Development Board at the first part of its sixteenth session, and also to reach early agreement on the remaining issues of importance to developing countries;

23. *Decides* to hold the fifth session of the United Nations Conference on Trade and Development in 1979 and requests the Trade and Development Board at its seventeenth session to recommend the place, date and duration of the session, taking into account the offer made in this regard by the Government of the Philippines.

*

* *

27. The Second Committee also recommends to the General Assembly the adoption of the following draft decision:

United Nations Conference on Trade and Development

The General Assembly takes note of the report of the Secretary-General of the United Nations Conference on Trade and Development on the evaluation of the results of the fourth session of the United Nations Conference on Trade and Development (A/31/276).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 10th plenary meeting, on 29 September 1976, the General Assembly adopted the draft resolution submitted by the Second Committee in part one of its report (A/31/231, para. 6). For the final text, see resolution 31/2 A.⁷

At its 106th plenary meeting, on 21 December 1976, the General Assembly voted on draft resolutions I to V submitted by the Second Committee in part two of its report (A/31/231/Add.1, para. 26). Draft resolutions I, II and V were adopted without a vote. A separate vote having been requested on operative paragraph 6 of draft resolution III, that paragraph was adopted by a recorded vote of 42 to 3, with 84 abstentions; the draft resolution as a whole was adopted by a recorded vote of 120 to none, with 7 abstentions. Draft resolution IV was adopted by a recorded vote of 99 to 1, with 31 abstentions. For the final texts, see resolutions 31/2 B and 31/156 to 31/159.⁷

At the same meeting, the Assembly adopted the draft decision recommended by the Second Committee in paragraph 27 of part two of its report (A/31/231/Add.1) (see decision 31/419⁷).

Also at the same meeting, the Assembly, on the proposal of the Secretary-General (A/31/453), approved the extension of the appointment of Mr. Gamani Corea as Secretary-General of the United Nations Conference on Trade and Development for a further three-year term beginning on 1 April 1977 and ending on 31 March 1980 (see decision 31/314⁷).

⁷ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 56 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|------------------------|--|---|
| A/31/3/Add.1 (part IV) | Addendum to the report of the Economic and Social Council (resumed sixty-first session) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3A</i> , chap. IV |
| A/31/15 and Corr.1 | Report of the Trade and Development Board on its seventh special session and on the first part of its sixteenth session | <i>Ibid.</i> , <i>Supplement No. 15</i> and corrigendum |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Mimicographed |
| A/31/276 | Evaluation of the results of the fourth session of the United Nations Conference on Trade and Development: report of the Secretary-General of the Conference | Ditto |
| A/31/453 | Confirmation of the nomination of the Secretary-General of the United Nations Conference on Trade and Development: note by the Secretary-General | Ditto |
| A/C.2/31/2 | Letter dated 3 October 1976 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General transmitting the text of a statement by the Soviet Government on the restructuring of international economic relations | Ditto |
| A/C.2/31/L.6 | Draft resolution | For the sponsors and the text, see A/31/231, paras. 2 and 6 |
| A/C.2/31/L.44 | Draft resolution | <i>Idem</i> , A/31/231/Add.1, para. 23 |
| A/C.2/31/L.46 | Draft resolution | <i>Idem</i> , paras. 16 and 17 |
| A/C.2/31/L.46/Rev.1 | Revised draft resolution | <i>Idem</i> , para. 17 |
| A/C.2/31/L.47 | Draft resolution | <i>Idem</i> , paras. 6, 7 and 26, draft resolution II |
| A/C.2/31/L.52 | Draft resolution | <i>Idem</i> , paras. 10, 11, 12 and 26, draft resolution III |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|--|
| A/C.2/31/L.57 | Draft resolution | <i>Idem</i> , paras. 5 and 26, draft resolution I |
| A/C.2/31/L.93 | Draft resolution | <i>Idem</i> , paras. 22 and 26, draft resolution V |
| TD/217 | Report of the United Nations Conference on Trade and Development on its fourth session (5-31 May 1976) | Replaced by TD/218, vol. I |
| TD/218 (vol. I) | <i>Proceedings of the United Nations Conference on Trade and Development, Fourth Session</i> , vol. I, <i>Report and Annexes</i> | United Nations publication, Sales No. E.76.II.D.10 |



Agenda item 57: * United Nations Industrial Development Organization: report of the Industrial Development Board**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 22nd, 27th to 29th, 31st to 33rd, 60th, 67th and 68th meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 55th and 61st meetings; *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 106th and 107th meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 42), twenty-seventh session (item 44), twenty-eighth session (item 48), twenty-ninth session (item 43) and thirtieth session (items 18 and 56).

DOCUMENT A/31/451

Report of the Second Committee

*[Original: English]
[18 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled "United Nations Industrial Development Organization: report of the Industrial Development Board" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 22nd, 27th to 29th, 31st to 33rd, 60th, 67th and 68th meetings, between 27 October and 14 December 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.22, 27-29, 31-33, 60, 67 and 68).

3. The Committee had before it the following documents:

(a) Report of the Industrial Development Board on the work of its tenth session (A/31/16);

(b) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(c) Relevant part of the report of the Economic and Social Council on the work of its resumed sixty-first session (A/31/3/Add.1 (part I)).

4. At its 22nd meeting, on 27 October, the Committee heard an introductory statement by the Executive Director of the United Nations Industrial Development Organization.

5. At its 60th meeting, on 6 December, the Committee heard a statement by the Chairman of the Committee to Draw Up a Constitution for the United Nations Industrial Development Organization as a Specialized Agency.¹

6. At the 67th meeting, on 13 December, the Committee considered a draft resolution proposed by the Chairman, entitled "Revision of the list of States eligible for membership in the Industrial Development Board" (A/C.2/31/L.75), and adopted it without a vote (see para. 13 below, draft resolution I).

7. At the same meeting, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced and orally revised a draft resolution (A/C.2/31/L.80) entitled "Committee to Draw Up a Constitution for the United Nations Industrial Development Organization as a Specialized Agency". The revisions consisted of the insertion, between the first and second preambular paragraphs, of a new paragraph reading as follows:

"Recalling also the framework established by its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974

¹ The report of the Committee (A/31/405) was before the Second Committee under agenda item 66.

containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,”

and, in the new fourth preambular paragraph, the deletion of the word “further” and the phrase “within the framework established under resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation”. The Committee had before it a statement of the administrative and financial implications of the draft resolution, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.2/31/L.90). At the same meeting, the Committee adopted draft resolution A/C.2/31/L.80, as orally revised, without a vote (see para. 13 below, draft resolution II).

8. At the 68th meeting, on 14 December, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced a revised draft resolution (A/C.2/31/L.77/Rev.1) entitled “Strengthening of operational activities in the field of industrial development”. The Committee adopted the revised draft resolution without a vote (see para. 13 below, draft resolution III).

9. At the same meeting, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced and orally revised draft resolution A/C.2/31/L.81/Rev.1 entitled “Industrial redeployment in favour of developing countries”. The revisions were the following:

(a) In the second preambular paragraph, the words “as far as possible and to at least 25 per cent” were replaced by the words “to the maximum possible extent and, as far as possible, to at least 25 per cent”;

(b) In operative paragraph 1, the phrase “concerning the redeployment of their industries to the developing countries” was deleted;

(c) In operative paragraph 2 (a), the phrase “as well as on the economic structures and the economic, social and security objectives of the developed countries” was replaced by the phrase “as well as the economic structures and the economic, social and security objectives of the developed countries, and the principle of permanent sovereignty of States over their natural resources”;

(d) In operative paragraph 4, “thirty-second” was replaced by “thirty-third”.

At the same meeting, the Committee adopted draft resolution A/C.2/31/L.81/Rev.1, as orally revised, by a roll call vote of 91 to 1, with 26 abstentions (see para. 13 below, draft resolution IV). The voting was as follows.

In favour Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana,

Brazil, Burma, Burundi, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Cuba, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Guyana, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Morocco, Mozambique, Nepal, Netherlands, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, 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: United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany, Federal Republic of, Hungary, Iceland, Ireland, Italy, Japan, Mongolia, New Zealand, Norway, Poland, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

10. Statements in explanation of vote after the vote were made by the representatives of Norway (on behalf of Denmark, Finland, Iceland, Norway and Sweden), Japan, Bulgaria (on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), Austria, Italy, the Federal Republic of Germany, the United States of America, the United Kingdom of Great Britain and Northern Ireland and Portugal.

11. At the same meeting, the Committee considered a draft resolution proposed by the Chairman (A/C.2/31/L.94), entitled “Report of the Industrial Development Board”, and adopted it without a vote (see para. 13 below, draft resolution V).

12. The representative of India made a statement after the adoption of the draft resolution in which he reiterated his country's offer to act as host to the Third General Conference of the United Nations Industrial Development Organization, scheduled to be held in 1979.

Recommendations of the Second Committee

13. The Second Committee recommends to the General Assembly the adoption of draft resolutions I to V below:

DRAFT RESOLUTION I

Revision of the lists of States eligible for membership in the Industrial Development Board

The General Assembly.

Recalling section II, paragraph 4, of its resolution 2152 (XXI) of 17 November 1966 on the United Nations Industrial Development Organization.

Decides to include Angola and Seychelles in part A of the annex to resolution 2152 (XXI).

DRAFT RESOLUTION II

Committee to Draw Up a Constitution for the United Nations Industrial Development Organization as a Specialized Agency

The General Assembly,

Recalling the Lima Declaration and Plan of Action on Industrial Development and Co-operation,² adopted at the Second General Conference of the United Nations Industrial Development Organization, particularly the decision that the United Nations Industrial Development Organization should be converted into a specialized agency of the United Nations,

Recalling also the framework established by its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation.

Recalling further its endorsement, in section IV of General Assembly resolution 3362 (S-VII), of the recommendation to convert the United Nations Industrial Development Organization into a specialized agency and its decision to establish an intergovernmental committee of the whole to draw up a constitution for the United Nations Industrial Development Organization,

Bearing in mind the urgent need to complete the work required for the conversion of the United Nations Industrial Development Organization into a specialized agency,

Taking note of the report of the Committee to Draw Up a Constitution for the United Nations Industrial Development Organization as a Specialized Agency,³

Noting with concern that it has not been possible to convene the conference of plenipotentiaries, originally scheduled to take place in the last quarter of 1976, because the Committee has not been able to complete its work,

1. *Decides* to extend the mandate of the Committee to Draw Up a Constitution for the United Nations Industrial Development Organization as a Specialized Agency;

2. *Calls upon* the Committee to accelerate its work so as to enable the conference of plenipotentiaries on the constitution of the United Nations Industrial Development Organization to convene during the second half of 1977;

² A/10112, chap. IV.

³ A/31/405, annex.

3. *Emphasizes* the need for all Governments to participate fully in the elaboration of the draft constitution, bearing in mind the need for continuity of representation, since such participation would contribute positively towards facilitating agreement and adoption of such a constitution at the conference of plenipotentiaries;

4. *Requests* the Secretary-General to make the arrangements necessary for convening the conference of plenipotentiaries during the second half of 1977 at United Nations Headquarters.

DRAFT RESOLUTION III

Strengthening of operational activities in the field of industrial development

The General Assembly,

Recalling its resolution 2152 (XXI) of 17 November 1966 on the United Nations Industrial Development Organization and, in particular, the purpose of the organization as defined by that resolution,

Recalling further the Programme of Action on the Establishment of a New International Economic Order contained in its resolution 3202 (S-VI) of 1 May 1974,

Recalling further the Lima Declaration and Plan of Action on Industrial Development and Co-operation,⁴ adopted by the United Nations Industrial Development Organization at its Second General Conference,

Recalling also its resolution 3362 (S-VII) of 16 September 1975, in which it, *inter alia*, endorsed the Lima Declaration and Plan of Action and requested all Governments to take individually and/or collectively the necessary measures and decisions required to implement effectively their undertakings in terms of the Lima Declaration and Plan of Action,

Bearing in mind the programme of studies and research envisaged in the revised programme budget proposals of the United Nations Industrial Development Organization for the biennium 1976-1977,⁵

Considering that the resources available to the United Nations Industrial Development Organization should, in accordance with General Assembly resolution 2152 (XXI), be devoted to assisting the developing countries in meeting their requirements in the field of industrial development,

Considering further that these resources should be deployed by the United Nations Industrial Development Organization in accordance with the needs of developing countries as identified by the Governments of these countries themselves,

Bearing in mind the spirit of its resolutions 2688 (XXV) of 11 December 1970 and 31/171 of 21 December 1976,

⁴ A/10112, chap. IV.

⁵ See A/C.5/31/11 and Corr.1.

1. *Requests* the Executive Director of the United Nations Industrial Development Organization to strengthen the operational activities of the United Nations Industrial Development Organization, in particular at the national and subregional levels, with a view to enabling it, through an enhanced knowledge of the actual problems in the field of industrialization faced by the developing countries, to provide the Governments of those countries with the types of assistance they most urgently need and thereby to help focus its programmes more effectively on the specific requirements of the developing countries;

2. *Also requests* the Executive Director of the United Nations Industrial Development Organization, in developing the programme of studies and research, to take into account the results of research and other studies carried out by government agencies, universities and other institutions in the developing countries, thereby permitting the allocation of a larger proportion of resources to strengthening units within the secretariat concerned with the delivery of assistance to the developing countries according to their requirements and with operational field work;

3. *Further requests* the Executive Director of the United Nations Industrial Development Organization to submit an interim report to the Industrial Development Board, and an up-dated report through the Economic and Social Council to the General Assembly at its thirty-second session, on the measures taken in accordance with the provisions of the present resolution.

DRAFT RESOLUTION IV

Industrial redeployment in favour of developing countries

The General Assembly,

Reaffirming the objectives set forth in section IV of its resolution 3362 (S-VII) of 16 September 1975,

Reaffirming the target contained in the Lima Declaration and Plan of Action on Industrial Development and Co-operation,⁶ namely, that the share of developing countries in total world industrial production should be increased to the maximum possible extent and, as far as possible, to at least 25 per cent by the year 2000,

Concerned about the need in this connexion to accelerate substantially the rate of growth of the percentage share of the developing countries in total world industrial production,

1. *Urges* developed countries to implement fully section IV, paragraph 2, of its resolution 3362 (S-VII);

2. *Requests* the Executive Director of the United Nations Industrial Development Organization in this con-

text, in collaboration with the pertinent international organizations of the United Nations system and taking into account national and international sources, to prepare studies which would include:

(a) Recommendations on an interrelated set of policies, taking into account environmental and labour market conditions and including financial and trade measures for promoting redeployment as well as the economic structures and the economic, social and security objectives of the developed countries and the principle of permanent sovereignty of States over their natural resources;

(b) The identification of specific industries and sectors of industries which would be amenable to accelerated redeployment to developing countries in the context of section IV, paragraph 2, of resolution 3362 (S-VII);

(c) Submission to the Industrial Development Board of the results of the above studies for its review and recommendations for appropriate action;

3. *Requests* the Industrial Development Board to include in its agenda as a regular item the redeployment of industries from developed to developing countries;

4. *Further requests* the Executive Director of the United Nations Industrial Development Organization to submit to the General Assembly at its thirty-third session, through the Industrial Development Board, a report on the implementation of the present resolution.

DRAFT RESOLUTION V

Report of the Industrial Development Board

The General Assembly

1. *Takes note* of the report of the Industrial Development Board on the work of its tenth session (A/31/16);

2. *Decides* in principle, in accordance with the recommendation contained in the report of the Industrial Development Board on the second part of its tenth session (*ibid.*, part two, paras. 20-22), to convene the Third General Conference of the United Nations Industrial Development Organization in 1979 on the basis of the mandate proposed in paragraph 70 of the Lima Declaration and Plan of Action on Industrial Development and Co-operation;⁷

3. *Requests* the Industrial Development Board to act as an intergovernmental preparatory committee for the Conference, beginning with its eleventh session;

4. *Decides* to take a final decision on the matter at its thirty-second session.

⁶ A/10112, chap. IV.

⁷ *Ibid.*

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 106th plenary meeting, on 21 December 1976, the General Assembly adopted draft resolutions I to V submitted by the Second Committee in its report (A/31/451, para. 13). Draft resolution IV was adopted by a recorded vote of 104 to 1, with 27 abstentions; draft resolutions I, II, III and V were adopted without a vote. For the final texts, see resolutions 31/160 to 31/164.⁸

⁸ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 57 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|-----------------------|--|---|
| A/31/3/Add.1 (part I) | Addendum to the report of the Economic and Social Council (resumed sixty-first session) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3A, chap. V</i> |
| A/31/16 | Report of the Industrial Development Board on the work of its tenth session | <i>Ibid., Supplement No. 16</i> |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Mimeographed |
| A/C.2/31/L.75 | Draft resolution | For the sponsors and the text, see A/31/451, paras. 6 and 13, draft resolution I |
| A/C.2/31/L.77 | Draft resolution | Replaced by A/C.2/31/L.77/Rev.1 |
| A/C.2/31/L.77/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/451, paras. 8 and 13, draft resolution III |
| A/C.2/31/L.80 | Draft resolution | <i>Idem</i> , paras. 7 and 13, draft resolution II |
| A/C.2/31/L.81 | Draft resolution | Replaced by A/C.2/31/L.81/Rev.1 |
| A/C.2/31/L.81/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/451, paras. 9 and 13, draft resolution IV |
| A/C.2/31/L.90 | Administrative and financial implications of draft resolution A/C.2/31/L.80: note by the Secretary-General | Mimeographed |
| A/C.2/31/L.94 | Draft resolution | For the sponsors and the text, see A/31/451, paras. 11 and 13, draft resolution V |
| | <i>Administrative and financial implications of draft resolution II submitted by the Second Committee in document A/31/451</i> | |
| A/C.5/31/90 | Note by the Secretary-General | Mimeographed |
| A/31/459 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |
| | <i>Establishment of the United Nations Industrial Development Fund</i> | |
| A/C.5/31/57 | Note by the Secretary-General | Mimeographed |
| A/31/469 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 58:* United Nations Institute for Training and Research: report of the Executive Director**

C O N T E N T S

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 17th, 18th, 20th, 21st and 48th meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 101st meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 43), twenty-seventh session (item 45), twenty-eighth session (item 47), twenty-ninth session (item 44) and thirtieth session (item 57).

DOCUMENT A/31/361

Report of the Second Committee

*[Original: English]
[13 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled "United Nations Institute for Training and Research: report of the Executive Director" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 17th, 18th, 20th, 21st, and 48th meetings, between 20 October and 19 November 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.17, 18, 20, 21 and 48).

3. The Committee had before it the following documents:

(a) Report of the Executive Director (A/31/14);

(b) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237).

4. At the 17th meeting, on 20 October, the Executive Director of the Institute made an introductory statement.

5. At the 48th meeting, on 19 November, the representative of Kenya introduced a draft resolution (A/C.2/31/L.8) on behalf of Australia, Austria, Bolivia, Canada, Ecuador, the Federal Republic of Germany, Greece, India, Iran, Italy, the Ivory Coast, Jordan, Kenya, Kuwait, Mali, Nepal, Norway, Papua New Guinea, Pakistan, the

Philippines, Poland, Sierra Leone, Singapore, Sweden, Uganda, Uruguay, Venezuela and the United States of America. The representative of Chile stated that his delegation sponsored the draft resolution.

6. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.8 without a vote (see para. 7 below).

Recommendation of the Second Committee

7. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations Institute for Training and Research

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order,

Recalling also its resolution 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

Recalling further its resolution 3403 (XXX) of 28 November 1975 on the United Nations Institute for Training and Research,

Considering its resolution 3362 (S-VII) of 16 September 1975 which set in motion measures that form the basis and framework for the work of the competent bodies and organizations of the United Nations system,

1. *Takes note* of the report of the Executive Director of the United Nations Institute for Training and Research (A/31/14);

2. *Invites* the United Nations Institute for Training and Research to continue concentrating its work in the sphere of economic and social training and research so as to include specific projects on the problems in the areas

identified by the General Assembly at its sixth and seventh special sessions and in the relevant decisions of the Assembly at its twenty-ninth session;

3. *Expresses the hope* that the United Nations Institute for Training and Research will have greater and wider financial support from Member States and organizations.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meeting, on 16 December 1976, the General Assembly adopted the draft resolution submitted by the Second Committee in its report (A/31/361, para. 7). For the final text, see resolution 31/107.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 58 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|--|
| A/31/14 | Report of the Executive Director of the United Nations Institute for Training and Research | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 14</i> |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | Mimeographed |
| A/C.2/31/L.8 | Draft resolution | For the sponsors and the text, see A/31/361, paras. 5 and 7 |



Agenda item 59: * Operational activities for development: **

- (a) United Nations Development Programme;
- (b) United Nations Capital Development Fund;
- (c) Technical co-operation activities undertaken by the Secretary-General;
- (d) United Nations Volunteers programme;
- (e) United Nations Fund for Population Activities;
- (f) United Nations Children's Fund;
- (g) World Food Programme

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 30th, 36th to 44th, 56th, 57th and 59th to 61st meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 106th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 40), twenty-seventh session (item 46), twenty-eighth session (item 49), twenty-ninth session (item 45) and thirtieth session (item 58).

DOCUMENT A/31/411

Report of the Second Committee

*[Original: English/
15 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session and to allocate to the Second Committee the item entitled:

- “Operational activities for development:
“(a) United Nations Development Programme;
“(b) United Nations Capital Development Fund;
“(c) Technical co-operation activities undertaken by the Secretary-General;
“(d) United Nations Volunteers programme;
“(e) United Nations Fund for Population Activities;
“(f) United Nations Children's Fund;
“(g) World Food Programme”.

2. At its 25th meeting, on 29 October 1976, the Second Committee, on the proposal of the Chairman, decided to consider concurrently items 59 (Operational activities for development), 68 (Technical co-operation among developing countries) and 67 (Economic co-operation among developing countries).

3. The Committee considered item 59 at its 30th, 36th to 44th, 56th, 57th and 59th to 61st meetings, between 3 November and 7 December 1976. An account of the

discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.30, 36-44, 56, 57 and 59-61).

4. At the 30th meeting, on 3 November, introductory statements were made by the Administrator of the United Nations Development Programme, the Executive Director of the United Nations Children's Fund, the Executive Director of the United Nations Fund for Population Activities, the Executive Director *ad interim* of the World Food Programme, the Director of the Office for Technical Co-operation and the representative of the United Nations Volunteers programme.

5. The Committee had before it the following documents:

(a) Chapter VII, section D, of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3);

(b) Reports of the Governing Council of the United Nations Development Programme on its twenty-first (E/5779) and twenty-second (E/5846/Rev.1) sessions;

(c) Report of the Executive Board of the United Nations Children's Fund (UNICEF) (E/5847);

(d) Report of the Executive Board of UNICEF on the expansion of basic services for children in developing countries (E/5848), submitted in pursuance of General Assembly resolution 3408 (XXX);

(e) Report of the Secretary-General on the International Year of the Child (A/31/323);

(f) Report of the Secretary-General on measures and modalities to ensure the adequate preparation, support and financing of an international year of the child (E/5844);

(g) Notes by the Secretariat (A/C.2/31/L.2, L.3 and L.4) transmitting the texts of three draft resolutions recommended by the Economic and Social Council at its sixty-first session to the General Assembly for adoption.

6. The Committee considered seven draft resolutions and a draft decision as set forth in sections I to VIII below.

I

7. The Economic and Social Council, in its decision 164 (LXI) of 4 August 1976, recommended to the General Assembly for adoption a draft resolution entitled "Borrowing authority of the Administrator of the United Nations Development Programme", the text of which was transmitted to the Second Committee in a note by the Secretariat (A/C.2/31/L.2).

8. The Committee had before it a statement (A/C.2/31/L.42) of the administrative and financial implications of the draft resolution, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly.

9. At its 57th meeting, on 30 November, the Committee adopted the draft resolution contained in document A/C.2/31/L.2 without a vote (see para. 26 below, draft resolution I).

II

10. The Economic and Social Council, in its decision 165 (LXI) of 4 August 1976, recommended to the General Assembly for adoption a draft resolution entitled "United Nations Volunteers", the text of which was transmitted to the Second Committee in a note by the Secretariat (A/C.2/31/L.4).

11. At its 56th meeting, on 29 November, the Committee adopted the draft resolution contained in document A/C.2/31/L.4 without a vote (see para. 26 below, draft resolution II).

III

12. The Economic and Social Council, in its resolution 2022 (LXI) of 4 August 1976, recommended to the General Assembly for adoption a draft resolution entitled "Expansion of basic services provided by the United Nations Children's Fund in developing countries", the text

of which was transmitted to the Second Committee in a note by the Secretariat (A/C.2/31/L.3).

13. At its 56th meeting, the Committee adopted the draft resolution contained in document A/C.2/31/L.3 without a vote (see para. 26 below, draft resolution III).

IV

14. At the 56th meeting, the representative of Colombia, on behalf also of the Philippines, introduced a draft resolution (A/C.2/31/L.31) entitled "The United Nations Children's Fund". Subsequently, Denmark, Norway, Papua New Guinea, Sweden and the United States of America joined in sponsoring the draft resolution.

15. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.31 without a vote (see para. 26 below, draft resolution IV).

V

16. At the 60th meeting, on 6 December, the representative of Norway, on behalf of Austria, Bangladesh, Colombia, Egypt, Greece, India, Iran, Jamaica, Jordan, Kenya, Mali, Morocco, the Netherlands, the Niger, Nigeria, Norway, Panama, Papua New Guinea, the Philippines, Tunisia, the United Republic of Cameroon, Uruguay and Yugoslavia, introduced a draft resolution (A/C.2/31/L.58) entitled "International Year of the Child", and orally revised operative paragraph 5 of the draft resolution by deleting the words "as its co-ordinator" at the end of the paragraph and replacing them with the words "to be responsible for its co-ordination". Subsequently, Bolivia, Chad, Mauritania, the Sudan and Uganda joined in sponsoring the draft resolution.

17. At the 61st meeting, on 7 December, the representative of Norway, on behalf of the sponsors, further orally revised the draft resolution by adding two paragraphs at the end of the preamble reading as follows:

"Believing that administrative costs for the international year should be kept to the minimum necessary,

"Taking note of the statement made by the Executive Director of the United Nations Children's Fund before the Second Committee (60th meeting)".

He also added the following words to the end of operative paragraph 9: "and the level of contributions pledged".

18. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.58, as orally revised, without a vote (see para. 26 below, draft resolution V).

19. Statements in connexion with the adoption of the draft resolution were made by the representatives of Canada, Poland, Chile, Italy, the United Kingdom of Great Britain and Northern Ireland, Japan, Ireland, China, the Netherlands and Denmark.

VI

20. At the 59th meeting, on 3 December, the representative of the Philippines, on behalf of Bangladesh, Ecuador,

El Salvador, the Gambia, India, Indonesia, Malaysia, Mauritania, Mauritius, Nepal, Nigeria, Papua New Guinea, Paraguay, the Philippines, Senegal, Sierra Leone, Swaziland, Tunisia and Uruguay, introduced a draft resolution (A/C.2/31/L.60) entitled "United Nations Fund for Population Activities" and orally revised the draft resolution by replacing the words "as head of the Fund's secretariat" by the words "of the Fund", in operative paragraph 6, so that the revised paragraph would read as follows:

"6. *Recommends* that the Executive Director of the Fund, for purposes of continuity of the programme, normally be appointed for a four-year term".

He also revised operative paragraph 7 by inserting the words "on operational matters" after the words "collaboration and co-operation".

21. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.60, as orally revised, without a vote (see para. 26 below, draft resolution VI).

VII

22. At the 60th meeting, the representative of Denmark, on behalf of Austria, Belgium, Denmark, the Dominican Republic, Ecuador, Finland, the Federal Republic of Germany, India, Indonesia, Jordan, Kenya, Norway, Pakistan, the Philippines and Sweden, introduced a draft resolution (A/C.2/31/L.56) entitled "Operational activities for development". Subsequently, Uganda joined in sponsoring the draft resolution.

23. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.56 without a vote (see para. 26 below, draft resolution VII).

24. Statements in connexion with the adoption of the draft resolution were made by the representatives of Sri Lanka and China.

VIII

25. At the 60th meeting, the Committee considered a draft decision proposed by the Chairman (A/C.2/31/L.73) concerning the United Nations Capital Development Fund, and adopted it without a vote (see para. 27 below).

Recommendations of the Second Committee

26. The Second Committee recommends to the General Assembly the adoption of draft resolutions I to VII below:

DRAFT RESOLUTION I

Borrowing authority of the Administrator of the United Nations Development Programme

The General Assembly,

Having considered the part of the report of the Governing Council of the United Nations Development Programme on its twenty-second session relating to the granting of short-term borrowing authority to the Administrator of the Programme (E/5846/Rev.1, paras. 46-51),

Recognizing the urgent need for the United Nations Development Programme to replenish its Operational Reserve on a funded basis, fully mobilizable at sight or on short notice, to a level sufficient to ensure the financial integrity of the Programme,

Recognizing the urgent need for participating Governments to pay promptly outstanding pledges and obligations to the United Nations Development Programme and to co-operate fully in measures undertaken by the Administrator of the Programme in conjunction with the executing agencies to use accumulated currencies,

Recognizing that, in the meantime, it may prove necessary to assist the United Nations Development Programme to meet short-term cash requirements, arising exclusively out of unavoidable fluctuations between the payment of announced voluntary contributions and the immediate cash requirements of the Programme in any one year, which might jeopardize its approved programme,

1. *Authorizes* the Governing Council of the United Nations Development Programme to grant to the Administrator of the Programme, until the end of 1977 and on a case-by-case basis, authority to borrow moneys for the purpose stated above and subject to the conditions and specifications indicated below:

(a) In order to borrow, the Administrator shall in each case seek the prior approval of the Governing Council at a regular or special session;

(b) The sources from which such funds can be borrowed are limited to voluntary-funded trust funds of organizations within the United Nations system, provided that the borrowing of such moneys shall be made with the agreement, where appropriate, of the executive directors of the voluntary funds and shall in no way adversely affect the operations of the trust funds to which the moneys have been contributed or the speedy implementation of the programmes concerned, it being understood that borrowings shall be made, in the first instance, from trust funds under the aegis of the Governing Council;

(c) The Governing Council shall only grant borrowing authority to the Administrator as an exceptional measure if, after a thorough examination of the financial situation of the Programme on the basis of comprehensive information provided by the Administrator, it is satisfied of the need to borrow and is satisfied also regarding the repayment schedules of the anticipated borrowings; such comprehensive information shall include particulars of the status of assessed programme costs, of voluntary contributions, including the status of accumulated currencies and shared programme costs, of accounts payable and of cash requirements for completing first-cycle programmes and initiating second-cycle programmes, including allocations to programme and administrative support costs and agency overheads;

(d) Such borrowings shall not be used as a means to raise additional funds for the Programme over and above the pledged voluntary contributions and other approved income for any one year;

(e) Repayments shall be made only from the funds voluntarily contributed to the Programme and shall be effected within 60 days of the borrowing;

(f) If possible, borrowing should be free of interest, but if there is a need to pay interest, the rate paid should be the lowest possible and in no case higher than that paid by the World Bank for its short-term borrowing and, to the extent possible, the interest shall be paid from earned interest;

2. Authorizes the Secretary-General to lend moneys to the United Nations Development Programme from appropriate voluntary trust funds in his custody for the purpose and under the conditions specified in paragraph 1 above, on the understanding, however, that in all such cases a consensus decision of the Governing Council of the Programme shall be required.

DRAFT RESOLUTION II

United Nations Volunteers

The General Assembly,

Recalling its resolution 2659 (XXV) of 7 December 1970 and Economic and Social Council resolution 1966 (LIX) of 30 July 1975,

Noting the expanding role of the United Nations Volunteers in the field of domestic development resulting from the decision taken by the Governing Council of the United Nations Development Programme in 1974 to set up a unit within the United Nations Volunteers programme to deal with the activities in question,

Aware that the International Secretariat for Volunteer Service is in the process of being liquidated under the direction of an interim board appointed by the Council of the International Secretariat and that it has terminated its activities in the field of international volunteer work and domestic development services,

Noting that a number of the activities of the International Secretariat have already been taken over, at the request of the interim board, by the United Nations Volunteers,

1. Requests the Administrator of the United Nations Development Programme:

(a) To develop further and expand the activities of the United Nations Volunteers in the field of domestic development services;

(b) To ensure that the United Nations Volunteers programme actively promotes the formation of regional advisory groups for domestic development services and subsequently co-operates to the fullest possible extent with such groups;

(c) To ensure that the United Nations Volunteers programme prepares and publishes relevant material on volunteer and domestic development services activities;

2. Appeals to Governments to take into account the growing number and widening scope of the activities of the

United Nations Volunteers and, consequently, to consider contributing, or increasing their contribution, as the case may be, to the Special Voluntary Fund for the United Nations Volunteers.

DRAFT RESOLUTION III

Expansion of basic services provided by the United Nations Children's Fund in developing countries

The General Assembly,

Recalling its resolution 3408 (XXX) of 28 November 1975 in which it, *inter alia*, invited the Executive Board of the United Nations Children's Fund to consider in depth the matter of basic services for children in developing countries,

Recognizing that the provision of basic services constitutes an important link in the development process,

Noting that the basic services concept represents the extension, to a number of developmental activities benefiting children, of the same principles as those adopted by the World Health Assembly at its twenty-eighth session held at Geneva from 13 to 30 May 1975 and by the Executive Board of the United Nations Children's Fund at its session held in New York from 14 to 30 May 1975¹ in connexion with the approach to be followed in meeting basic health needs,

Convinced that the basic services concept and strategy, while providing guidelines for future action by the United Nations Children's Fund, are equally appropriate for adoption by agencies and authorities concerned with the promotion of programmes for human development in developing countries,

Stressing the importance of increased international co-operation in support of basic services as a vital component of social and economic development,

Believing that the external assistance required to support these services should be within the capacity of the international community,

1. Urges the developing countries to incorporate the basic services concept and approach in their national development plans and strategies;

2. Urges the developed countries and others in a position to do so to provide through bilateral and multilateral channels, including the United Nations Children's Fund, external assistance to supplement the efforts of developing countries in launching or expanding basic services benefiting children;

3. Urges the international community to recognize its responsibility for increased co-operative action to promote social and economic development through its support of basic services at the international and the country programming level.

¹ Official Records of the Economic and Social Council, Fifty-ninth Session, Supplement No. 6 (E/5698), annex I.

DRAFT RESOLUTION IV

United Nations Children's Fund

The General Assembly,

Noting Economic and Social Council resolution 2021 (LXI) of 4 August 1976,

Having considered the report of the Executive Board of the United Nations Children's Fund on its session held at United Nations Headquarters from 17 to 28 May 1976 (E/5847),

Deeply concerned about the magnitude of the unmet needs of children in developing countries,

Encouraged by the practical and effective opportunities offered for improving the situation of children through the expansion of basic services as part of development strategy,

1. Endorses a target for the United Nations Children's Fund of \$200 million in annual revenue from all sources;

2. Appeals, with a sense of urgency, to all Governments, especially those of the industrialized countries, and other potential contributors to increase their contributions to the United Nations Children's Fund so that it may rapidly augment its assistance to basic services for children.

DRAFT RESOLUTION V

International Year of the Child

The General Assembly,

Having considered the report of the Secretary-General on measures and modalities to ensure the adequate preparation, support and financing of an international year of the child (E/5844), Economic and Social Council decision 178 (LXI) of 5 August 1976 on an international year of the child and the additional report of the Secretary-General (A/31/323) prepared in the light of the discussions in the Economic and Social Council,

Recognizing the fundamental importance in all countries, developing and industrialized, of programmes benefiting children not only for the well-being of the children, but also as part of broader efforts to accelerate economic and social progress,

Recalling in this connexion its resolutions 2626 (XXV) of 24 October 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Deeply concerned that, in spite of all efforts, far too many children, especially in developing countries, are undernourished, are without access to adequate health services, are missing the basic educational preparation for their future and are deprived of the elementary amenities of life,

Convinced that an international year of the child could serve to encourage all countries to review their programmes for the promotion of the well-being of children and to mobilize support for national and local action programmes according to each country's conditions, needs and priorities,

Affirming that the concept of basic services for children is a vital component of social and economic development and that it should be supported and implemented by the co-operative efforts of the international and national communities,

Bearing in mind that the year 1979 will be the twentieth anniversary of the Declaration of the Rights of the Child² and could serve as an occasion to promote further its implementation,

Aware that, for an international year of the child to be effective, adequate preparation and the widespread support of Governments, non-governmental organizations and the public will be required,

Believing that administrative costs for the international year should be kept to the minimum necessary,

Taking note of the statement made by the Executive Director of the United Nations Children's Fund before the Second Committee (60th meeting),

1. Proclaims the year 1979 International Year of the Child;

2. Decides that the International Year of the Child should have the following general objectives:

(a) To provide a framework for advocacy on behalf of children and for enhancing the awareness of the special needs of children on the part of decision-makers and the public;

(b) To promote recognition of the fact that programmes for children should be an integral part of economic and social development plans, with a view to achieving, in both the long term and the short term, sustained activities for the benefit of children at the national and international levels;

3. Urges Governments to expand their efforts at the national and community levels to provide lasting improvements in the well-being of their children, with special attention to those in the most vulnerable and particularly disadvantaged groups;

4. Calls upon the appropriate organs and organizations of the United Nations system to contribute to the preparation and implementation of the objectives of the International Year of the Child;

5. Designates the United Nations Children's Fund as the lead agency of the United Nations system responsible for co-ordinating the activities of the International Year of the Child and the Executive Director of the Fund to be responsible for its co-ordination;

² General Assembly resolution 1386 (XIV).

6. *Invites* non-governmental organizations and the public to participate actively in the International Year of the Child and to co-ordinate their programmes for the Year as fully as possible, especially at the national level;

7. *Appeals* to Governments to make contributions or pledges for the International Year of the Child through the United Nations Children's Fund to ensure the adequate financing of activities for the preparation and carrying out of the Year;

8. *Expresses the hope* that Governments, non-governmental organizations and the public will respond generously with contributions to attain the objectives of the International Year of the Child and, through the United Nations Children's Fund and other channels of external aid, to increase substantially the resources available for services benefiting children;

9. *Requests* the Executive Director of the United Nations Children's Fund to report to the General Assembly at its thirty-second session, through the Economic and Social Council at its sixty-third session, on progress in preparing for the International Year of the Child, including its financing and the level of contributions pledged.

DRAFT RESOLUTION VI

United Nations Fund for Population Activities

The General Assembly,

Recalling its resolution 2211 (XXI) of 17 December 1966 in response to which a trust fund, subsequently named the United Nations Fund for Population Activities, was established in 1967 by the Secretary-General,

Recalling further its resolution 3019 (XXVII) of 18 December 1972 in which it, *inter alia*, decided to place the United Nations Fund for Population Activities under the authority of the General Assembly and established the respective roles relating to the Fund of the Economic and Social Council and the Governing Council of the United Nations Development Programme,

Noting with satisfaction that the United Nations Fund for Population Activities has become a most effective and viable entity in the United Nations system in the population field, owing in particular to its increased resources and its assistance to the developing countries,

1. *Welcomes* the report of the Executive Director of the United Nations Fund for Population Activities entitled "Priorities in the future allocation of the resources of the United Nations Fund for Population Activities";³

2. *Takes note* of the views expressed on this matter at the twenty-second session of the Governing Council of the United Nations Development Programme (see E/5846/Rev.1, chap. XVI) and at the sixty-first session of the Economic and Social Council;

3. *Endorses* the following general principles to be applied in making future allocations of resources;

(a) To promote population activities proposed in international strategies, particularly the World Population Plan of Action;⁴

(b) To meet the needs of developing countries which have the most urgent need for assistance in the area of population activities in view of their population problems;

(c) To respect the sovereign right of each nation to formulate, promote and implement its own population policies;

(d) To promote the self-reliance of recipient countries;

(e) To give special attention to meeting the needs of disadvantaged population groups;

4. *Requests* the Executive Director of the United Nations Fund for Population Activities to apply the criteria for establishing priorities and the other recommendations made in his report, taking into account the decisions made by the Governing Council of the United Nations Development Programme in this regard, in close co-operation with the specialized agencies and the regional commissions concerned, as appropriate;

5. *Invites* Governments to continue and to increase their contributions to the United Nations Fund for Population Activities in view of the rapidly increasing needs of developing countries for population assistance;

6. *Recommends* that the Executive Director of the United Nations Fund for Population Activities, for purposes of continuity of the programme, should normally be appointed for a four-year term;

7. *Urges* continuing full collaboration and co-operation on operational matters between the Executive Director of the United Nations Fund for Population Activities and the Administrator of the United Nations Development Programme, as well as between the Executive Director and the executive heads of other organs within the United Nations system in the field of population.

DRAFT RESOLUTION VII

Operational activities for development

The General Assembly,

Having considered the reports of the Governing Council of the United Nations Development Programme on its twenty-first (E/5779) and twenty-second (E/5846/Rev.1) sessions, as well as the statement of the Administrator of the Programme (30th meeting) and the views expressed during the debate on operational activities at the thirty-first session, of the General Assembly,

Reiterating the principle reflected in the consensus on the functions and operations of the United Nations development system as embodied in the annex to General Assembly resolution 2688 (XXV) of 11 December 1970,

³ DP/186 and Corr.1.

⁴ E/CONF.60/19 (United Nations publication, Sales No. E.75.XIII.3), chap. I.

Endorsing Economic and Social Council resolution 2024 (LXI) of 4 August 1976,

Stressing the continued need for a co-ordinated and integrated approach to technical co-operation activities carried out by the United Nations system according to the priorities of the recipient Governments, as well as General Assembly resolution 3405 (XXX) of 28 November 1975 on new dimensions in technical co-operation,

Stressing further that the implementation of multilateral technical co-operation is a common endeavour of the organizations and programmes of the United Nations system,

1. *Notes with appreciation* that, pursuant to Economic and Social Council resolution 2024 (LXI), the Administrator of the United Nations Development Programme and the executive heads of the agencies and programmes members of the Inter-Agency Consultative Board are taking steps, in a spirit of partnership, to strengthen their mutual co-ordination, both between headquarters and in recipient countries, with a view to improving the integration of technical assistance in line with the above-mentioned consensus;

2. *Requests* all organizations of the United Nations system to pursue actively their consultations in order to develop the measures required to strengthen their co-operation and to ensure, through an efficient United Nations development field network, an integrated and

interdisciplinary approach to operational activities, and looks forward to the report of the Governing Council of the United Nations Development Programme, to be submitted through the Economic and Social Council, on the steps taken and results achieved;

3. *Invites* all countries to help promote a properly co-ordinated approach to operational activities and to assist in the achievement of the dynamic growth of the activities of the United Nations Development Programme for 1977-1981 based on the need for an equitable sharing of the total effort required with regard to the level, timeliness and usability of voluntary contributions to the Programme.

27. The Second Committee also recommends to the General Assembly the adoption of the following draft decision:

United Nations Capital Development Fund

The General Assembly, recalling its resolutions 2186 (XXI) of 13 December 1966 and 3249 (XXIX) of 4 December 1974 and having considered the relevant parts of the reports of the Governing Council of the United Nations Development Programme on its twenty-first (E/5779) and twenty-second (E/5846/Rev.1) sessions, decides to preserve the original function of the United Nations Capital Development Fund until 31 December 1977, in accordance with the measures set forth in paragraph 1 of Assembly resolution 2321 (XXII) of 15 December 1967.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 106th plenary meeting, on 21 December 1976, the General Assembly adopted draft resolutions I to VII submitted by the Second Committee in its report (A/31/411, para. 26). For the final texts, see resolutions 31/165 to 31/171.⁵

At the same meeting, the Assembly adopted the draft decision recommended by the Second Committee in paragraph 27 of its report (A/31/411) (see decision 31/420⁵).

⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda 59 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/323 | Report of the Secretary-General on the International Year of the Child | Mimeographed |
| A/C.2/31/L.2 | Note by the Secretariat transmitting the text of a draft resolution recommended by the Economic and Social Council to the General Assembly for adoption | For the text of the draft resolution, see A/31/411, para. 26, draft resolution I |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|--|
| A/C.2/31/L.3 | <i>Idem</i> | <i>Idem</i> , draft resolution III |
| A/C.2/31/L.4 | <i>Idem</i> | <i>Idem</i> , draft resolution II |
| A/C.2/31/L.31 | Draft resolution | For the sponsors and the text, see A/31/411, paras. 14 and 26, draft resolution IV |
| A/C.2/31/L.42 | Administrative and financial implications of draft resolution A/C.2/31/L.2: note by the Secretary-General | Mimeographed |
| A/C.2/31/L.56 | Draft resolution | For the sponsors and the text, see A/31/411, paras. 22 and 26, draft resolution VII |
| A/C.2/31/L.58 | Draft resolution | <i>Idem</i> , paras. 16, 17 and 26, draft resolution V |
| A/C.2/31/L.60 | Draft resolution | <i>Idem</i> , paras. 20 and 26, draft resolution VI |
| A/C.2/31/L.73 | Draft decision | <i>Idem</i> , paras. 25 and 27 |
| E/5779 | Report of the Governing Council of the United Nations Development Programme on its twenty-first session | <i>Official Records of the Economic and Social Council, Sixty-first Session, Supplement No. 2</i> |
| E/5844 | Measures and modalities to ensure the adequate preparation, support and financing of an international year of the child: report of the Secretary-General | Mimeographed |
| E/5846/Rev.1 | Report of the Governing Council of the United Nations Development Programme on its twenty-second session | <i>Official Records of the Economic and Social Council, Sixty-first Session, Supplement No. 2A</i> |
| E/5847 | Report of the Executive Board of the United Nations Children's Fund (17-28 May 1976) | <i>Ibid.</i> , Supplement No. 7 |
| E/5848 | Expansion of basic services for children in developing countries: report of the Executive Board of the United Nations Children's Fund | Mimeographed |



Agenda item 60: * United Nations Environment Programme: **

- (a) Report of the Governing Council;
- (b) Report of the Secretary-General;
- (c) Habitat: United Nations Conference on Human Settlements: report of the Secretary-General;
- (d) Election of the Executive Director

C O N T E N T S

| <i>Document No.</i> | <i>Title</i> | <i>Page</i> |
|---------------------|--|-------------|
| A/31/415 | Report of the Second Committee | 1 |
| | Action taken by the General Assembly | 17 |
| | Check list of documents | 17 |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 19th to 27th, 32nd, 34th, 45th, 46th and 57th to 61st meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum, and *ibid.*, *Plenary Meetings*, 101st and 107th meetings.

** This question was discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 47), twenty-eighth session (item 50), twenty-ninth session (item 46) and thirtieth session (item 59).

DOCUMENT A/31/415

Report of the Second Committee

*[Original: English]
[15 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled:

“United Nations Environment Programme:

“(a) Report of the Governing Council;

“(b) Report of the Secretary-General;

“(c) Habitat: United Nations Conference on Human Settlements: report of the Secretary-General;

“(d) Election of the Executive Director”

and to allocate subitems (a), (b) and (c) to the Second Committee. The Assembly decided that subitem (d) would be considered in plenary meetings.

2. The Second Committee considered the item at its 19th to 27th, 32nd, 34th, 45th, 46th and 57th to 61st meetings, between 22 October and 7 December 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.19-27, 32, 34, 45, 46 and 57-61).

3. The Committee had before it the following documents:

(a) Report of the Governing Council of the United Nations Environment Programme on the work of its fourth session (A/31/25);

(b) Report of the Secretary-General on material remnants of war and their effect on the environment (A/31/210);

(c) Note by the Secretary-General on international conventions and protocols in the field of the environment (A/31/211);

(d) Report of the Secretary-General on the results of Habitat: United Nations Conference on Human Settlements (A/31/156 and Add.1 and 2, Add.2/Corr.1 and Add.3);

(e) Report of Habitat: United Nations Conference on Human Settlements (A/CONF.70/15 and Corr.1);

(f) Report of the Committee on Housing, Building and Planning on its ninth session, submitted in accordance with Economic and Social Council decision 179 (LXI) (E/5758);

(g) Summary records of the 776th to 780th meetings of the Economic Committee of the Economic and Social Council (E/AC.6/SR.776-780);

(h) Report of the Secretary-General on criteria governing multilateral financing of housing and human settlements, which was again before the Committee in accordance with the decision taken by the General Assembly at its 2432nd plenary meeting, on 9 December 1975 (A/10225);

(i) Comments on the report of the Secretary-General (A/10225), submitted by the World Bank and the United Nations Development Programme in response to the decision taken by the General Assembly at its 2432nd meeting, on 9 December 1975 (E/5852 and Add.1);

(j) Comments on the report of the Secretary-General (A/10225), submitted by the United Nations Environment Programme: note by the Executive Director (UNEP/GC/78);

(k) Chapter IV, section B, of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3);

(l) Report of the Latin American Regional Meeting on Human Settlements: note by the Secretary-General (A/C.2/31/5);

(m) Follow-up action to Habitat: United Nations Conference on Human Settlements by the Economic and Social Commission for Asia and the Pacific: note by the Secretary-General (A/C.2/31/8);

(n) Note by the Secretary-General transmitting an extract from the report of the Committee on Housing, Building and Planning of the Economic Commission for Europe on its thirty-seventh session (A/C.2/31/9);

(o) Letter dated 27 October 1976 from the Chairman of the Fifth Committee to the Chairman of the Second Committee (A/C.2/31/12), bringing to the attention of the Second Committee the report of the Advisory Committee on Administrative and Budgetary Questions (A/31/227).

4. At the 19th meeting, on 22 October, the Executive Director of the United Nations Environment Programme made an introductory statement and at the 21st meeting, on 25 October, the Committee heard a statement by the Secretary-General of Habitat: United Nations Conference on Human Settlements. At the same meeting, Mr. Barnett J. Danson, Minister of State for Urban Affairs of Canada and President of Habitat, made a statement.

5. The Committee considered a number of draft resolutions and draft decisions as set forth in sections I to XII below:

I

6. At the 32nd meeting, on 4 November, the representative of the Upper Volta, on behalf of Afghanistan, Algeria, Argentina, the Central African Republic, Chad, Egypt, India, Iran, Jordan, Kenya, Kuwait, the Libyan Arab Republic, Madagascar, Mali, Mauritania, Mexico, the Niger, Nigeria, Pakistan, the Philippines, the Sudan, Tunisia, the United Republic of Cameroon, Uganda, the Upper Volta, Yugoslavia and Zaire, introduced a draft resolution (A/C.2/31/L.14) entitled "United Nations Conference on Desertification". In introducing the draft resolution, the representative of the Upper Volta revised it orally, deleting the words "of the Conference" in operative paragraphs 3, 4 and 5 and the word "working" in paragraph 6, and adding the words "to be represented by observers" at the end of

paragraph 3 (g). Subsequently, Benin, Bolivia, Brazil, Cyprus, the Dominican Republic, Ethiopia, Ghana, Morocco, Senegal, Togo and Venezuela joined in sponsoring the draft resolution, as orally revised.

7. At the 34th meeting, on 5 November, following a statement by a representative of the Secretariat on the administrative and financial implications of the draft resolution, the Committee adopted draft resolution A/C.2/31/L.14, as orally revised, without a vote (see para. 55 below, draft resolution I).

8. Following the adoption of the draft resolution, statements were made by the representatives of Israel, the Union of Soviet Socialist Republics, Egypt, the Upper Volta and Argentina.

II

9. At the 25th meeting, on 29 October, the representative of Canada, on behalf of Australia, Austria, Bolivia, Canada, Colombia, the Dominican Republic, Ecuador, Ghana, Jamaica, Jordan, Kenya, Mexico, New Zealand, Norway, the Philippines and Sweden, introduced a draft resolution (A/C.2/31/L.9) entitled "Habitat: United Nations Conference on Human Settlements". Subsequently, Argentina, Cyprus, Egypt, Grenada, Panama, Turkey, Uganda and the United Republic of Tanzania joined in sponsoring the draft resolution, which read as follows:

"The General Assembly,

"...[text of the preamble identical with that of the preamble to draft resolution II in paragraph 55 below],

"1. Takes note of the report of Habitat: United Nations Conference on Human Settlements (A/CONF.70/15 and Corr.1), including the Vancouver Declaration on Human Settlements, 1976, the recommendations for national action and the resolutions on international co-operation;

"2. Commends the Secretary-General of the Conference on the successful preparation and organization of the Conference;

"3. Urges the Governments of all States Members of the United Nations to consider, on a priority basis, the recommendations for national action contained in the report and to take these recommendations into account when reviewing their existing policies and strategies in the field of human settlements;

"4. Calls upon the regional commissions and urges all other international organizations within and outside the United Nations system to take intensified and sustained action in support of national efforts, including assistance at the request of Governments in the formulation, design, implementation and evaluation of projects to improve human settlements;

"5. Requests the Secretary-General to convene, within the framework of the regional commissions, regional meetings to establish guidelines for the co-ordination, within each region, of action to be taken in order to deal

with human settlements and to report to the General Assembly on the results of their deliberations no later than the thirty-second session;

"6. *Takes note* of the notes by the Secretary-General (A/C.2/31/5 and A/C.2/31/9) containing the reports on the regional meetings already held within the Economic Commission for Latin America and the Economic Commission for Europe."

10. At the same meeting, the representative of Poland orally proposed an amendment to the draft resolution, calling for the insertion of a paragraph in which the General Assembly would express its gratitude to the Government and people of Canada for their contributions to the success of the Vancouver Conference and for their generosity and hospitality.

11. At the 45th meeting, on 17 November, the representative of Canada, on behalf of Argentina, Australia, Austria, Bolivia, Canada, Colombia, Cyprus, the Dominican Republic, Ecuador, Egypt, Ghana, Grenada, Jamaica, Jordan, Kenya, Mexico, New Zealand, Norway, Panama, the Philippines, Poland, Sweden, Turkey, Uganda and the United Republic of Tanzania, introduced a revised draft resolution (A/C.2/31/L.9/Rev.1), which Finland, Greece and Sri Lanka joined in sponsoring.

12. In connexion with the revised draft resolution, the Committee had before it a statement (A/C.2/31/L.12) of the administrative and financial implications of draft resolution A/C.2/31/L.9, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly, which was also pertinent to revised draft resolution A/C.2/31/L.9/Rev.1.

13. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.9/Rev.1 without a vote (see para. 55 below, draft resolution II).

14. Following the adoption of the revised draft resolution, statements were made by the representatives of China and Israel.

III

15. At the 27th meeting, on 1 November, the representative of Saudi Arabia introduced and orally revised a draft resolution (A/C.2/31/L.7) entitled "Special levy to save the biosphere". Subsequently, a revised version was circulated as document A/C.2/31/L.7/Rev.1, reading as follows:

"The General Assembly,

"Considering that the purposes and principles of the Charter of the United Nations were elaborated for the benefit of mankind as a whole,

"Taking into account the fact that the biosphere has no national frontiers and that its abuse may cause serious detriment to human, animal and vegetable life on mother earth,

"Recalling that the United Nations Environment Programme was established in order, *inter alia*, to tackle the

crucial problems created by the explosion of the world's population, which may double in three or four decades and thereby bring about, through hazardous human activities to meet the needs of mankind, dangerous situations that might become irreversible unless attended to at an early stage,

"Whereas the United Nations Environment Programme and the United Nations organs and the specialized agencies co-operating with it would not be able to cope with the global deterioration of the biosphere unless adequate financial resources were continuously made available for undertaking remedial tasks,

"Noting that, for many years to come, oil will remain the chief source of energy for the achievement of world economic progress and that it therefore affects the lives of people on a global scale,

"Noting further that economic progress cannot be divested of a multitude of physical factors that are harmful to man, unless such factors are eliminated, or their impact diminished, to a tolerable degree,

"1. Appeals to all oil-producing countries to consider introducing the levy of a value-added tax of one cent per barrel, which though insignificant, would amount to between 200 and 300 million dollars per annum, which shall be deposited in a special account of the United Nations Environment Programme to help save the biosphere for mankind;

"2. Requests the Secretary-General to initiate consultations with the oil-producing countries concerning the modalities for the establishment and management of such a special account, and to kindly report thereon to the General Assembly at its thirty-second session."

16. At the 45th meeting, on 17 November, on the proposal of the representative of Saudi Arabia, the Committee decided not to take a vote on draft resolution A/C.2/31/L.7/Rev.1, on the understanding that the Secretariat would take the draft resolution into account in any future relevant study.

17. Following the decision, statements were made by the representatives of Argentina, Mexico, the Union of Soviet Socialist Republics and Sri Lanka.

IV

18. At the 45th meeting, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced a draft resolution (A/C.2/31/L.13) entitled "Living conditions of the Palestinian people".

19. At the same meeting, the Assistant Secretary-General for Social Development and Humanitarian Affairs also made a statement concerning the draft resolution.

20. At the same meeting, statements were made by the representatives of the Ivory Coast, Nicaragua, Pakistan, Israel, the Union of Soviet Socialist Republics, Egypt and China.

21. Also at the same meeting, the Committee adopted draft resolution A/C.2/31/L.13 by a roll-call vote of 102 to 2, with 25 abstentions (see para. 55 below, draft resolution III). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea-Bissau, Guyana, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, 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, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Bolivia, Canada, Costa Rica, Denmark, Dominican Republic, Fiji, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

22. At the 46th meeting, on 18 November, statements concerning the draft resolution were made by the representatives of Japan, India, Spain, the United States of America, the Netherlands (on behalf of the nine members of the European Economic Community), Jordan, Cyprus, Nepal, Mexico, Israel and Papua New Guinea. The observer for the Palestine Liberation Organization also made a statement.

V

23. At the 58th meeting, on 1 December, the representative of Egypt, on behalf of Bangladesh, Cyprus, Egypt, Jamaica, Kenya, the Libyan Arab Republic, New Zealand and Sweden, introduced a draft resolution (A/C.2/31/L.23) entitled "Report of the Governing Council of the United Nations Environment Programme on the work of its fourth session", which he orally revised by deleting the words "with satisfaction" in operative paragraph 5.

24. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.23, as orally revised, without a vote (see para. 55 below, draft resolution IV).

25. Following the adoption of the draft resolution, statements were made by the representatives of China, Italy, the United Kingdom of Great Britain and Northern Ireland, the Federal Republic of Germany, the United States of America and Brazil.

VI

26. At the 58th meeting, the representative of Sweden, on behalf of Argentina, Canada, Egypt, Finland, Greece, Iran, Jamaica, Kenya, the Philippines, Sweden, the United States of America and Venezuela, introduced a draft resolution (A/C.2/31/L.30), entitled "Institutional arrangements for international environmental co-operation".

27. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.30 without a vote (see para. 55 below, draft resolution V).

VII

28. At the 58th meeting, the representative of the Dominican Republic, on behalf of Austria, Bolivia, Canada, Chile, Denmark, the Dominican Republic, Ecuador, El Salvador, Honduras, Jamaica, Japan, Kuwait, Mexico, Nicaragua, Panama, Paraguay, Portugal, Spain, the Sudan, the United Republic of Tanzania, Uruguay and Venezuela, introduced a draft resolution (A/C.2/31/L.33), entitled "Specific measures to meet the need for a decent living environment for the most vulnerable groups of society".

29. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.33 without a vote (see para. 55 below, draft resolution VI).

VIII

30. At the 59th meeting, on 3 December, the representative of Togo, on behalf of Austria, Ecuador, Mali, the Niger, Portugal, Senegal, Togo, Tunisia and the United Republic of Cameroon, introduced a revised draft resolution (A/C.2/31/L.25/Rev.2) entitled "Collaboration between the United Nations and non-governmental organizations with regard to world-wide intercommunal co-operation".

31. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.25/Rev.2 without a vote (see para. 55 below, draft resolution VII).

32. Following the adoption of the draft resolution, the representative of the United Kingdom made a statement.

IX

33. At the 59th meeting, the representative of Canada introduced a draft resolution (A/C.2/31/L.64) entitled "United Nations audio-visual information centre on human settlements", which he revised orally, inserting the words "for the latter" after the words "Canadian authorities" in operative paragraph 4, and adding the phrase "to ensure the widest possible use of the material by Governments and interested bodies, and calls for a review of the agreement in 1979" at the end of the paragraph.

34. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.64, as orally revised, without a vote (see para. 55 below, draft resolution VIII).

35. Following the adoption of the draft resolution, the representative of the Union of Soviet Socialist Republics made a statement.

X

36. At the 59th meeting, the Committee considered a draft resolution (A/C.2/31/L.70) entitled "Institutional arrangements for international co-operation in the field of human settlements", proposed by Mr. M. P. Lohani, Vice-Chairman of the Committee, on the basis of informal consultations. Introductory statements on the draft resolution were made by the Vice-Chairman and the representative of Canada.

37. At the same meeting, the representative of Mexico, on behalf of Bolivia, Chile, the Dominican Republic, Ecuador, Mexico, Panama, Paraguay, Uganda, the United Republic of Tanzania, Uruguay and Venezuela, withdrew the draft resolution submitted to the Committee in document A/C.2/31/L.22/Rev.1 entitled "Institutional arrangements for international co-operation on human settlements", which read as follows:

"The General Assembly,

"Recalling the report of the Secretary-General on Habitat: United Nations Conference on Human Settlements (A/31/156 and Add.1 and 2, Add.2/Corr.1 and Add.3),

"Recalling also Economic and Social Council resolutions 1882 (LVII) of 31 July 1974, 1914 (LVII) of 10 December 1974 and 2040 (LXI) of 5 August 1976, as well as General Assembly resolution 3327 (XXIX) of 16 December 1974, on the rationalization of the work of the International Habitat and Human Settlements Foundation and the work of the Centre for Housing, Building and Planning and other elements of the United Nations system,

"Having considered the report of Habitat: United Nations Conference on Human Settlements (A/CONF.70/15 and Corr.1), in particular the annex to Conference resolution 1 on programmes for international co-operation in the field of human settlements (ibid., chap. III),

"Noting that the Conference had adopted the preamble and sections I to IX of the annex to the above resolution but had left it to the General Assembly at its thirty-first session to take the final decision on the remaining section X, concerning the organizational link and location of the central human settlements secretariat,

"Recognizing that the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System is considering proposals that would have implications for institutional arrangements for international co-operation in the field of human settlements,

"Recognizing also that the momentum generated by Habitat: United Nations Conference on Human Settlements should be maintained by the making of decisions

on the basic and directly related issues at the current session,

"Considering that co-operation in the field of human settlements is one of the important means of implementing the new international economic order,

"I. INTERGOVERNMENTAL BODY FOR HUMAN SETTLEMENTS

"1. Endorses the preamble and sections I to IX of the annex to resolution 1 adopted by Habitat: United Nations Conference on Human Settlements;

"2. Calls upon the Economic and Social Council to dissolve its existing Committee on Housing, Building and Planning at its sixty-second session, to be held in April and May 1977;

"3. Decides to replace the Committee on Housing, Building and Planning by a Commission for Human Settlements, to be composed of 58 members elected by the General Assembly initially for a one-year term and thereafter for three-year terms, pending the relevant recommendations of the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System, and on the basis of equitable geographical distribution; the Commission shall carry out the objectives and functions stipulated in paragraphs 13 and 14 of the annex to resolution 1 of the Conference and shall also be the intergovernmental body for the United Nations Habitat and Human Settlements Foundation;

"4. Decides further that the Commission shall meet in 1977 and thereafter every year and report annually to the General Assembly through the Economic and Social Council.

"II. HUMAN SETTLEMENTS SECRETARIAT

"1. Decides that Habitat: United Nations Centre for Human Settlements shall be established as the Secretariat unit directly responsible for activities relating to human settlements within the United Nations system by consolidating the programmes and resources of the Centre for Housing, Building and Planning and selected resources (see A/31/156/Add.2 and Corr.1, annex II) of the Department of Economic and Social Affairs including those of the Office of Technical Co-operation; the Centre shall co-operate closely with the Department of Economic and Social Affairs and shall carry out the responsibilities laid down in paragraph 19 of the annex to resolution 1 of the Conference, within the terms of reference contained in paragraphs 29 to 31 of the annex;

"2. Decides also that at its thirty-second session, the General Assembly will consider the consolidation and strengthening of the Centre, as well as the geographical integration of the Foundation with the Centre;

"3. Decides further that the Centre shall be under the direction of an Assistant Secretary-General reporting directly to the Secretary-General of the United Nations;

"4. *Decides also* to consider the precise location of the integrated unit at its thirty-second session, taking full account of the restructuring proposals, financial and related issues.

"5. *Requests* the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System to give priority consideration to the question of institutional arrangements in the field of human settlements within the United Nations system in the light of the decisions in paragraphs 1 to 4 of the present resolution and of the over-all recommendations for international co-operation in this field contained in sections I to IX of the annex to resolution 1 of the Conference, and to submit its recommendations to the General Assembly at its thirty-second session, through the Economic and Social Council.

"III. REGIONAL COMMISSIONS

"1. *Recommends* that the allocation of the consolidated and available resources to the various regions should be made in the light of the recommendations and requirements of the different regions;

"2. *Recommends further* that this question should be a priority concern for the Commission for Human Settlements at its first session in 1977;

"3. *Requests* the regional commissions, the United Nations Environment Programme and the United Nations Development Programme, as well as global, regional and subregional financial institutions, among others, to give priority consideration to the questions of technical assistance and the funding of human settlements programmes as recommended in paragraphs 9 to 11 of the annex to resolution 1 of the Conference.

"IV. CO-ORDINATION BETWEEN THE PROGRAMMES OF THE ENVIRONMENT AND HUMAN SETTLEMENTS

"*Recognizing* the complexity of the interrelationship and interaction between human settlements and the environment,

"*Further recognizing* the need to establish a close working relationship between the programmes on the environment and those on human settlements,

"1. *Decides* that the executive heads of the two secretariats shall report at each meeting of the inter-governmental body of the other secretariat on the work of their own secretariats;

"2. *Also decides* that the staff resources of the United Nations Environment Programme now devoted to human settlements activities shall continue to remain with the United Nations Environment Programme so as to enable it to exercise effectively its catalytic and co-ordination responsibilities on the environmental aspects of human settlements."

38. In connexion with draft resolution A/C.2/31/L.22/Rev.1, the Committee had before it a revised state-

ment of administrative and financial implications submitted by the Secretary-General in accordance with rule 153 of the rules of procedure (A/C.2/31/L.32/Rev.1).

39. At the 59th meeting, the representative of Kenya, on behalf of Egypt and Kenya, withdrew the draft resolution submitted to the Committee in document A/C.2/31/L.24, entitled "Institutional arrangements for international co-operation in human settlements", which read as follows:

"*The General Assembly,*

"*Recalling* that the convening of Habitat: United Nations Conference on Human Settlements was recommended by the United Nations Conference on the Human Environment,

"*Recalling also* its resolution 3001 (XXVII), in which it decided to hold a United Nations Conference—Exposition on Human Settlements,

"*Recalling also* its resolution 3131 (XXVIII), in which it reaffirmed that the quality of human life must constitute the central concern of the United Nations Environment Programme and that therefore the enhancement of the total human habitat and the study of environmental problems having an immediate impact on man should be given the highest priority in the over-all programme,

"*Recalling further* its resolution 3325 (XXIX), in which, *inter alia*, it provided that the reports of the Preparatory Committee for the Conference should be submitted by the Secretary-General to the General Assembly through the Governing Council of the United Nations Environment Programme,

"*Having considered* the report of the Secretary-General on Habitat: United Nations Conference on Human Settlements (A/31/156 and Add.1 and 2, Add.2/Corr.1 and Add.3),

"*Reiterating* that the problems of human settlements should be dealt with urgently at the national, regional and international levels, with a view to improving the quality of life of all peoples, particularly in the developing countries,

"*Recognizing* the close interrelationship and interdependence between the natural and the man-made (human settlement) environment,

"1

"1. *Takes note* of resolution 1 of Habitat: United Nations Conference on Human Settlements on programmes for international co-operation in the field of human settlements (see A/CONF.70/15 and Corr.1, chap. III);

"2. *Reaffirms* that it has the ultimate responsibility for policy questions relating to human settlements and that, under its authority, as stipulated in Article 60 of the

Charter of the United Nations, the Economic and Social Council will continue to deal with policy and co-ordination matters;

"3. *Decides* that the Governing Council of the United Nations Environment Programme shall be the global intergovernmental body for human settlements;

"4. *Decides* that the Governing Council of the Programme, in addition to its mandate in the field of human settlements as stipulated in General Assembly resolution 3327 (XXIX), will have the objectives and functions listed in paragraphs 13 and 14 of the annex to resolution 1 of the Conference;

"5. *Invites* the Economic and Social Council to abolish at its organizational session in January 1977 its Committee on Housing, Building and Planning;

"II

"1. *Decides* to establish an effective secretariat as part of the United Nations Environment Programme, to serve as a focal point for human settlement action and co-ordination within the United Nations system;

"2. *Decides also* that the head of the secretariat for human settlements shall have the rank of Assistant Secretary-General;

"3. *Decides also* that the secretariat for human settlements shall comprise the posts and budgetary resources of the following:

"(a) The United Nations Habitat and Human Settlements Foundation;

"(b) The Centre for Housing, Building and Planning;

"(c) The Human Settlements Sections of the Division of Economic and Social Programmes of the United Nations Environment Programme;

"(d) As appropriate, selected posts and associate resources from relevant offices of the Department of Economic and Social Affairs;

"4. *Decides further* that the secretariat for human settlements, in addition to the present responsibilities of the Foundation and the Programme in the field of human settlements, shall also have the responsibilities listed in paragraph 19 of the annex to resolution 1 of the Conference;

"III

"1. *Invites* the governing bodies of the regional commissions to consider the establishment in their respective regions of intergovernmental regional committees on human settlements where such committees do not already exist;

"2. *Recommends* that the regional committees should be established as soon as possible, to co-ordinate their activities with the global intergovernmental body for human settlements and report to it through their respective regional commissions;

"3. *Recommends further* that the responsibility for implementing country, subregional and regional pro-

grammes should be gradually entrusted to regional organizations;

"4. *Recommends* that a proportion of the total human and budgetary resources available for human settlements activities should be placed at the disposal of the regional commissions for their programmes in the field of human settlements."

40. In connexion with draft resolution A/C.2/31/L.24, the Committee had before it a statement of administrative and financial implications, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure (A/C.2/31/L.66).

41. At the 59th meeting, the representative of Sierra Leone, on behalf of Algeria, India, Indonesia, Jamaica, Jordan, Nigeria, Sierra Leone, the Sudan, Tunisia and Yugoslavia, withdrew the draft resolution entitled "Institutional arrangements for international co-operation in human settlements", submitted to the Committee in document A/C.2/31/L.26, which read as follows:

"*The General Assembly,*

"*Having considered* the report of Habitat: United Nations Conference on Human Settlements (A/CONF.70/15 and Corr.1),

"*Taking note* of Economic and Social Council resolution 2040 (LXI) of 5 August 1976,

"*Bearing in mind* that the proposals under discussion in the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System will have far-reaching implications for the system as a whole,

"*Reiterating* that the problems of human settlements should be urgently dealt with at the international, regional and national levels with a view to improving the quality of life for all peoples, particularly in the developing countries,

"1. *Requests* all United Nations bodies concerned, particularly the United Nations Development Programme, the United Nations Environment Programme and the Centre for Housing, Building and Planning, to ensure that the recommendations of Habitat: United Nations Conference on Human Settlements shall be taken into account in their respective programmes related to human settlements, and to make their consultative services and resources available, as appropriate, for the implementation of national programmes of action and in strengthening regional co-operation in the field of human settlements;

"2. *Requests* the Economic and Social Council and the Governing Councils of the United Nations Environment Programme and the United Nations Development Programme to consider the recommendations of Habitat: United Nations Conference on Human Settlements for international co-operation, including institutional arrangements, and submit their views thereon to the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System;

"3. *Requests* the *Ad Hoc* Committee to consider the recommendations of the Conference regarding institutional arrangements, together with the views of the Economic and Social Council, the Governing Councils of the United Nations Environment Programme and the United Nations Development Programme and the governing bodies of the regional commissions and to submit to the General Assembly at its thirty-second session concrete recommendations on the institutional arrangements for human settlements within the United Nations."

42. At the 59th meeting, the representative of Japan, on behalf of Australia, Denmark, Japan, the Netherlands, New Zealand and the United Kingdom of Great Britain and Northern Ireland, withdrew the draft resolution entitled "Institutional arrangements for international co-operation and human settlements", submitted to the Committee in document A/C.2/31/L.41, which read as follows:

"The General Assembly,

"Taking note of the report of the Secretary-General on Habitat: United Nations Conference on Human Settlements (A/31/156 and Add.1 and 2, Add.2/Corr.1 and Add.3),

"Taking note also of Economic and Social Council resolution 2040 (LXI) of 5 August 1976,

"Having considered the report of Habitat: United Nations Conference on Human Settlements (A/CONF.70/15 and Corr.1), in particular the annex to Conference resolution 1 on programmes for international co-operation in the field of human settlements (*ibid.*, chap. III),

"Noting that the Conference had adopted the preamble and sections 1 to IX of the annex to the above resolution by consensus but had left it to the General Assembly at its thirty-first session to take the final decision on the remaining section X, concerning the organizational link and location of the central human settlements secretariat,

"Noting also the report of the Secretary-General on the financial implications of the alternative institutional arrangements proposed in Conference resolution 1 (A/31/156/Add.2 and Corr.1),

"Recognizing that the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System is considering proposals that would have implications for institutional arrangements for international co-operation in the field of human settlements,

"Recognizing also that the momentum of Habitat should be maintained,

"Considering that the most appropriate and effective action for dealing with human settlements problems is action at the national level, but that national action will require to be supported by the international community, both at the global and regional levels,

1. RECOMMENDATIONS OF THE HABITAT CONFERENCE FOR INTERNATIONAL CO-OPERATION

"1. *Takes fully into account* the preamble and sections I to IX of the annex to resolution 1 of Habitat: United Nations Conference on Human Settlements;

"2. *Decides* to defer until its thirty-second session any final decision on the type of intergovernmental body for human settlements and on the organizational link and location of the human settlements secretariat, when the guidelines from the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System will be in hand, the financial implications of alternative institutional arrangements will be worked out and studied in greater depth, and the regional consultations will have been completed;

"II. INTERGOVERNMENTAL BODY FOR HUMAN SETTLEMENTS

"1. *Decides* in the interim that the Economic and Social Council shall assume responsibility for monitoring human settlements activities in the United Nations system and for providing the intergovernmental forum for continuing the dialogue on human settlements problems;

"2. *Further decides* to this end that the Council shall hold a special session on the subject at an appropriate time during 1977 and report to the General Assembly at its thirty-second session;

"III. HUMAN SETTLEMENTS SECRETARIAT

"1. *Decides* that, in the interim period, a Centre for Human Settlements shall be established at United Nations Headquarters by consolidating the programmes and resources of the Centre for Housing, Building and Planning and selected resources of the Department of Economic and Social Affairs, including those of the Office of Technical Co-operation; the Centre shall carry out the responsibilities laid down in paragraph 19 of the annex to Conference resolution 1 within the terms of reference and functions set out in paragraphs 29-31;

"2. *Decides also* that, in the interim period, the Centre for Human Settlements shall be headed by an Assistant Secretary-General who shall be nominated by the Secretary-General, subject to further review in the light of the recommendations of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System;

"3. *Decides further* that, in the interim period, the United Nations Habitat and Human Settlements Foundation shall continue to function, as at present, at Nairobi, but that its activities shall be co-ordinated with those of the Centre for Human Settlements at Headquarters and of the regional commissions in this field under the over-all direction of the interim intergovernmental body, that is, the Economic and Social Council, in accordance with Council resolution 1914 (LVII) of 10 December 1974;

"4. *Requests* the Secretary-General, as an interim arrangement, to establish an interagency co-ordination

sub-committee on human settlements under the Administrative Committee on Co-ordination, to assist in effecting interagency co-ordination between the organizations concerned with human settlements, including those at Headquarters, at Nairobi and in the regional commissions;

"5. *Decides* to consider in the second stage, at its thirty-second session, the total consolidation, under a single administrative structure, of the activities, programmes and resources of the Centre for Human Settlements, the United Nations Habitat and Human Settlements Foundation and the appropriate section of the Division of Economic and Social Programmes of the United Nations Environment Programme directly concerned with human settlements, with the exception of the posts required by the United Nations Environment Programme to exercise its responsibilities for the environmental aspects and the consequences of human settlements planning;

"6. *Decides also* to consider at its thirty-second session the type of intergovernmental body and the precise location of the integrated unit, taking full account of any relevant proposals from the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System and financial and related issues;

"IV. REGIONAL CO-OPERATION IN THE FIELD OF HUMAN SETTLEMENTS

"1. *Requests* all the relevant United Nations bodies concerned with human settlements, including the United Nations Environment Programme and the United Nations Development Programme, to make their consultative services and resources available, as appropriate, towards the implementation of national programmes of action and in strengthening regional co-operation in the field of human settlements;

"2. *Also requests* the interim intergovernmental body to consider intensification of the programmes of the regional commissions dealing with human settlements problems and the allocation of a proportion of the total human and budgetary resources available within the existing institutions to the regional commissions for this purpose;

"V. RESTRUCTURING OF THE ECONOMIC AND SOCIAL SECTORS OF THE UNITED NATIONS SYSTEM

"1. *Requests* the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System to convey to the Economic and Social Council at its sixty-third session any conclusions it may have reached in the light of its over-all responsibilities which might have implications for the institutional arrangements for work in connexion with human settlements."

43. In connexion with draft resolution A/C.2/31/L.41 the Committee had before it a statement of administrative and financial implications submitted by the Secretary-General in accordance with rule 153 of the rules of procedure (A/C.2/31/L.67).

44. At the 59th meeting, the Committee agreed that since the General Assembly under draft resolution A/C.2/31/L.70 would defer until its thirty-second session a decision on the possible location of the Habitat unit, and since draft resolution A/C.2/31/L.26 had been withdrawn, the issuance of a further addendum to the report of the Secretary-General submitted in accordance with paragraph 10 of General Assembly resolution 3438 (XXX) of 9 December 1975 (A/31/156 and Add.1 and 2, Add.2/Corr.1 and Add.3) was no longer required at the current session.

45. At the 60th meeting, on 6 December, the Committee adopted draft resolution A/C.2/31/L.70 without a vote (see para. 55 below, draft resolution IX).

46. Following the adoption of the draft resolution, statements were made by the representatives of the United Kingdom, Italy, the Federal Republic of Germany and Argentina.

XI

47. At the 57th meeting, on 30 November, the representative of the Philippines introduced a draft resolution (A/C.2/31/L.19), entitled "United Nations Habitat and Human Settlements Foundation", which he revised orally, adding the word "voluntarily" before the words "to support" in operative paragraph 4. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolution 3327 (XXIX) of 16 December 1974, by which it established the United Nations Habitat and Human Settlements Foundation,

"Recalling further the objectives of the Foundation as set out in the annex to resolution 3327 (XXIX), particularly with regard to its innovative character, as well as its capacity to provide financial assistance and contribute services, technical assistance, equipment and materials for the improvement of human settlements and the management of the human habitat,

"Conscious of the need to maintain the institutional integrity, flexibility and operational capacity of the Foundation in the light of its terms of reference,

"Bearing in mind the contribution that the Foundation could make to promoting and strengthening regional co-operation in the field of human settlements,

"Desirous of promoting greater co-operation between the Foundation and the non-governmental organizations and appropriate financial or other institutions in implementing the objectives of the Foundation,

"Recognizing the importance of disseminating information among peoples and Member States and mobilizing public opinion in support of the objectives and policies of the Foundation, as called for in General Assembly resolution 3434 (XXX) of 9 December 1975,

"Noting the priority accorded to national action and regional and international co-operation for the improve-

ment of human settlements, as a result of Habitat: United Nations Conference on Human Settlements, held at Vancouver from 31 May to 11 June 1976,

“1. *Affirms* the significant role of the Foundation in promoting the implementation of the objectives and recommendations of Habitat: United Nations Conference on Human Settlements;

“2. *Invites* the Foundation to promote regional co-operation for the improvement of human settlements, and to that end, to strengthen its co-operation with regional and national financial and technical institutions and with any regional bodies that may be established for regional co-operation in the human settlements field;

“3. *Invites* non-governmental organizations, financial and other institutions, as appropriate, to collaborate with the Foundation, to facilitate the effective expansion of its services, information activities and programmes for human settlements;

“4. *Urges* Governments, especially those of developed countries, to support the Foundation, to enable it to promote the implementation of the objectives and recommendations of Habitat: United Nations Conference on Human Settlements, within the framework of its functions and responsibilities under General Assembly resolution 3327 (XXIX);

“5. *Affirms* that the Foundation should be appropriately strengthened so that it may achieve the full potential envisaged for it by the General Assembly.”

A revised version of the draft resolution submitted by the Philippines (A/C.2/31/L.19/Rev.1) was circulated on 2 December.

48. At the 61st meeting, on 7 December, the representative of the Philippines introduced a further revised version of the draft resolution (A/C.2/31/L.19/Rev.2) which read as follows:

“*The General Assembly,*

“*Recalling* its resolution 3327 (XXIX) of 16 December 1974 which sets out in its annex the objectives of the United Nations Habitat and Human Settlements Foundation, as well as Economic and Social Council resolution 1914 (LVII) of 10 December 1974,

“*Desirous* of promoting greater co-operation between the Foundation and the non-governmental organizations and appropriate financial or other institutions in implementing the objectives of the Foundation,

“*Recognizing* the importance of disseminating information among peoples and Member States and mobilizing public opinion in support of the objectives and policies of the Foundation, as called for in General Assembly resolution 3434 (XXX) of 9 December 1975,

“*Noting* the priority accorded to national action and regional and international co-operation for the improvement of human settlements, as a result of Habitat: United

Nations Conference on Human Settlements, held at Vancouver from 31 May to 11 June 1976,

“1. *Affirms* the significant role of the Foundation in promoting within its sphere of competence the implementation of the objectives and recommendations of Habitat: United Nations Conference on Human Settlements;

“2. *Invites* non-governmental organizations, financial and other institutions, as appropriate, to collaborate with the Foundation, to facilitate the effective implementation of its services, information activities and programmes for human settlements;

“3. *Urges* Governments, especially those of developed countries, to support the Foundation on a voluntary basis, to enable it to become a more effective instrument for the improvement of human settlements, particularly in the developing countries.”

49. At the same meeting, statements were made by the representatives of the United Kingdom, Uganda, Italy, the Netherlands, Ecuador, Japan, Sweden and Spain.

50. At the same meeting, the representative of the Philippines withdrew draft resolution A/C.2/31/L.19/Rev.2 and orally proposed the following draft decision:

“The General Assembly decides to transmit to the Economic and Social Council for consideration at its sixty-third session the revised draft resolution submitted by the Philippines (A/C.2/31/L.19/Rev.1), the text of which reads as follows: . . .” [For the text of the revised draft resolution, see para. 56 below, draft decision I.]

51. At the same meeting, the representative of the United Kingdom orally proposed an amendment to the draft decision proposed by the Philippines which would insert after the words “the Economic and Social Council for consideration at its sixty-third session”, the words “together with the relevant part of the report of the Second Committee on agenda item 60”. The representative of the Philippines accepted the amendment proposed by the representative of the United Kingdom.

52. At the same meeting, the Committee adopted the draft decision proposed by the Philippines, as orally amended, without a vote (see para. 56 below, draft decision I).

53. Following the adoption of the draft decision, the representative of Uganda made a statement.

XII

54. At the 61st meeting, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it should take note of the report of the Secretary-General on criteria governing multilateral financing of housing and human settlements (A/10225) and of the comments and note thereon contained in documents E/5852 and Add.1 and UNEP/GC/78 (see para. 56 below, draft decision I).

Recommendations of the Second Committee

55. The Second Committee recommends to the General Assembly the adoption of draft resolutions I-IX below:

DRAFT RESOLUTION I

United Nations Conference on Desertification

The General Assembly,

Recalling its resolution 3337 (XXIX) of 17 December 1974, in which it decided to initiate concerted international action to combat desertification,

Recalling further its resolution 3511 (XXX) of 15 December 1975 on the United Nations Conference on Desertification,

Having considered the relevant parts of the report of the Governing Council of the United Nations Environment Programme on its fourth session relating to the implementation of General Assembly resolution 3337 (XXIX) (A/31/25, chap. VII and annex II),

Noting decision 73 (IV) of 13 April 1976 of the Governing Council of the United Nations Environment Programme (*ibid.*, annex I) acting in its capacity as the intergovernmental preparatory body for the Conference,

Noting also Economic and Social Council resolution 2013 (LXI) of 3 August 1976,

1. *Urges* Member States to continue to co-operate with the secretariat of the United Nations Conference on Desertification in the preparations for the Conference, including the case studies and the proposed transnational activities to combat desertification;

2. *Requests* the Executive Director of the United Nations Environment Programme, in addition to his other responsibilities as Executive Director, to assume the responsibility of Secretary-General of the Conference;

3. *Requests* the Secretary-General to invite:

(a) All States to participate in the Conference;

(b) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices in the capacity of observers, in accordance with Assembly resolution 3237 (XXIX) of 22 November 1974;

(c) Representatives of the national liberation movements recognized in its region by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(d) The United Nations Council for Namibia to participate as an observer;

(e) The specialized agencies and the International Atomic Energy Agency, as well as interested organs of the United Nations, to be represented at the Conference;

(f) Interested intergovernmental organizations to be represented by observers;

(g) Interested non-governmental organizations in consultative status with the Economic and Social Council to be represented by observers;

4. *Authorizes* the Secretary-General to invite other interested non-governmental organizations that might have a specific contribution to make to the work of the Conference to be represented by observers;

5. *Requests* the Secretary-General to ensure that the necessary arrangements are made for the effective participation in the Conference of the representatives referred to in paragraph 3 (b) and (c) above, including the requisite financial provisions for their travel expenses and per diem;

6. *Decides* to include Arabic as a language of the Conference;

7. *Approves* the provisional agenda for the Conference annexed to the present resolution;

8. *Requests* the Secretary-General to report on the results of the Conference, through the Economic and Social Council, to the General Assembly at its thirty-second session.

ANNEX

Provisional agenda for the United Nations Conference on Desertification

1. Opening of the Conference and election of the President
2. Organization of the work of the Conference:
 - (a) Adoption of the rules of procedure;
 - (b) Adoption of the agenda,
 - (c) Establishment of committees and other sessional bodies.
 - (d) Election of officers other than the President;
 - (e) Credentials of representatives to the Conference: appointment of the Credentials Committee
3. General debate
4. Processes and causes of desertification
5. Plan of action to combat desertification
6. Credentials of representatives to the Conference: report of the Credentials Committee
7. Adoption of the report of the Conference

DRAFT RESOLUTION II

Habitat: United Nations Conference on Human Settlements

The General Assembly,

Recalling its resolutions 3001 (XXVII) of 15 December 1972, 3128 (XXVIII) of 13 December 1973, 3325 (XXIX) of 16 December 1974 and 3438 (XXX) of 9 December 1975 on the preparations for Habitat: United Nations Conference on Human Settlements,

Considering that solutions to human settlements problems around the world are urgently required,

Bearing in mind the Declaration and the Programme of Action on the Establishment of a New International Economic Order¹ and the Charter of Economic Rights and Duties of States² and the importance for the International Development Strategy for the Second United Nations Development Decade of improving human settlements around the world as a major component in improving the quality of life,

Noting that Habitat: United Nations Conference on Human Settlements was held at Vancouver from 31 May to 11 June 1976:

(a) To stimulate innovation, serve as a means for the exchange of experience and ensure the widest possible dissemination of new ideas and technologies in the field of human settlements,

(b) To formulate and make recommendations for an international programme in this field which will assist Governments,

(c) To stimulate interest in developing appropriate financial systems and institutions for human settlements among those making financial resources available and those in a position to use such resources, considering that the most appropriate and effective action for dealing with human settlements problems is action at the national level, but that such action will require assistance and co-operation between and among all States,

1. *Expresses its appreciation and thanks* to the Government of Canada for the excellent organization, facilities and generous hospitality rendered for Habitat: United Nations Conference on Human Settlements;

2. *Expresses appreciation* to the Governing Council of the United Nations Environment Programme for the guidance as well as the generous support it provided for the Conference;

3. *Takes note* of the report of the Conference including the Vancouver Declaration on Human Settlements, 1976 (A/CONF.70/15 and Corr.1, chap. I), the recommendations for national action (*ibid.*, chap. II) and the resolutions for international co-operation (*ibid.*, chap. III);

4. *Commends* the Secretary-General of the Conference on the successful preparation and organization of the Conference;

5. *Urges* the Government of all Member States to consider, on a priority basis, the recommendations for national action contained in the report and to take those recommendations into account when reviewing their existing policies and strategies in the field of human settlements;

¹ General Assembly resolutions 3201 (S-VI) and 3202 (S-VI); see also General Assembly resolution 3362 (S-VII) entitled "Development and international economic co-operation".

² General Assembly resolution 3281 (XXIX).

6. *Calls upon* the regional commissions and urges all other international organizations within and outside the United Nations system to take intensified and sustained action in support of national efforts, including exchanges of information and assistance, at the request of Governments, in the formulation, design, implementation and evaluation of projects to improve human settlements;

7. *Requests* the Secretary-General to convene regional meetings, as appropriate, within the framework of the regional commissions, to establish guidelines for the co-ordination, within each region, of action to be taken in order to deal with human settlements and to report to the General Assembly on the results of their deliberations no later than at the thirty-second session;

8. *Takes note* of the notes by the Secretary-General (A/C.2/31/5 and A/C.2/31/9) transmitting reports on the regional meetings already held within the Economic Commission for Latin America and the Economic Commission for Europe.

DRAFT RESOLUTION III

Living conditions of the Palestinian people

The General Assembly,

Recalling the Vancouver Declaration on Human Settlements, 1976 (A/CONF.70/15 and Corr.1, chap. I), and the recommendations for national action (*ibid.*, chap. II) adopted by Habitat: United Nations Conference on Human Settlements, held at Vancouver from 31 May to 11 June 1976,

Recalling also resolution 3 of the Conference (*ibid.*, chap. III) on living conditions of the Palestinians in occupied territories, and Economic and Social Council resolution 2026 (LXI) of 4 August 1976,

Recalling further the recommendation adopted at the Regional Preparatory Conference for Asia and the Pacific, held at Teheran from 14 to 19 June 1976,

1. *Requests* the Secretary-General, in collaboration with the relevant United Nations organs and specialized agencies, to prepare and submit to the General Assembly at its thirty-second session a report on the living conditions of the Palestinian people in the occupied territories;

2. *Requests* the Secretary-General, in preparing the above-mentioned report, to consult and co-operate with the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Urges* all States to co-operate with the Secretary-General in this matter.

DRAFT RESOLUTION IV

Report of the Governing Council of the United Nations Environment Programme

The General Assembly,

Having considered the report of the Governing Council of the United Nations Environment Programme on the work of its fourth session (A/31/25), and the statement of the Executive Director introducing the report (19th meeting),

Recalling its resolution 2997 (XXVII) of 15 December 1972,

Recalling also the Declaration and the Programme of Action on the Establishment of a New International Economic Order,³ as well as the Charter of Economic Rights and Duties of States,⁴ which laid down the foundations of the new international economic order,

Recalling further Economic and Social Council resolution 2013 (LXI) of 3 August 1976 relating to the report of the Governing Council of the United Nations Environment Programme on its fourth session,

Reaffirming that there can be no sustained development or meaningful growth without a clear commitment at the same time to preserving the environment and promoting the rational use of natural resources, with an eye to the needs of the future generations,

1. *Takes note with satisfaction* of the report of the Governing Council of the United Nations Environment Programme on the work of its fourth session;

2. *Endorses* paragraph 3 of Economic and Social Council resolution 2013 (LXI) on decision 55 (IV) of 13 April 1976 of the Governing Council, concerning the active participation of the United Nations Environment Programme in the preparations for the United Nations Water Conference (see A/31/25, annex I);

3. *Reaffirms* the belief expressed by the Governing Council in section III, paragraphs 1 and 2, of its decision 47 (IV) of 14 April 1976 (*ibid.*) that the environment should be a major consideration in international discussions on development;

4. *Notes with satisfaction* the report of the Executive Director on the status of the United Nations Environment Fund⁵ and urges Governments to extend their continuing financial support to the Fund;

5. *Notes* the report of the Secretary-General transmitting the interim report of the Executive Director on the study of the material remnants of war, particularly mines, and their effects on the environment (A/31/210) and requests the Governing Council to ensure its completion, taking into account the views expressed during the consideration of this matter;

6. *Notes* the report of the Secretary-General on international conventions and protocols in the field of the environment (A/31/211) and reiterates the concern expressed in resolution 3436 (XXX) of 9 December 1975 that existing international conventions and protocols in the field of the environment have not yet received the wide acceptance and application they deserve.

³ General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).

⁴ General Assembly resolution 3281 (XXIX).

⁵ UNEP/GC/57 and Corr.1

DRAFT RESOLUTION V

Institutional arrangements for international environmental co-operation

The General Assembly,

Recalling its resolution 2997 (XXVII) of 15 December 1972, particularly section IV thereof, in which it decided to review as appropriate, at the thirty-first session, the institutional arrangements for international environmental co-operation,

Taking note of decision 78 (IV) of 14 April 1976 of the Governing Council of the United Nations Environment Programme (see A/31/25, annex I),

Recalling that in its resolution 3362 (S-VII) of 16 September 1975 it established the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System,

1. *Endorses* the view of the Governing Council of the United Nations Environment Programme that the institutional arrangements for international environmental co-operation, as stipulated in General Assembly resolution 2997 (XXVII), namely, the Governing Council of the United Nations Environment Programme, the Environment Secretariat, the Fund of the United Nations Environment Programme and the Environment Co-ordination Board, appear adequate and sound;

2. *Endorses also* the view expressed by the Governing Council in its decision 78 B (IV) that, in any decision about the restructuring of the economic and social sectors of the United Nations system, the following elements relating to the place of environmental considerations within the system should be observed, strengthened and given institutional visibility:

“The United Nations system should maintain, within a clearly identified institutional arrangement, focused on the essential catalytic and co-ordinating role in the field of the environment, the capacity:

“(a) To take responsibility for environmental issues of a global nature;

“(b) To provide guidance and leadership in international environmental affairs;

“(c) To offer suitable forums and facilities for treaty-making in the field of the environment at the global and regional levels;

“(d) To identify, through the programmatic approach, emerging environmental problems and propose solutions;

“(e) To manage a separate environment fund as an integral part of the programmatic process;

“(f) To advocate and articulate the interdependence of environment and development;

“(g) To respond to the environmental problems of both developed and developing countries;

“(h) To respond to the environmental problems of human settlements, which are an integral part of the human environment;”

3. *Decides* to maintain at this stage the present arrangements, without prejudice to any decision the General Assembly may take as regards the restructuring of the economic and social sectors of the United Nations system.

DRAFT RESOLUTION VI

Specific measures to meet the need for a decent living environment for the most vulnerable groups of society

The General Assembly,

Bearing in mind that Habitat: United Nations Conference on Human Settlements, in its recommendations A.4, B.3, B.12, C.4, C.14, C.15 and E.4, called for specific measures to be taken to meet the need for a decent living environment for the most vulnerable groups of society (see A/CONF.70/15 and Corr.1, chap. II),

Considering that human settlements policies are inseparable from the goals of the social and economic sectors, and that consequently the solutions to the problems of such settlements must be conceived as an integral part of the development process of individual nations and the world community,

1. *Requests* Member States and the Secretary-General, when planning the implementation of the aforementioned recommendations adopted at Habitat: United Nations Conference on Human Settlements, to bear in mind the measures that protect the decent living environment of the most vulnerable social groups, such as children, youth, the elderly and the handicapped, so that they may live in an environment which is equally accessible to all individuals;

2. *Further requests* the Secretary-General to report to the General Assembly at its thirty-second session, through the Economic and Social Council, on the measures taken and the results obtained.

DRAFT RESOLUTION VII

Collaboration between the United Nations and non-governmental organizations with regard to world-wide intercommunal co-operation

The General Assembly,

Recalling the results of Habitat: United Nations Conference on Human Settlements,

Aware of the importance and global nature of the phenomenon of urbanization,

Noting that uncontrolled urbanization is one of the causes of the deterioration in living conditions in human settlements,

Stressing the need for harmonization of intergovernmental action and intercommunal action with regard to human settlements,

Recognizing the role that the competent non-governmental organizations can play in solving the problems facing local communities,

Noting that non-governmental organizations such as the United Towns Organization and the International Union of Local Authorities, which are in consultative status, in category I, with the Economic and Social Council, have offered their collaboration with the United Nations in the field of human settlements,

Recalling its resolution 2861 (XXVI) of 20 December 1971 on world-wide intercommunal co-operation, which stressed the role played in that sphere by the United Towns Organization,

Recalling further Economic and Social Council resolution 1738 (LIV) of 4 May 1973 on international co-operation between municipalities,

1. *Invites* the Secretary-General to ensure that the international bodies responsible for implementing the relevant recommendations of Habitat: United Nations Conference on Human Settlements:

(a) Study the specific possibilities and effective conditions for collaboration between the United Nations and the non-governmental organizations concerned;

(b) Draw up with those organizations programmes of collaboration;

2. *Requests* the Secretary-General to report to the Economic and Social Council at its sixty-fifth session on the evolution of those programmes.

DRAFT RESOLUTION VIII

United Nations audio-visual information centre on human settlements

The General Assembly,

Noting resolution 5 of Habitat: United Nations Conference on Human Settlements on post-Conference use of audio-visual material (see A/CONF.70/15 and Corr.1, chap. III),

Expressing its appreciation for the support and assistance in preparing the audio-visual material for the Conference provided by national and international organizations, particularly the United Nations Environment Programme,

Convinced that the audio-visual and related material prepared for the Conference constitutes an information resource of continuing value for the effective implementation of recommendations for national action, programmes of international co-operation and the realization of goals in the field of human settlements established by the Conference,

Recognizing that prompt and effective utilization of the information resource created for the Conference is essential if maximum benefit is to be derived from the considerable investment in that resource, particularly its audio-visual component,

Bearing in mind the possibility of evolving regional audio-visual centres associated with regional arrangements for training, education, research and information exchange,

Expressing its appreciation also for the undertaking by Canadian authorities regarding the post-Conference use and dissemination of the audio-visual material prepared for the Conference,

1. *Decides* to establish a United Nations Audio-Visual Information Centre on Human Settlements;

2. *Invites* all participants in Habitat: United Nations Conference on Human Settlements to transfer, as appropriate, to the Secretary-General or his designated agents the internegatives and international copyright of their audio-visual material prepared for and made available to the Conference, including material prepared with the assistance of the United Nations Environment Programme;

3. *Invites* Governments of Member States, as an important part of a programme of augmenting the audio-visual material on human settlements, to make available to the United Nations Audio-Visual Information Centre on Human Settlements new or enriched audio-visual presentations prepared for their programmes of national action;

4. *Authorizes* the Secretary-General to conclude an agreement with the appropriate Canadian authorities for the latter to provide the facilities and financial support to the United Nations Audio-Visual Information Centre on Human Settlements to carry out the Centre's responsibilities for the custody, reproduction and international distribution, for the period up to March 1980, of the audio-visual material prepared for the Conference, to ensure the widest possible use of the material by Governments and interested bodies, and calls for a review of the agreement in 1979.

DRAFT RESOLUTION IX

Institutional arrangements for international co-operation in the field of human settlements

The General Assembly,

Having considered the report of Habitat: United Nations Conference on Human Settlements (A/CONF.70/15 and Corr.1), in particular the annex to Conference resolution 1 on programmes for international co-operation (*ibid.*, chap. III),

Taking note of Economic and Social Council resolution 2040 (LXI) of 5 August 1976,

Recognizing that the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System is considering proposals that would have implications for institutional arrangements for international co-operation in the field of human settlements,

Considering that the most appropriate and effective action at the national level, but that action is also required at the regional and global levels with a view to improving

the quality of life for all peoples, particularly in the developing countries,

Recognizing also that the momentum of the Conference must be maintained through further action and decisions in the United Nations system,

Considering also that co-operation in the field of human settlements is one of the important means of fostering the goals of over-all social and economic development,

Taking into account that further consideration is required with respect to definitive institutional arrangements for human settlements activities within the United Nations system,

I

Recommendations for international co-operation

1. *Takes into account* the paragraphs agreed to by Habitat: United Nations Conference on Human Settlements, as contained in the preamble and sections I to IX of the annex to Conference resolution I, with due respect to the foot-note to section X of that annex;

2. *Decides* to defer until its thirty-second session the decision on the type of definitive intergovernmental body for human settlements and on the organizational link and location of the human settlements secretariat, when the guidelines from the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System will be in hand, the financial implications of alternative institutional arrangements will be worked out and studied in greater depth, and the regional consultations will have been completed;

II

Intergovernmental body for human settlements

1. *Requests* the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System to make available to the Economic and Social Council at its sixty-third session any conclusions it has reached in the light of its over-all responsibilities which might have implications for institutional arrangements for human settlements;

2. *Requests* the Economic and Social Council to devote the necessary time at the outset of its sixty-third session to the examination of the developments in human settlements and the follow-up to Habitat: United Nations Conference on Human Settlements;

3. *Recommends* that these meetings of the Economic and Social Council should be at the expert or highest appropriate level and with the active participation of all interested delegations and that the Council at its organizational session for 1977 should arrange the necessary modalities to this end;

4. *Requests* the Economic and Social Council at its sixty-third session, as part of its agenda, to consider the report of the Secretary-General referred to in section III

paragraph 1, below, together with the view of the *Ad Hoc* Committee and of the regional commissions, with a view to taking action on the recommendations of the Conference regarding institutional arrangements, bearing in mind the terms of reference contained in paragraphs 29 to 31 of the annex to Conference resolution 1;

5. *Further requests* the Economic and Social Council at its sixty-third session to submit to the General Assembly at its thirty-second session concrete recommendations on definitive institutional arrangements for human settlements within the United Nations;

6. *Decides* to take action on those recommendations, at the latest at its thirty-second session, taking into account the conclusions of the *Ad Hoc* Committee;

III

Secretariat arrangements

1. *Requests* the Secretary-General, as an interim arrangement, to ensure, through the appropriate machinery of the Administrative Committee on Co-ordination, the co-ordination of the work of all the United Nations bodies concerned with respect to their activities in the human settlements field and to report to the Economic and Social Council at its sixty-third session on the progress made;

2. *Requests* that, since definitive arrangements for human settlements are yet to be decided upon, the Secretary-General should take appropriate measures to ensure effective preparations for the discussions on human settlements questions at the sixty-third session of the Economic and Social Council, bearing in mind the contributions made by the relevant components of the United Nations system as represented in the Administrative Committee on Co-ordination;

3. *Requests* all the United Nations bodies concerned, particularly the United Nations Development Programme, the United Nations Environment Programme, the Centre for Housing, Building and Planning and the United Nations Habitat and Human Settlements Foundation, to ensure that the recommendations of Habitat: United Nations Conference on Human Settlements are taken into account in their respective programmes related to human settlements and within their respective terms of reference, and to make their consultative services and resources available, as appropriate, for the implementation of national programmes of action and in strengthening regional co-operation in the field of human settlements;

IV

Regional commissions

Requests in this regard the United Nations bodies concerned, particularly the United Nations Development Programme, the United Nations Environment Programme and the Centre for Housing, Building and Planning, to give all possible support to the regional commissions in the strengthening of regional co-operation in the field of human settlements and further requests the regional commissions to report to the Economic and Social Council at its sixty-third session on the results of regional co-operation in

human settlements, including the progress made in the establishment of the governmental regional committees on human settlements.

56. The Second Committee also recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

United Nations Habitat and Human Settlements Foundation

The General Assembly decides to transmit to the Economic and Social Council for consideration at its sixty-third session, together with the relevant part of the report of the Second Committee on agenda item 60, the revised draft resolution submitted by the Philippines (A/C.2/31/L.19/Rev.1) the text of which reads as follows:

“The General Assembly,

“Recalling its resolution 3327 (XXIX) of 16 December 1974 and Economic and Social Council resolution 1914 (LVII) of 10 December 1974,

“Recalling further the objectives of the United Nations Habitat and Human Settlements Foundation as set out in the annex to resolution 3327 (XXIX), particularly with regard to its innovative character, as well as its capacity to provide financial assistance and contribute services, technical assistance, equipment and materials for the improvement of human settlements and the management of the human habitat,

“Conscious of the need to maintain the integrity, flexibility and functional capacity of the Foundation,

“Desirous of promoting greater co-operation between the Foundation and the non-governmental organizations and appropriate financial or other institutions in implementing the objectives of the Foundation,

“Recognizing the importance of disseminating information among peoples and Member States and mobilizing public opinion in support of the objectives and policies of the Foundation, as called for in General Assembly resolution 3434 (XXX) of 9 December 1975,

“Noting the priority accorded to national action and regional and international co-operation for the improvement of human settlements, as a result of Habitat: United Nations Conference on Human Settlements, held at Vancouver from 31 May to 11 June 1976,

“1. Affirms the significant role of the United Nations Habitat and Human Settlements Foundation in promoting the implementation of the objectives and recommendations of Habitat: United Nations Conference on Human Settlements;

“2. Invites the Foundation to promote regional co-operation for the improvement of human settlements;

“3. Invites further non-governmental organizations, financial and other institutions, as appropriate, to collaborate with the Foundation in order to facilitate the

effective expansion of its services, information activities and programmes for human settlements;

"4. Urges Governments, especially those of developed countries, to support the Foundation on a voluntary basis, to enable it to become a more effective instrument for the improvement of human settlements and for the promotion of the implementation of the objectives and recommendations of the Conference;

"5. Affirms that the Foundation should be appropriately strengthened so that it may achieve the full potential envisaged for it by the General Assembly."

DRAFT DECISION II

Criteria governing multilateral financing of housing and human settlements

The General Assembly decides to take note of the report of the Secretary-General on criteria governing multilateral financing of housing and human settlements (A/10225) and of the comments and note thereon submitted by the World Bank and the United Nations Development Programme (E/5852 and Add.1) and by the Executive Director of the United Nations Environment Programme (UNEP/GC/78).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meeting, on 16 December 1976, the General Assembly adopted draft resolutions I to IX submitted by the Second Committee in its report (A/31/415, para. 55). Draft resolutions I and II and IV to IX were adopted without a vote; a recorded vote was requested on draft resolution III, which was adopted by 107 votes to 2, with 26 abstentions. For the final texts, see resolutions 31/108 to 31/116.⁶

At the same meeting, the Assembly adopted draft decisions I and II recommended by the Second Committee in paragraph 56 of its report (A/31/415) (see decision 31/411⁶).

At its 107th plenary meeting, on 22 December 1976, the General Assembly, on the proposal of the Secretary-General (A/31/464), elected Mr. Mostafa Kamal Tolba Executive Director of the United Nations Environment Programme for a four-year term beginning on 1 January 1977 (see decision 31/316⁶).

⁶ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 60 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/25 | Report of the Governing Council of the United Nations Environment Programme on the work of its fourth session | <i>Ibid., Supplement No. 25</i> |
| A/31/156 and Add.1 and 2, Add.2/Corr.1 and Add.3 | Report of the Secretary-General on the results of Habitat: United Nations Conference on Human Settlements | Mimeographed |
| A/31/210 | Report of the Secretary-General on material remnants of war and their effect on the environment | Ditto |
| A/31/211 | Note by the Secretary-General on international conventions and protocols in the field of environment | Ditto |
| A/31/227 | Co-ordination questions in the activities of the United Nations Environment Programme: report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/10225 | Report of the Secretary-General on criteria governing multilateral financing of housing and human settlements | Ditto |
| A/C.2/31/5 | Report of the Latin American Regional Meeting on Human Settlements: note by the Secretary-General | Ditto |
| A/C.2/31/8 | Follow-up action to Habitat: United Nations Conference on Human Settlements by the Economic and Social Commission for Asia and the Pacific: note by the Secretary-General | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/C.2/31/9 | Note by the Secretary-General transmitting an extract from the report of the Committee on Housing, Building and Planning of the Economic Commission for Europe on its thirty-seventh session | Ditto |
| A/C.2/31/12 | Letter dated 27 October 1976 from the Chairman of the Fifth Committee to the Chairman of the Second Committee, bringing to the attention of the Second Committee the report of the Advisory Committee on Administrative and Budgetary Questions (A/31/227) | Ditto |
| A/C.2/31/L.7 | Draft resolution | Replaced by A/C.2/31/L.7/Rev.1 |
| A/C.2/31/L.7/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/415, para. 15 |
| A/C.2/31/L.9 | Draft resolution | <i>Idem</i> , para. 9 |
| A/C.2/31/L.9/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 11 and 55, draft resolution II |
| A/C.2/31/L.12 | Administrative and financial implications of draft resolution A/C.2/31/L.9: note by the Secretary-General | Mimeographed |
| A/C.2/31/L.13 | Draft resolution | For the sponsors and the text, see A/31/415, paras. 18 and 55, draft resolution III |
| A/C.2/31/L.14 | Draft resolution | <i>Idem</i> , paras. 6 and 55, draft resolution I |
| A/C.2/31/L.19 | Draft resolution | <i>Idem</i> , para. 47 |
| A/C.2/31/L.19/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 47 and 56, draft decision I |
| A/C.2/31/L.19/Rev.2 | Revised draft resolution | <i>Idem</i> , para. 48 |
| A/C.2/31/L.22 | Draft resolution | Replaced by A/C.2/31/L.22/Rev.1 |
| A/C.2/31/L.22/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/415, para. 37 |
| A/C.2/31/L.23 | Draft resolution | <i>Idem</i> , paras. 23 and 55, draft resolution IV |
| A/C.2/31/L.24 | Draft resolution | <i>Idem</i> , para. 39 |
| A/C.2/31/L.25 | Draft resolution | Replaced by A/C.2/31/L.25/Rev.1 |
| A/C.2/31/L.25/Rev.1 | Revised draft resolution | Replaced by A/C.2/31/L.25/Rev.2 |
| A/C.2/31/L.25/Rev.2 | Revised draft resolution | For the sponsors and the text, see A/31/415, paras. 30 and 55, draft resolution VII |
| A/C.2/31/L.26 | Draft resolution | For the sponsors and the text, see A/31/415, para. 41 |
| A/C.2/31/L.30 | Draft resolution | <i>Idem</i> , paras. 26 and 55, draft resolution V |
| A/C.2/31/L.32 | Administrative and financial implications of draft resolutions A/C.2/31/L.22: note by the Secretary-General | Mimeographed |
| A/C.2/31/L.32/Rev.1 | Administrative and financial implications of draft resolution A/C.2/31/L.22/Rev.1: note by the Secretary-General | Ditto |
| A/C.2/31/L.33 | Draft resolution | For the sponsors and the text, see A/31/415, paras. 28 and 55, draft resolution VI |
| A/C.2/31/L.41 | Draft resolution | <i>Idem</i> , para. 42 |
| A/C.2/31/L.64 | Draft resolution | <i>Idem</i> , paras. 33 and 55, draft resolution VIII |
| A/C.2/31/L.66 | Administrative and financial implications of draft resolution A/C.2/31/L.24: note by the Secretary-General | Mimeographed |
| A/C.2/31/L.67 | Administrative and financial implications of draft resolution A/C.2/31/L.41: note by the Secretary-General | Ditto |
| A/C.2/31/L.70 | Draft resolution | For the sponsors and the text see A/31/415, paras. 36 and 55, draft resolution IX |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|-------------------------|---|--|
| A/CONF.70/15 and Corr.1 | <i>Report of Habitat· United Nations Conference on Human Settlements</i> | United Nations publication, Sales No. E.76.IV.7 |
| E/5758 | Report of the Committee on Housing, Building and Planning on its ninth session | <i>Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 2</i> |
| E/5852 and Add.1 | Comments on the report of the Secretary-General (A/10225), submitted by the World Bank and the United Nations Development Programme in response to the decision taken by the General Assembly at its 2432nd meeting, on 9 December 1975 | Mimeographed |
| F/AC.6/SR.776-780 | Summary records of the 776th to 780th meetings of the Economic Committee of the Economic and Social Council | Ditto |
| UNEP/GC/78 | Comments on the report of the Secretary-General (A/10225), submitted by the United Nations Environment Programme: note by the Executive Director | Ditto |



Agenda item 61: * Food problems: report of the World Food Council**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee, 26th, 33rd to 36th, 58th, 62nd and 67th to 69th meetings: ibid., Second Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 101st meeting.*

** This question was discussed by the General Assembly at the thirtieth session (agenda item 60).

DOCUMENT A/31/443

Report of the Second Committee

*[Original: English]
[15 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled "Food problems: report of the World Food Council" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 26th, 33rd to 36th, 58th, 62nd and 67th to 69th meetings, between 29 October and 15 December 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.26, 33-36, 58, 62 and 67-69).

3. The Committee had before it the following documents:

(a) Report of the World Food Council on the work of its second session (A/31/19);

(b) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(c) Chapter VII, section B, of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3);

(d) Note by the Secretary-General on the status of contributions to the International Fund for Agricultural Development (A/C.2/31/11);

(e) Note by the Secretariat transmitting the recommendations agreed upon by the World Food Council at its second session (A/C.2/31/L.65).

4. At its 26th meeting, on 29 October, the Committee heard an introductory statement by the Executive Director of the World Food Council.

5. The Committee had before it four draft resolutions, as set forth in sections I to IV below.

I

6. The World Food Council at its second session recommended to the General Assembly the adoption of a draft resolution entitled "Secretariat of the World Food Council" (see A/31/19, para. 19), the text of which was transmitted to the Second Committee in a note by the Secretariat (A/C.2/31/L.15).

7. At the 58th meeting, on 1 December, the representative of the Philippines introduced the following amendments (A/C.2/31/L.18) to the draft resolution:

(a) In operative paragraph 1, the words "Executive Secretary" were replaced by the words "Executive

Director” and the words “subject to the approval of the General Assembly” were deleted:

(b) In operative paragraph 2, the words “Executive Secretary” were replaced by the words “Executive Director”.

8. At the same meeting, the Secretary of the Committee made a statement on the administrative and financial implications of the draft resolution.

9. At the same meeting, the Committee voted on the draft resolution contained in document A/C.2/31/L.15 and on the amendments thereto as follows:

(a) The amendments proposed by the Philippines (A/C.2/31/L.18) were adopted without a vote;

(b) The draft resolution contained in document A/C.2/31/L.15, as amended, was adopted without a vote (see para. 24 below, draft resolution I).

10. The representative of the Union of Soviet Socialist Republics made a statement.

II

11. At the 63rd meeting, on 9 December, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced a draft resolution (A/C.2/31/L.63) and orally revised it as follows:

(a) The phrase “as contained in the document entitled ‘Recommendations agreed upon by the World Food Council at its second session’ (A/C.2/31/L.65)” was inserted at the end of operative paragraph 1 and the foot-note to that paragraph was deleted;

(b) In operative paragraph 2, the word “implement” was replaced by the words “promote the early implementation of” and the words “taking fully into account” were replaced by the words “and for this purpose to give sympathetic consideration to”.

12. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.63, as revised, without a vote (see para. 24 below, draft resolution II).

13. Statements were made by the representatives of the Union of Soviet Socialist Republics, China and the United States of America.

III

14. At the 67th meeting, on 13 December, the representative of Venezuela, also on behalf of Norway, introduced a draft resolution (A/C.2/31/L.92) entitled “International Fund for Agricultural Development”.

15. At the 68th meeting, on 14 December, the representative of Norway, also on behalf of Venezuela, orally revised the draft resolution. The revised text of the draft

resolution was subsequently issued as document A/C.2/31/L.92/Rev.1 and read as follows.

“The General Assembly,

“Recalling its resolution 3202 (S-VI) of 1 May 1974 by which it established the Special Fund, and its resolution 3356 (XXIX) of 18 December 1974 in which it set forth the provisions according to which that Fund should operate,

“Noting that a contribution of \$US 9,981,851.18 has been received by the Special Fund from Norway and of \$US 11,639,429.91 from Venezuela and that no part of these contributions has yet been expended by the Fund,

“Bearing in mind the difficult situation that the seriously affected countries are facing in the present economic crisis,

“Noting with regret that, despite repeated appeals for other contributions made by the General Assembly, the Board of Governors of the Special Fund and in other forums, no other contributions have been made,

“Taking note that the Agreement establishing the International Fund for Agricultural Development, adopted on 13 June 1976 by the United Nations Conference on the Establishment of an International Fund for Agricultural Development, provides that it shall be opened for signature when initial contributions, to be made in freely convertible currencies, amounting to at least the equivalent of \$US 1,000 million have been pledged, and that that target has almost been achieved,

“Having been informed that the Governments of Norway and Venezuela would have no objections to the transfer of contributions of \$US 9,981,851.18, made by the Government of Norway, and \$US 10 million, made by the Government of Venezuela, to the United Nations Special Fund, from that Fund to the International Fund for Agricultural Development, in their names, so that the initial contributions pledged by these Governments might be increased sufficiently to make it possible for the Agreement establishing that Fund to be opened immediately for signature,

“Desirous of making it possible for the Agreement establishing the International Fund for Agricultural Development to be opened for signature and to enter into force as soon as possible in order that the Fund may start its operations at an early date,

“1. Decides that the Special Fund is authorized to transfer to the International Fund for Agricultural Development the sum of \$US 19,981,851.18, the Governments of Norway and Venezuela each having agreed respectively to the transfer of \$US 9,981,851.18 and \$US 10 million of the amounts contributed by them to the United Nations Special Fund, to constitute increases in the initial contributions which these Governments are pledging to the initial resources of the International Fund for Agricultural Development;

"2. *Requests* the Secretary-General to transmit to the President of the International Fund for Agricultural Development all data submitted by most seriously affected States in connexion with requests that they have addressed to the Special Fund, in so far as these relate to agricultural development."

16. At the 69th meeting, on 15 December, the representative of Norway, also on behalf of Venezuela, withdrew draft resolution A/C.2/31/L.92/Rev.1 and orally proposed instead the following draft decision:

"The General Assembly decides that the Secretary-General shall release from the United Nations Special Fund \$US 10 million of the Venezuelan contribution and the Norwegian contribution of \$US 9,981.851.18 to the two donor Governments, having taken note of their declared intention to contribute these amounts to the International Fund for Agricultural Development."

17. Statements in explanation of vote before the vote were made by the representatives of Pakistan, Norway, Venezuela, Yugoslavia, Somalia, Bangladesh, Jamaica, Malaysia, Iran, Colombia, Sweden, Canada, Iceland, India, Kuwait, Peru, Guyana, Iraq and the Ivory Coast.

18. The draft decision was adopted by a recorded vote of 52 to 11, with 57 abstentions (see para. 25 below). The voting was as follows:

In favour: Argentina, Australia, Austria, Bahrain, Belgium, Bhutan, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Finland, France, Germany Federal Republic of, Iceland, India, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kuwait, Mali, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Panama, Paraguay, Peru, Portugal, Qatar, Saudi Arabia, Spain, Sri Lanka, Sweden, Thailand, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Democratic Yemen, Egypt, Ethiopia, Guyana, Malaysia, Niger, Pakistan, Somalia, United Republic of Cameroon, Upper Volta.

Abstaining: Algeria, Bahamas, Bangladesh, Benin, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Cuba, Czechoslovakia, Equatorial Guinea, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Hungary, Indonesia, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malta, Mauritania, Mexico, Mongolia, Mozambique, Nigeria, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Yugoslavia, Zaire, Zambia.

19. Statements in explanation of vote after the vote were made by the representatives of Mexico, Algeria, Tunisia, Sri Lanka, Nigeria, Togo, Thailand, Argentina,

Egypt, Ethiopia, Turkey, Indonesia, Italy, Nepal, Spain, Jordan, Sierra Leone, Afghanistan, Ghana and Israel.

IV

20. On 24 November, the Committee had before it a draft resolution submitted by Pakistan on behalf of the States Members of the United Nations which are members of the Group of 77 (A/C.2/31/L.34), entitled "International Fund for Agricultural Development", which read as follows:

"The General Assembly,

"Recalling resolution XIII of 16 November 1974 of the World Food Conference and its own resolutions 3362 (S-VII) of 16 September 1975 and 3503 (XXX) of 15 December 1975,

"Welcoming the progress achieved so far on the establishment of the International Fund for Agricultural Development,

"Noting that the target of \$1 billion, set as the condition for the signing of the agreement, has been nearly fulfilled by generous pledges of contributions to the Fund, particularly from developing countries, but that the remaining gap of only \$31 million prevents the Fund from becoming operational,

"Noting also that, relative to their combined gross national products, the contributions pledged so far by the developing countries have far outstripped the contributions so far pledged by the developed countries,

"1. Expresses its appreciation to all Governments that have made pledges of contributions to the Fund, especially the pledges of contributions from a number of developing countries;

"2. Urges the developed countries to take immediate steps to bridge the gap in contributions required to make the Fund operational before the end of 1976."

21. At the 69th meeting, on 15 December, Mr. M. P. Lohani, Vice-Chairman of the Committee, introduced a draft resolution (A/C.2/31/L.89) prepared on the basis of the informal consultations held on draft resolution A/C.2/31/L.34, and requested that the representative of Iran be given the floor to make an introductory statement. The representative of Iran proposed that, in the light of the adoption of the draft decision (see para. 18 above), the third preambular paragraph and operative paragraph 3 of draft resolution A/C.2/31/L.89 should be deleted, and that the word "also" should be deleted in the fourth preambular paragraph.

22. The Committee adopted draft resolution A/C.2/31/L.89, as orally amended, without a vote (see para. 24 below, draft resolution III). Draft resolution A/C.2/31/L.34 was consequently withdrawn.

23. The representative of the Federal Republic of Germany made a statement.

Recommendations of the Second Committee

24. The Second Committee recommends to the General Assembly the adoption of draft resolutions I to III below:

DRAFT RESOLUTION I*Secretariat of the World Food Council*

The General Assembly,

Recalling its resolution 3348 (XXIX) of 17 December 1974, by which it established the World Food Council in conformity with resolution XXII adopted by the World Food Conference on 16 November 1974,¹ and requested the Secretary-General, in consultation with the Director-General of the Food and Agriculture Organization of the United Nations, to establish the secretariat of the Council,

Noting that the World Food Council has adopted rules of procedure (A/31/19, annex IV) containing provisions concerning the appointment of the head and the staff of the secretariat of the Council,

1. *Decides* that the secretariat of the World Food Council shall be headed by an Executive Director, who shall be appointed by the Secretary-General, in consultation with the members of the Council and with the Director-General of the Food and Agriculture Organization of the United Nations, for a period of four years with due regard to the principle of geographical rotation;

2. *Further decides* that the Secretary-General shall, in consultation with the Executive Director of the World Food Council, appoint an adequate number of staff to the secretariat of the Council, taking into account the need for equitable geographical distribution in addition to professional competence and avoiding the appointment of persons who simultaneously perform functions in other agencies or institutions.

DRAFT RESOLUTION II*Report of the World Food Council*

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling also its resolution 3348 (XXIX) of 17 December 1974 on the World Food Conference and the Universal Declaration on the Eradication of Hunger and Malnutrition,² and corresponding resolutions of the World Food Conference,³

¹ See E/CONF.65/20 (United Nations publication, Sales No. E.75.II.A.3), chap. II.

² *Ibid.*, chap. IV.

³ *Ibid.*, chap. V.

Having considered the report of the World Food Council on its second session (A/31/19),

1. *Calls upon* all Governments and the relevant bodies and agencies of the United Nations system to implement fully the recommendations of the World Food Council contained in the document entitled "Recommendations agreed upon by the World Food Council at its second session" (A/C.2/31/L.65);

2. *Requests* the World Food Council, at its third session, to take immediate and concrete steps to promote the early implementation of the resolutions adopted by the World Food Conference and by the General Assembly at its seventh special session, and for this purpose to give sympathetic consideration to the draft resolutions of the Group of 77 which are contained in annex II to the report of the World Food Council on its second session.

DRAFT RESOLUTION III*International Fund for Agricultural Development*

The General Assembly,

Recalling resolution XIII of 16 November 1974 of the World Food Conference⁴ and General Assembly resolutions 3362 (S-VII) of 16 September 1975 and 3503 (XXX) of 15 December 1975,

Welcoming the progress achieved so far on the establishment of the International Fund for Agricultural Development,

Noting that, relative to their combined gross national products, the contributions pledged by the developing countries are substantially large,

1. *Expresses its appreciation* to all Governments that have made pledges of contributions to the International Fund for Agricultural Development, especially to the Governments of the developing countries;

2. *Expresses also its appreciation* to the Secretary-General and to the Executive Director of the World Food Council for their efforts towards the establishment of the Fund.

*
* *

25. The Second Committee also recommends to the General Assembly the adoption of the following draft decision:

International Fund for Agricultural Development

The General Assembly decides that the Secretary-General shall release from the United Nations Special Fund \$US 10 million of the Venezuelan contribution and the Norwegian contribution of \$US 9,981,851.18 to the two donor Governments, having taken note of their declared intention to contribute these amounts to the International Fund for Agricultural Development.

⁴ *Ibid.*, chap. II.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meeting, on 16 December 1976, the General Assembly adopted draft resolutions I to III submitted by the Second Committee in its report (A/31/443, para. 24). For the final texts, see resolutions 31/120, 31/121 and 31/122.⁵

At the same meeting, the Assembly adopted by a recorded vote of 56 to 12, with 64 abstentions, the draft decision recommended by the Second Committee in paragraph 25 of its report (A/31/443) (see decision 31/413⁵).

⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 61 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/19 | Report of the World Food Council on the work of its second session (14-17 June 1976) | <i>Ibid., Supplement No. 19</i> |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Mimeographed |
| A/C.2/31/11 | Status of contributions to the International Fund for Agricultural Development: note by the Secretary-General | Ditto |
| A/C.2/31/L.15 | Note by the Secretariat transmitting the text of a draft resolution recommended by the World Food Council to the General Assembly for adoption | For the text of the draft resolution, see A/31/443, paras. 7 and 24, draft resolution I |
| A/C.2/31/L.18 | Amendments to the draft resolution contained in document A/C.2/31/L.15 | For the sponsors and the text, see A/31/443, para. 7 |
| A/C.2/31/L.34 | Draft resolution | <i>Idem</i> , para. 20 |
| A/C.2/31/L.63 | Draft resolution | <i>Idem</i> , paras. 11 and 24, draft resolution II |
| A/C.2/31/L.65 | Note by the Secretariat transmitting the recommendations agreed upon by the World Food Council at its second session | Mimeographed |
| A/C.2/31/L.89 | Draft resolution | For the sponsors and the text, see A/31/443, paras. 21 and 24, draft resolution III |
| A/C.2/31/L.92 | Draft resolution | Replaced by A/C.2/31/L.92/Rev.1 |
| A/C.2/31/L.92/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/443, para. 15 |



Agenda item 62: * United Nations Special Fund: **
(a) Report of the Board of Governors;
(b) Confirmation of the appointment of the Executive Director

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 44th, 47th, 48th and 57th meetings, *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 101st meeting.

** This question was discussed by the General Assembly at the thirtieth session (agenda item 61).

DOCUMENT A/31/367

Report of the Second Committee

*[Original: English]
[2 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session and to allocate to the Second Committee the item entitled:

“United Nations Special Fund:

“(a) Report of the Board of Governors”.

Subitem (b), entitled “Confirmation of the appointment of the Executive Director”, was considered in plenary meetings.

2. The Second Committee considered the item at its 44th, 47th, 48th and 57th meetings, between 16 and 30 November 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.44, 47, 48 and 57).

3. The Committee had before it the following documents:

(a) Report of the Board of Governors of the United Nations Special Fund on the work of its second and third sessions (A/31/21);

(b) Relevant part of the report of the Economic and Social Council on the work of its resumed sixty-first session (A/31/3/Add.1 (part III)).

4. At the 44th meeting, on 16 November, the President of the Board of Governors of the Special Fund made an introductory statement.

5. At its 57th meeting, on 30 November, the Committee adopted without a vote a draft decision proposed by the Chairman (see para. 6 below).

Recommendation of the Second Committee

6. The Second Committee recommends to the General Assembly the adoption of the following draft decision:

United Nations Special Fund

The General Assembly takes note of the report of the Board of Governors of the United Nations Special Fund on the work of its second and third sessions (A/31/21).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meeting, on 16 December 1976, the General Assembly adopted the draft decision recommended by the Second Committee in paragraph 6 of its report (A/31/367) (see decision 31/412¹).

At the same meeting, the Assembly took note of the information contained in the note by the Secretary-General (A/31/448) (see decision 31/311¹).

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 62 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|-------------------------|--|---|
| A/31/3/Add.1 (part III) | Addendum to the report of the Economic and Social Council (resumed sixty-first session) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3A</i> , chap. VI |
| A/31/21 | Report of the Board of Governors of the United Nations Special Fund on the work of its second and third sessions | <i>Ibid.</i> , Supplement No. 21 |
| A/31/448 | Confirmation of the appointment of the Executive Director: note by the Secretary-General | Mimeographed |



Agenda item 63: * United Nations University: **

- (a) Report of the Council of the United Nations University;
- (b) Report of the Secretary-General

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 50th, 54th and 57th to 59th meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 101st meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth and twenty-seventh sessions (agenda item 48), twenty-eighth session (item 52), twenty-ninth session (item 51) and thirtieth session (item 62).

DOCUMENT A/31/412

Report of the Second Committee

*[Original: English]
[13 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session and to allocate to the Second Committee the item entitled:

“United Nations University:

“(a) Report of the Council of the United Nations University;

“(b) Report of the Secretary-General”.

2. The Second Committee considered the item at its 50th, 54th and 57th to 59th meetings, between 22 November and 3 December 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/SR.50, 54 and 57-59).

3. The Committee had before it the following documents:

(a) Report of the Council of the United Nations University (A/31/31 and Add.1 and Add.1/Corr.1);

(b) Report of the Secretary-General on fund-raising (A/31/281);

(c) Chapter III, section K, of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3);

(d) Relevant part of the report of the Economic and Social Council on the work of its resumed sixty-first session (A/31/3/Add.1 (part III)).

4. At its 50th meeting, on 22 November, the Committee heard an introductory statement by the Rector of the United Nations University.

I

5. At the 57th meeting, on 30 November, the representative of Venezuela, on behalf of Argentina, Austria, Colombia, Cyprus, Egypt, Ghana, Greece, Iceland, India, Japan, Jordan, the Libyan Arab Republic, the Netherlands, the Philippines, Senegal, Turkey, Uganda and Venezuela, introduced a draft resolution entitled “United Nations University” (A/C.2/31/L.39).

6. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.39 without a vote (see para. 10 below, draft resolution I).

II

7. At the 58th meeting, on 1 December, the representative of Sri Lanka, on behalf of Afghanistan, Algeria, Argentina, Bangladesh, Botswana, the Congo, Cuba, Cyprus, Egypt, Guyana, India, Indonesia, Iraq, Jordan, the Libyan Arab Republic, Madagascar, Mali, Malta, Mauritania, Morocco, Nepal, Nigeria, Senegal, Sri Lanka, the Sudan, the Syrian Arab Republic, Tunisia, the United Republic of

Cameroon, the Upper Volta, Yemen and Yugoslavia, introduced a draft resolution entitled "Chair on non-alignment within the United Nations University" (A/C.2/31/L.59). Subsequently, Uganda, Zaire and Zambia joined in sponsoring the draft resolution.

8. At its 59th meeting, on 3 December, the Committee adopted draft resolution A/C.2/31/L.59 without a vote (see para. 10 below, draft resolution II).

9. Following the adoption of the draft resolution, statements were made by the representatives of the United States of America and the Netherlands.

Recommendations of the Second Committee

10. The Second Committee recommends to the General Assembly the adoption of draft resolutions I and II below:

DRAFT RESOLUTION I

United Nations University

The General Assembly,

Recalling its resolutions 2951 (XXVII) of 11 December 1972, 3081 (XXVIII) of 6 December 1973, 3313 (XXIX) of 14 December 1974 and 3439 (XXX) of 9 December 1975,

Recalling also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Having considered the report of the Council of the United Nations University on the work of the United Nations University (A/31/31 and Add.1 and Add.1/Corr.1), and the report of the Secretary-General (A/31/281),

Noting the satisfactory relationship developing between the United Nations University and the appropriate agencies and bodies of the United Nations system, in particular the United Nations Institute for Training and Research,

Noting decision 5.2.2 of 26 May 1976, adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization at its ninety-ninth session, in which the Board, *inter alia*, reiterated its appeal to Member States to contribute generously to the University in every manner possible,

1. *Takes note with appreciation* of the efforts made by the United Nations University to commence its programme activities and welcomes the fact that two of the three priority programme areas—world hunger and human and social development—have become operative, and that the third area, use and management of natural resources, is expected to begin in the near future;

2. *Encourages* the United Nations University to continue its efforts to launch unique and effective research activities on a global basis and to enlarge its network of scholars and research institutions throughout the world;

3. *Reiterates* the importance of full co-operation and co-ordination, within the framework established by the Charter of the United Nations for co-ordinating policies and activities in the economic, social, cultural and humanitarian fields, between the United Nations University and the appropriate agencies and bodies of the United Nations system;

4. *Requests* the Secretary-General to transmit to the Council of the United Nations University all the documents of the thirty-first session of the General Assembly relating to the University;

5. *Appeals* to all Member States to make substantial contributions to the Endowment Fund of the United Nations University and to give, where appropriate, financial and other support to specific programmes of the University, so as to enable the University to embark on its full activities while maintaining its academic autonomy and financial viability;

6. *Requests* the Secretary-General, in co-operation with the Rector of the United Nations University, the Council of the University and the Director-General of the United Nations Educational, Scientific and Cultural Organization, further to continue his efforts to raise more funds and to submit a report to the General Assembly at its thirty-second session on the progress achieved in this regard, together with the annual report of the Council of the University.

DRAFT RESOLUTION II

Chair on non-alignment within the United Nations University

The General Assembly,

Recalling its resolution 3081 (XXVIII) of 6 December 1973, by which it adopted the Charter of the United Nations University,

Noting the proposal of the non-aligned countries to establish a chair on non-alignment within the United Nations University,

1. *Invites* interested countries to enter into consultations with the Council of the United Nations University and the Rector of the University with a view to implementing the above-mentioned proposal;

2. *Further invites* the Council of the United Nations University to report to the General Assembly at its thirty-second session, through the Economic and Social Council, on the results of these consultations.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meeting, on 16 December 1976, the General Assembly adopted draft resolutions I and II submitted by the Second Committee in its report (A/31/412, para. 10). For the final texts, see resolutions 31/117 and 31/118.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 63 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--------------------------|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/3/Add.1 (part III) | Addendum to the report of the Economic and Social Council (resumed sixty-first session) | <i>Ibid., Supplement No. 3A, chap. II</i> |
| A/31/31 | Report of the Council of the United Nations University | <i>Ibid., Supplement No. 31</i> |
| A/31/31/Add.1 and Corr.1 | Addendum to the report of the Council of the United Nations University | <i>Ibid., Supplement No. 31A and corrigendum</i> |
| A/31/281 | Report of the Secretary-General | Mimeographed |
| A/C.2/31/L.39 | Draft resolution | For the sponsors and the text, see A/31/412, paras. 5 and 6 |
| A/C.2/31/L.59 | Draft resolution | <i>Idem</i> , paras. 7 and 8 |



Agenda item 64:* Office of the United Nations Disaster Relief Co-ordinator: reports of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 47th, 49th, 54th, 55th and 59th meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 53rd meeting; *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 106th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 59), twenty-seventh session (item 61), twenty-eighth session (item 68), twenty-ninth session (item 60) and thirtieth session (item 63).

DOCUMENT A/31/413

Report of the Second Committee

*[Original: English]
[13 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled "Office of the United Nations Disaster Relief Co-ordinator: reports of the Secretary-General" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 47th, 49th, 54th, 55th and 59th meetings, between 19 November and 3 December 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.47, 49, 54, 55 and 59).

3. The Committee had before it the following documents:

(a) Report of the Secretary-General on the activities of the Office of the United Nations Disaster Relief Co-ordinator (A/31/88 and Add.1 and 2);

(b) Report of the Secretary-General on assistance to the drought-stricken areas of Ethiopia (A/31/149);

(c) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(d) Chapter VII, section F, of the report of the Economic and Social Council on the work of its organizational

session for 1976 and of its sixtieth and sixty-first sessions (A/31/3).

4. At its 47th meeting, on 19 November, the Committee heard an introductory statement by the United Nations Disaster Relief Co-ordinator, who also made a supplementary statement at the 54th meeting, on 24 November (see A/C.2/31/15).

I

5. At the 59th meeting, on 3 December, the representative of the Sudan, on behalf of Afghanistan, Algeria, Argentina, Bangladesh, Benin, Bolivia, Botswana, Brazil, Burundi, Chad, Colombia, Cuba, Democratic Yemen, the Dominican Republic, Ecuador, Egypt, Fiji, the Gambia, Ghana, India, the Ivory Coast, Jamaica, Jordan, Kenya, Madagascar, Malawi, Mali, Mauritania, Mexico, Morocco, Nepal, Nigeria, Pakistan, Papua New Guinea, the Philippines, Rwanda, Senegal, the Sudan, Surinam, Swaziland, Tunisia, Uganda, the United Republic of Cameroon, the United Republic of Tanzania, the Upper Volta, Yemen, Yugoslavia and Zambia, introduced a draft resolution (A/C.2/31/L.40), entitled "Assistance to the drought-stricken areas of Ethiopia".

6. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.40 without a vote (see para. 12 below, draft resolution I).

II

7. At the same meeting, the representative of Sweden, on behalf of Austria, Bangladesh, Bolivia, Colombia, Denmark, the Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, Greece, Iceland, Iran, Iraq, Jordan, Nepal, the Netherlands, New Zealand, Norway, Pakistan, Papua New Guinea, Peru, the Philippines, Portugal, the Sudan, the Syrian Arab Republic, Sweden, Tunisia, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America, introduced, and orally revised, a draft resolution (A/C.2/31/L.55), entitled "Office of the United Nations Disaster Relief Co-ordinator". The changes were the following: in operative paragraph 5, the word "Further" was inserted before the word "requests", and the words "50 per cent" were replaced by the words "a substantial proportion".

8. A statement on the administrative and financial implications of the draft resolution was submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.2/31/L.68). At the same meeting, the Assistant Secretary-General for Financial Services, Controller, made a statement.

9. At the same meeting, statements were made by the representatives of France, Democratic Yemen, the Federal Republic of Germany, Poland, Japan and the United Kingdom.

10. Also at the same meeting, the Committee adopted draft resolution A/C.2/31/L.55, as orally revised, without a vote (see para. 12 below, draft resolution II).

11. Following the adoption of the draft resolution, statements were made by the representatives of the Union of Soviet Socialist Republics, Ethiopia, Mexico, the Byelorussian Soviet Socialist Republic and the Federal Republic of Germany.

Recommendations of the Second Committee

12. The Second Committee recommends to the General Assembly the adoption of draft resolutions I and II below:

DRAFT RESOLUTION I

Assistance to the drought-stricken areas of Ethiopia

The General Assembly,

Noting with deep concern the recent failure of rain during critical stages of the cropping season in parts of Ethiopia,

Mindful of the demands made on the resources of the Government of Ethiopia,

Noting with appreciation the assistance given to Ethiopia by Member States and intergovernmental and non-governmental organizations,

Recognizing the relief and rehabilitation efforts made by the Government of Ethiopia,

Recalling Economic and Social Council resolution 1986 (LX) of 6 May 1976, by which the Council requested the Administrator of the United Nations Development Programme to intensify the response to the needs for recovery, rehabilitation and development of the drought-stricken areas,

Further recalling its resolution 3441 (XXX) of 9 December 1975 wherein it urged the United Nations and the specialized agencies to continue to implement vigorously the provisions of Economic and Social Council resolutions 1833 (LVI) of 8 May 1974, 1876 (LVII) of 16 July 1974, and 1971 (LIX) of 30 July 1975,

1. *Urges* the United Nations Disaster Relief Co-ordinator, the Administrator of the United Nations Development Programme, the United Nations Children's Fund and the other United Nations organizations and specialized agencies to continue and intensify their assistance to Ethiopia in its relief and rehabilitation efforts in their respective areas of competence and implement promptly the relevant provisions of General Assembly resolutions 3202 (S-VI) of 1 May 1974 and 3441 (XXX) and Economic and Social Council resolutions 1833 (LVI), 1876 (LVII), 1971 (LIX) and 1986 (LX);

2. *Appeals* to all Member States and voluntary agencies and intergovernmental organizations to continue and increase their assistance to Ethiopia;

3. *Invites* the Secretary-General, the United Nations Disaster Relief Co-ordinator and the Administrator of the United Nations Development Programme to report to the General Assembly at its thirty-second session and to the Economic and Social Council at its sixty-second session on the implementation of paragraphs 1 and 2 above and of other relevant resolutions of the Assembly and the Council.

DRAFT RESOLUTION II

Office of the United Nations Disaster Relief Co-ordinator

The General Assembly,

Recalling resolutions 2816 (XXVI) of 14 December 1971, establishing the Office of the United Nations Disaster Relief Co-ordinator, 3243 (XXIX) of 29 November 1974 on the strengthening of that Office, 3440 (XXX) of 9 December 1975, which provides, *inter alia*, for measures to be taken in support of the activities of the Office, and 3532 (XXX) of 17 December 1975 on the financing of emergency relief assistance and technical co-operation activities of the Office,

Recalling section II, paragraph 14, of its resolution 3362 (S-VII) of 16 September 1975,

Recalling also Economic and Social Council resolution 2016 (LXI) of 3 August 1976 in which the Council recommended that the General Assembly at its thirty-first session should consider the most appropriate means for financing the Office of the United Nations Disaster Relief Co-ordinator after 31 December 1977,

Aware that it would be desirable, for planning purposes, for the General Assembly to give guidance to the Secretary-General on the modalities for the future financing of the activities of the Office of the United Nations Disaster Relief Co-ordinator,

1. *Takes note with satisfaction* of the report of the Secretary-General on the activities of the Office of the United Nations Disaster Relief Co-ordinator (A/31/88 and Add.1 and 2) and of the further information given by the Co-ordinator in his statement to the Second Committee on 19 November 1976 (47th meeting);

2. *Commends* the United Nations Disaster Relief Co-ordinator and his staff for the progress made in strengthening the capacity of his Office with a view to providing an efficient world-wide service of mobilizing and co-ordinating disaster relief, including in particular the collection and dissemination of information on disaster assessment, priority needs and donor assistance;

3. *Recognizes* that there will be a need for the maintenance of the activities of the core programme of the Office of the United Nations Disaster Relief Co-ordinator, as specified in the statement made to the Second Committee by the Co-ordinator on 24 November 1976 (A/C.2/31/15);

4. *Requests* the Secretary-General to submit to the General Assembly at its thirty-second session, through the Economic and Social Council, his proposals for a continued sound financial basis for the core programme, which should include proposals for the transfer, over a period of time, of appropriate costs from voluntary funding to the United Nations regular budget;

5. *Further requests* the Secretary-General, in formulating his draft programme budget for the biennium 1978-1979, to include provision for the financing from the regular budget of a substantial portion of those core programme administrative activities currently financed

from the trust fund established in pursuance of General Assembly resolution 3243 (XXIX), as an initial step in the process of ensuring a sound financial basis for the Office of the United Nations Disaster Relief Co-ordinator and to enable the Assembly to reach a final decision on this matter on the basis of the fullest possible information;

6. *Decides* to maintain for a further two-year period from 1 January 1978 the trust fund established pursuant to its resolution 3243 (XXIX), modified under resolutions 3440 (XXX) and 3532 (XXX), in order to ensure that the financial resources available to the Office of the United Nations Disaster Relief Co-ordinator remain adequate to meet the tasks entrusted to that Office;

7. *Further requests* the Secretary-General, in preparing his budgetary proposals referred to in paragraph 5 above, to take full account of the possibility of field co-ordination being undertaken where appropriate by the resident representatives of the United Nations Development Programme with due consideration being given to the views expressed by the Government of the disaster-stricken country;

8. *Appeals* to all Governments to make contributions to the trust fund for a further two-year period;

9. *Requests* the Economic and Social Council to undertake in 1978 the review of alternative sources of funding for the technical co-operation activities of the Office of the United Nations Disaster Relief Co-ordinator provided for in resolution 3532 (XXX);

10. *Invites* the Secretary-General to submit a report on possible sources of financing for such activities to assist the Economic and Social Council in this review;

11. *Decides* to examine further the question of future financial arrangements for the Office of the United Nations Disaster Relief Co-ordinator at its thirty-second session with a view to reaching definitive conclusions at that time.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 106th plenary meeting, on 21 December 1976, the General Assembly adopted draft resolutions I and II submitted by the Second Committee in its report (A/31/413, para. 12). For the final texts, see resolutions 31/172 and 31/173.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 64 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|-------------------------|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/88 and Add.1 and 2 | Assistance to the drought-stricken areas of Ethiopia: report of the Secretary-General | Mimeographed |
| A/31/149 | Report of the Secretary-General | Ditto |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Ditto |
| A/C.2/31/15 | Statement made by the United Nations Disaster Relief Co-ordinator at the 54th meeting of the Second Committee, on 24 November 1976 | Ditto |
| A/C.2/31/L.40 | Draft resolution | For the sponsors and the text, see A/31/413, paras. 5 and 12, draft resolution I |
| A/C.2/31/L.55 | Draft resolution | <i>Idem</i> , paras. 7 and 12, draft resolution II |
| A/C.2/31/L.68 | Administrative and financial implications of draft resolution A/C.2/31/L.55: note by the Secretary-General | Mimeographed |
| A/C.5/31/72 | Financing of emergency relief assistance and technical co-operation activities: report of the Secretary-General | Ditto |
| | <i>Administrative and financial implications of draft resolution II submitted by the Second Committee in document A/31/413</i> | |
| A/C.5/31/73 | Note by the Secretary-General | Ditto |
| A/31/8/Add.17 | Report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/456 | Report of the Fifth Committee | <i>Ibid.</i> , <i>Thirty-first Session, Annexes</i> , agenda item 92 |



**Agenda item 65.* Revision of the International Development Strategy
for the Second United Nations Development Decade****

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 4th to 16th, 65th and 66th meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 106th meeting.

** The question of the International Development Strategy was discussed by the General Assembly at the twenty-sixth session (agenda item 45), the twenty-eighth session (item 46) and the thirtieth session (item 65).

DOCUMENT A/31/436

Report of the Second Committee

[Original: English]
[16 December 1976]

1. The item entitled "Revision of the International Development Strategy for the Second United Nations Development Decade" was included in the provisional agenda of the thirty-first session of the General Assembly pursuant to Assembly resolution 3517 (XXX) of 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include the item in its agenda and to allocate it to the Second Committee.

3. The Second Committee considered the item at its 4th to 16th meetings, between 5 and 20 October 1976, in the context of a general discussion of related items. The Committee resumed its consideration of the item at its 65th and 66th meetings, on 10 and 13 December. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.4-16, 65 and 66).

4. The Committee had before it the following documents:

(a) Chapter V of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3);

(b) Report of the Secretary-General on ways and means of accelerating the transfer of real resources to developing countries on a predictable, assured and continuous basis (A/31/186 and Corr.1);

(c) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(d) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237);

(e) *World Economic Survey, 1975* (E/5790/Rev.1);¹

(f) Fluctuations and development in the world economy: summary of the data relating to performance under the International Development Strategy (E/5827/Rev.1);

(g) *Supplement to World Economic Survey, 1975* (E/5873/Rev.1);²

(h) Chapter one of the report of the Committee for Development Planning on its twelfth session (E/5793);

(i) Report prepared by the United Nations Educational, Scientific and Cultural Organization, in response to Economic and Social Council resolution 1901 (LVII), on the quantification of scientific and technological activities related to development (E/C.8/44).

¹ United Nations publication, Sales No. E.76.II.C.1.

² United Nations publication, Sales No. E.77.II.C.2.

5. On 29 November, the Committee had before it a draft resolution (A/C.2/31/L.49) entitled "Ways and means of accelerating the transfer of real resources to developing countries on a predictable, assured and continuous basis", sponsored by Bangladesh, the Dominican Republic, Ecuador, Indonesia, Mali, Paraguay, the Philippines, the Sudan and the United Republic of Cameroon. At the 65th meeting, on 10 December, the representative of the Philippines, on behalf of the sponsors, which now included Uganda and Yemen, introduced a revised version of the draft resolution (A/C.2/31/L.49/Rev.1), which read as follows:

"The General Assembly,

"Recalling its resolutions 2626 (XXV) of 24 October 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order and 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

"Recalling further its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation in which it, inter alia, called for an increased, predictable, continuous and increasingly assured flow of concessional financial resources for development on more favourable terms and conditions,

"Disturbed by the stagnating flows of official development assistance, which during the current Development Decade has remained at levels well below the target stipulated in the International Development Strategy,

"Recognizing that increased volume, predictability and continuity of such flows are required to enhance socioeconomic progress and promote more systematic and effective development planning and implementation in developing countries,

"Noting with concern that the need for long-term sustained development assistance has become more urgent in the light of increasing economic difficulties which have hampered the continuity of the economic growth and long-term development plans of many developing countries,

"Recalling also its resolution 3489 (XXX) of 12 December 1975 in which it requested the Secretary-General to submit a study on ways and means of accelerating the transfer of real resources to developing countries on a predictable, assured and continuous basis,

"1. Takes note of the report submitted by the Secretary-General in response to resolution 3489 (XXX) (A/31/186 and Corr.1);

"2. Reiterates its appeal to developed countries which have not yet done so to meet the target of 0.7 per cent of the gross national product for official development assistance set out in the International Development Strategy for the Second United Nations Development Decade;

"3. Urges developed countries to accelerate the transfer of real resources to developing countries on a predictable, continuous and increasingly assured basis and, to this end, seriously to consider the various suggestions proposed in the report of the Secretary-General, including wider implementation of the current practices of some developed countries, particularly:

"(a) The pledging of development assistance on a multiyear basis, in order to provide developing countries with more reliable projections of aid on a longer term basis to facilitate their development planning;

"(b) The pledging of development assistance in such a manner as to prevent the erosion in the real value of aid as a result of price fluctuations and monetary inflation;

"(c) The endowment of development assistance with non-lapsing authority to ensure that budgetary allocations unexpended at the end of the fiscal year for which they are appropriated are carried forward;

"(d) The reallocation to development aid budgets of both interest and amortization receipts derived from development loans;

"4. Recommends that developed countries should give serious consideration to the establishment of a development tax to be earmarked for international development assistance;

"5. Further recommends that appropriate policies should be developed, further to promote increased flows of private capital to developing countries, including the revision of governmental rules and regulations on access of developing countries to private money and capital markets;

"6. Requests the Secretary-General to submit a progress report on the implementation of the present resolution to the General Assembly at its thirty-second session to be considered as a separate item in the agenda of that session."

In introducing the draft resolution the representative of the Philippines orally revised it as follows:

(a) In the fourth preambular paragraph, the word "required" was replaced by the word "necessary";

(b) Operative paragraph 3 (b) was replaced by the following:

"(b) The appropriation of development assistance in such a manner as to prevent the erosion in the real value of aid in terms of the national currency of the individual donor country";

(c) Operative paragraph 5 was replaced by the following:

"5. Further recommends that appropriate policies be developed to further promote increased flows of private capital to developing countries, including the examination and, where appropriate, the revision of rules and regulations on access of developing countries to private money and capital markets to the extent that the situation in each country permits".

6. At the 66th meeting, on 13 December, the representative of the Philippines introduced on behalf of the

sponsors another revised version of the draft resolution (A/C.2/31/L.49/Rev.2) and further revised it orally, replacing the third preambular paragraph by the following text:

“Disturbed by the stagnating flows of official development and assistance, which during the Second United Nations Development Decade has remained well below the target stipulated in the International Development Strategy”.

At the same meeting, the Committee adopted revised draft resolution A/C.2/31/L.49/Rev.2, as orally revised, by a recorded vote of 74 to 1, with 19 abstentions (see para. 9 below). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Bhutan, Brazil, Burma, Burundi, Canada, Chad, Chile, China, Colombia, Denmark, Ecuador, Egypt, Gabon, Ghana, Greece, Grenada, India, Indonesia, Iran, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Morocco, Mozambique, Netherlands, New Zealand, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Sierra Leone, Singapore, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Hungary, Iceland, Ireland, Italy, Japan, Mongolia, Poland, Spain, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

7. Statements in explanation of vote were made by representatives of Australia, Austria, Argentina, Bulgaria (on behalf also of the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), Canada, China, Denmark, France, the Federal Republic of Germany, Ireland, Italy, Japan, Kuwait, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Statements were also made by the representatives of Bolivia, Botswana, Democratic Yemen, Ethiopia, Fiji, Guinea, the Ivory Coast, Nepal, the Niger, Senegal, Togo, Venezuela and Yemen.

8. At its 66th meeting, the Committee also adopted a draft resolution (A/C.2/31/L.86) entitled “Implementation of General Assembly resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII)”, which had been submitted to the Committee under agenda items 65 and 66. An account of the deliberations of the Committee on this draft resolution may be found in the report of the Committee on agenda item 66 (A/C.2/31/335/Add.1)³, together with the

text of the draft resolution (*ibid.*, para. 26, draft resolution IV).

Recommendation of the Second Committee

9. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Ways and means of accelerating the transfer of real resources to developing countries on a predictable, assured and continuous basis

The General Assembly,

Recalling its resolutions 2626 (XXV) of 24 October 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order and 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

Recalling further its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation in which it, inter alia, called for an increased, predictable, continuous and increasingly assured flow of concessional financial resources for development on more favourable terms and conditions,

Disturbed by the stagnating flows of official development assistance, which during the Second United Nations Development Decade has remained well below the target stipulated in the International Development Strategy,

Recognizing that increased volume, predictability and continuity of such flows are necessary to enhance socio-economic progress and promote more systematic and effective development planning and implementation in developing countries,

Noting with concern that the need for long-term sustained development assistance has become more urgent in the light of increasing economic difficulties which have hampered the continuity of the economic growth and long-term development plans of many developing countries,

Recalling also its resolution 3489 (XXX) of 12 December 1975 in which it requested the Secretary-General to submit a study on ways and means of accelerating the transfer of real resources to developing countries on a predictable, assured and continuous basis,

1. *Takes note* of the report submitted by the Secretary-General (A/31/186 and Corr.1) in response to General Assembly resolution 3489 (XXX);

2. *Reiterates* its appeal to developed countries which have not yet done so to meet the target of 0.7 per cent of the gross national product for official development assistance set out in the International Development Strategy for the Second United Nations Development Decade;

3. *Urges* developed countries to accelerate the transfer of real resources to developing countries on a predictable,

³ See *Official Records of the General Assembly, Thirty-first Session, Annexes*, agenda item 66.

continuous and increasingly assured basis and, towards that end, to consider seriously the various suggestions proposed in the report of the Secretary-General, including wider implementation of the current practices of some developed countries, particularly:

(a) The pledging of development assistance on a multi-year basis, in order to provide developing countries with more reliable projections of aid on a longer-term basis to facilitate their development planning;

(b) The appropriation of development assistance in such a manner as to prevent the erosion in the real value of aid in terms of the national currency of the individual donor country;

(c) The endowment of development assistance with non-lapsing authority to ensure that budgetary allocations unexpended at the end of the fiscal year for which they are appropriated are carried forward;

(d) The reallocation to development aid budgets of both interest and amortization receipts derived from development loans;

4. *Recommends* that developed countries give serious consideration to the establishment of a development tax to be earmarked for international development assistance;

5. *Further recommends* that appropriate policies be developed further to increase flows of private capital to developing countries, including the examination and, where appropriate, the revision of rules and regulations on access of developing countries to private money and capital markets to the extent that the situation in each country permits;

6. *Requests* the Secretary-General to submit a progress report on the implementation of the present resolution to the General Assembly at its thirty-second session and decides to consider the report at that session under a separate item.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 106th plenary meeting, on 21 December 1976, the General Assembly adopted, by a recorded vote of 117 to 1, with 18 abstentions, the draft resolution submitted by the Second Committee in its report (A/31/436, para. 9). For the final text, see resolution 31/174.⁴

⁴ *Ibid.*, *Thirty-first Session, Supplement No. 39.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 65 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/186 and Corr.1 | Ways and means of accelerating the transfer of real resources to developing countries on a predictable, assured and continuous basis: report of the Secretary-General | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Ditto |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | Ditto |
| A/C.2/31/L.49 | Draft resolution | Replaced by A/C.2/31/L.49/Rev.1. |
| A/C.2/31/L.49/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/436, para. 5 |
| A/C.2/31/L.49/Rev.2 | Revised draft resolution | <i>Idem</i> , paras. 6 and 9 |
| A/C.2/31/L.86 | Draft resolution | See A/31/436, para. 8 |
| E/5793 | Report of the Committee for Development Planning on its twelfth session | <i>Official Records of the Economic and Social Council, Sixty-first Session, Supplement No. 6</i> |
| E/5827/Rev.1 | Fluctuations and development in the world economy: summary of the data relating to performance under the International Development Strategy | Mimeographed |
| E/C.8/44 | Quantification of scientific and technological activities related to development: report prepared by the United Nations Educational, Scientific and Cultural Organization | Ditto |



Agenda item 66:* Development and international economic co-operation: implementation of the decisions adopted by the General Assembly at its seventh special session:**

- (a) Report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System;
(b) Reports of the Secretary-General

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee* 4th to 16th, 29th, 41st, 46th, 58th, 61st to 63rd, 65th, 66th, 70th and 71st meetings; *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 53rd and 55th meetings; *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 106th, 107th, 108th and 109th meetings.

** This question was discussed by the General Assembly at the thirtieth session (agenda item 123).

DOCUMENTS A/31/335 AND ADD.1 AND 2

Report of the Second Committee

DOCUMENT A/31/335

PART I

*[Original: English]
[18 November 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session and to allocate to the Second Committee the item entitled:

“Development and international economic co-operation: implementation of the decisions adopted by the General Assembly at its seventh special session:

“(a) Report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System;

“(b) Reports of the Secretary-General”.

2. The Second considered the item at its 4th to 16th meetings, between 5 and 20 October, in the context of a general discussion of related items. The Committee resumed its consideration of the item at its 29th, 41st and 46th meetings, on 2, 12 and 18 November. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.4-16, 29, 41 and 46).

3. The Committee had before it the following documents:

(a) Chapter V of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3);

(b) Report of the Secretary-General on the Conference on International Economic Co-operation (A/31/107 and Corr.1 and 2);

(c) Report of the Executive Director of the United Nations Industrial Development Organization on the establishment of an industrial technological information bank (A/31/147);

(d) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(e) Report of the Secretary-General on the integration of women in the development process (A/31/205 and Corr.1);

(f) Letter dated 9 September 1976 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General, transmitting the text of an article by the Prime Minister of Pakistan (A/31/208);

(g) Progress report of the Executive Director of the United Nations Industrial Development Organization on the joint study on international industrial co-operation (A/31/230);

(h) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237);

(i) Note by the Secretary-General on a United Nations special fund for land-locked developing countries (A/31/260);

(j) Preliminary study by the Secretary-General on the possibility of establishing an international energy institute within the framework of the United Nations system (A/31/262);

(k) Report of the Secretary-General of the United Nations Conference on Trade and Development on the evaluation of the results of the fourth session of the Conference (A/31/276);

(l) Note by the Secretary-General transmitting the report of the Conference on International Economic Co-operation on its activities as at mid-September 1976 (A/31/282);

(m) Letter dated 3 October 1976 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General, transmitting the text of a statement by the Soviet Government on the restructuring of international economic relations (A/C.2/31/1);

(n) Progress report of the Administrative Committee on Co-ordination on the response of the United Nations system to General Assembly resolution 3362 (S-VII) (E/5803/Add.1);

(o) Report of the Secretary-General on the establishment of a network for the exchange of technological information (E/5839);

(p) Progress report of the Director-General of the International Labour Office on the outcome of the Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour (E/5857).

4. At the 41st meeting, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced a draft resolution (A/C.2/31/L.16), entitled "Conference on International Economic Co-operation".

5. At the 46th meeting, Mr. I. Goritza, Vice-Chairman of the Committee, submitted a revised draft resolution (A/C.2/31/L.21), prepared on the basis of the informal consultations held on draft resolution A/C.2/31/L.16. Draft resolution A/C.2/31/L.21 read as follows:

"The General Assembly,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the

Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

"Recalling further its resolution 3515 (XXX) of 15 December 1975 on the Conference on International Economic Co-operation,

"Taking note of the interim report of the Conference on International Economic Co-operation on its activities as at mid-September 1976 (see A/31/282),

"Noting the growing concern of many countries, including the developing countries, that most of the developed countries participating in the Conference have yet to demonstrate the necessary political will to achieve concrete results,

"Considering that the achievement of concrete and substantial results in all areas under consideration at the Conference is fundamental to the success of the Conference and should make a substantial contribution to the economic development of developing countries and constitute a significant advance in international economic co-operation,

"1. Expresses its deep concern at the lack of evidence so far that the Conference on International Economic Co-operation will achieve the necessary concrete results and its profound concern at the adverse effects on international economic co-operation if the Conference is not a success;

"2. Urges all the countries participating in the Conference on International Economic Co-operation to make all the necessary efforts to ensure the success of the Conference;

"3. Further urges the Conference to respond to the proposals put forward by the developing countries in the Conference in a manner that will enable the Conference to reach concrete results in all areas that would make a substantial contribution to the economic development of developing countries and a significant advance in international economic co-operation at the concluding Ministerial Meeting in December 1976;

"4. Emphasizes the interrelationship of the work of the four Commissions, which should proceed in a parallel manner and should produce an interrelated set of positive and concrete results;

"5. Decides to consider during its present session the results of the concluding Ministerial Meeting of the Conference on International Economic Co-operation, which will take place from 15 to 17 December 1976."

At the same meeting, the Vice-Chairman of the Committee withdrew that draft resolution.

6. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.16, entitled "Conference on International Economic Co-operation".

with 30 abstentions (see para. 9 below). The voting was as follows:

In favour. Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Cape Verde, Chad, Chile, China, Comoros, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Surinam, Swaziland, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Iceland, Ireland, Italy, Japan, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

7. Statements in explanation of votes before and after the vote were made by the representatives of Bulgaria (on behalf also of the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), Canada, Australia, Japan, the United States of America, Sweden, Israel, the Netherlands (on behalf of the nine members of the European Economic Community), Portugal and Spain. The representatives of Pakistan and Venezuela also made statements.

8. An account of the statements referred to in paragraph 7 above is contained in the summary record of the meeting (A/C.2/31/SR.46).

Recommendation of the Second Committee

9. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Conference on International Economic Co-operation

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974

containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling further its resolution 3515 (XXX) of 15 December 1975 on the Conference on International Economic Co-operation,

Taking note of the interim report of the Conference on International Economic Co-operation on its activities as at mid-September 1976 (see A/31/282),

Noting with growing concern that most of the developed countries participating in the Conference on International Economic Co-operation have yet to demonstrate the necessary political will to achieve concrete results,

Considering that the achievement of concrete and substantial results in all areas under consideration at the Conference on International Economic Co-operation is a prerequisite for the success of the Conference and should make a substantial contribution to the economic development of developing countries and constitute a significant advance in international economic co-operation,

1. *Expresses its deep concern and disappointment* at the failure of the Conference on International Economic Co-operation to achieve any concrete results so far and its profound concern at the adverse effect which the failure of the Conference will have on international economic co-operation;

2. *Urges* all the countries participating in the Conference on International Economic Co-operation to make all the necessary efforts to ensure the success of the Conference;

3. *Further urges* the developed countries participating in the Conference on International Economic Co-operation to respond positively to the proposals put forward by the developing countries so as to reach concrete results in all areas at the concluding Ministerial Meeting in December 1976;

4. *Affirms* the interrelationship of the work of the four Commissions of the Conference, which should proceed in a parallel manner and should achieve an interrelated set of positive and concrete results;

5. *Decides* to consider during its current session the results of the concluding Ministerial Meeting of the Conference on International Economic Co-operation, which will take place from 15 to 17 December 1976.

DOCUMENT A/31/335/ADD.1

PART II

*[Original: English]
[17 December 1976]*

1. The Second Committee continued its consideration of agenda item 66 at its 58th, 61st to 63rd, 65th and 66th meetings, between 1 and 13 December 1976. An account of

the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.58, 61-63, 65 and 66).

2. The Committee had before it the following documents:

(a) Relevant part of the report of the Economic and Social Council on the work of its resumed sixty-first session (A/31/3/Add.1 (part V));

(b) Report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System on the work of its second, third and fourth sessions (A/31/34 and Add.1 and 2);

(c) Note by the Secretariat reproducing the text of a draft resolution entitled "Special intergovernmental committee on international trade", consideration of which the General Assembly, at its thirtieth session, had deferred until its thirty-first session (A/C.2/31/L.5).

3. The Committee considered four draft resolutions and three draft decisions, as set forth in sections I to VII below.

I

4. At the 61st meeting, on 7 December, the representative of the Philippines, on behalf of Argentina, Austria, Bangladesh, Bolivia, Canada, Denmark, the Dominican Republic, Ecuador, Finland, Guyana, Iran, Jamaica, Jordan, Mexico, the Netherlands, New Zealand, Norway, Papua New Guinea, Peru, the Philippines, Sri Lanka, Sweden, Togo, Uganda, the United Republic of Cameroon, Venezuela and Yugoslavia, introduced a draft resolution (A/C.2/31/L.61) entitled "The effective mobilization of women in development" and orally introduced the following revisions:

(a) The replacement of operative paragraph 2 by the following:

"2. Urges Member States to implement the recommendations set out in resolution 3505 (XXX), to facilitate the equal participation of women with men in all development efforts, and in particular to ensure that they have equal access to political parties, trade unions, training, especially in agriculture, co-operatives, and credit and loan systems, as well as equal opportunities to participate in policy-making in the economic field, commerce and trade, and the advanced sectors of industry";

(b) The addition, in operative paragraph 4, of the words "the International Labour Organisation" after the words "the Food and Agriculture Organization of the United Nations".

Subsequently, Pakistan joined in sponsoring the draft resolution.

5. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.61, as orally revised, without a vote (see para. 26 below, draft resolution I).

6. Following the adoption of the draft resolution, the representative of the United States of America made a statement.

II

7. At the 62nd meeting, on 8 December, the representative of Norway, on behalf of Austria, Canada, Colombia, Denmark, Ecuador, Finland, Greece, Iraq, Jordan, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, the Philippines, Swaziland, Sweden, Tunisia, Uganda and Yemen, introduced a draft resolution (A/C.2/31/L.48) entitled "Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour" and orally revised the draft resolution by replacing the words "International Labour Organisation" by the words "International Labour Office" in operative paragraph 4.

8. Subsequently, Mali, Mauritania, Senegal and Sierra Leone joined in sponsoring the draft resolution.

9. At the 63rd meeting, on 9 December, the representative of Norway, on behalf of the sponsors, further orally revised the draft resolution by deleting the fifth preambular paragraph, which read as follows:

"Considering the importance of problems of employment, distribution of income and basic needs in national and international strategies against mass poverty and for development".

10. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.48, as orally revised, without a vote (see para. 26 below, draft resolution II).

11. Following the adoption of the draft resolution, statements were made by the representatives of the Netherlands, Sweden (also on behalf of Denmark, Finland, Iceland and Norway), China and Pakistan.

III

12. At its 63rd meeting, the Committee considered the report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System (A/31/34 and Add.1 and 2), and heard an introductory statement by the Chairman of the *Ad Hoc* Committee.

13. At the same meeting, the Committee adopted a draft decision proposed by the Chairman (A/C.2/31/L.84) without a vote (see para. 27 below, draft decision I).

IV

14. The General Assembly, in a decision taken at its 2441st plenary meeting, on 15 December 1975, had decided to defer until its thirty-first session consideration of a draft resolution entitled "Special intergovernmental committee on international trade".¹ In order to facilitate the work of the Committee, the draft resolution was reproduced in a note by the Secretariat (A/C.2/31/L.5).

15. At its 63rd meeting, the Committee had before it a draft decision proposed by the Chairman (A/C.2/31/L.74), entitled "Special intergovernmental committee on inter-

¹ For the decision, in which may be found the text of the draft resolution, see *Official Records of the General Assembly, Thirtieth Session, Supplement No. 34*, p. 79, agenda item 123, subpara. (b).

national trade", whereby consideration of the draft resolution in question would be deferred until the thirty-second session of the General Assembly.

16. At the same meeting, the Committee adopted draft decision A/C.2/31/L.74, without a vote (see para. 27 below, draft decision II).

V

17. At the 65th meeting, on 10 December, the representative of Afghanistan, on behalf of Afghanistan, Bangladesh, Bhutan, Bolivia, Botswana, Burundi, the Central African Republic, Chad, India, the Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mongolia, Nepal, the Niger, Paraguay, Rwanda, Swaziland, Uganda, the Upper Volta, Zaire and Zambia, introduced a draft resolution (A/C.2/31/L.51), entitled "United Nations Special Fund for Land-locked Developing Countries".

18. At the same meeting, the Committee adopted draft resolution A/C.2/31/L.51 by 82 votes to none, with 20 abstentions (see para. 26 below, draft resolution III).

19. Statements in explanation of vote were made by the representatives of Finland, Sweden, Japan, the United States of America, the Netherlands (on behalf of the nine members of the European Economic Community) and New Zealand.

VI

20. At the 65th meeting, Mr. I. Goritza, Vice-Chairman of the Committee, introduced a draft resolution (A/C.2/31/L.86) entitled "Implementation of General Assembly resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII)".

21. At the same meeting, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, withdrew draft resolution A/C.2/31/L.28, entitled "Implementation of General Assembly resolutions on the establishment of the new international economic order", which read as follows

"The General Assembly,

"Recalling its resolutions 3201 (S-VI) and 3203 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

"Recalling also its resolution 3506 (XXX) of 15 December 1975, in which it established the procedure for the review of the implementation of the decisions adopted by the General Assembly at its seventh special session,

"Recalling further its resolution 2626 (XXV) of 24 October 1970, containing the goals, targets and policy

measures of the International Development Strategy for the Second United Nations Development Decade, which have been reinforced by its resolutions on the establishment of the new international economic order, and its resolution 3517 (XXX) of 15 December 1975 on the mid-term review and appraisal of progress in the implementation of the International Development Strategy,

"Noting the report of the Secretary-General of the United Nations Conference on Trade and Development (A/31/276), the interim report of the Conference on International Economic Co-operation (see A/31/282), as well as other relevant reports,

"Noting further that the pertinent decisions adopted at the Ministerial Meeting of the Group of 77 at Manila, the Fifth Conference of Heads of State or Government of Non-Aligned Countries at Colombo and the Conference on Economic Co-operation among Developing Countries at Mexico City have further elaborated the concept and the actions required for the establishment of the new international economic order,

"Considering with deep and increasing concern that parts of the developing world are still subject to foreign aggression and occupation, apartheid, racial discrimination and colonial and neo-colonial domination, which constitute the major obstacles to the economic emancipation and development of the developing countries as a whole as well as some of the greatest threats to international peace and security,

"Considering that the concept of interdependence does not imply that the development and prosperity of the developing countries should be construed as being merely by-products of growing affluence in the developed countries,

"Noting with regret that the developed countries have yet to display the necessary political will to implement these fundamental decisions and fulfil their commitments and obligations and to adjust their policies for this purpose,

"Deeply concerned that, as a consequence, during the current Decade the terms of trade of the developing countries have deteriorated even further, leading to unprecedented and growing balance-of-payments deficits, the burden of debt has reached unmanageable proportions in many developing countries, growth in the developing countries is expected to fall short not only of the 6 per cent target set in the Strategy but also of the rate of growth achieved in the First United Nations Development Decade and that, for many developing countries, particularly the least developed, land-locked, island and most seriously affected developing countries, real per capita income will be lower in 1980 than at the start of the Decade,

"Considering that the primal issue confronting the international community is the inequitable structure of economic relations between the developed and the developing countries, a situation which constitutes a serious threat to international peace and security,

“I

“1. *Affirms* that its decisions on the establishment of the new international economic order represent a commitment on the part of Member States to ensure equity in economic relations between developed and developing countries and a deliberate, sustained and planned effort to develop the economies of the developing countries;

“2. *Notes with concern* that the agreements reached at the fourth session of the United Nations Conference on Trade and Development were limited in nature and did not adequately respond to the agreements contained in General Assembly resolution 3362 (S-VII) of 16 September 1975 and even less to the proposals of the developing countries as set out in the Manila Declaration and Programme of Action;²

“3. *Further notes with concern* that, despite the expectations rested on the Conference on International Economic Co-operation, there has been no concrete progress so far, even in the face of the most urgent and pressing problems of the developing countries;

“4. *Reaffirms* the conclusions reached in the mid-term review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade, contained in General Assembly resolution 2517 (XXX) of 15 December 1975, which specifically identified serious shortfalls on the part of the developed countries in the implementation of General Assembly resolution 2626 (XXV) during the first half of the Decade;

“5. *Expresses its deep concern and disappointment* that there has been no real progress or concrete action towards the implementation of the decisions on the establishment of the new international economic order;

“6. *Reaffirms further* that urgent, vigorous and concrete steps and action still remain to be taken, collectively and individually, by all members of the international community to end without delay all forms of foreign aggression and occupation, racial discrimination, *apartheid*, colonialism and neo-colonialism and that it is also the duty of all States effectively to support and extend assistance to the countries, territories and peoples subjected to them so as to restore their national sovereignty, territorial integrity and their inalienable and fundamental rights in order to promote development and international co-operation, peace and security;

“7. *Urges* therefore the developed countries to display the necessary political will in the ongoing negotiations in different United Nations forums and elsewhere, so as to reach the concrete and urgent solutions necessary to promote the establishment of the new international economic order;

“8. *Considers* that failure to achieve early, concrete and substantial solutions to the development problems of

the developing countries in negotiations on the establishment of the new international economic order would have adverse effects on international economic co-operation;

“II

“9. *Decides* to undertake during its thirty-second session a detailed assessment of the progress made in the implementation of the decisions on the establishment of the new international economic order, together with the review and appraisal of the implementation of the International Development Strategy under a single item entitled ‘Establishment of the new international economic order’;

“10. *Requests* the Economic and Social Council and its Committee on Review and Appraisal to prepare a preliminary assessment for consideration by the General Assembly at its thirty-second session, bearing in mind the provisions of the preceding paragraphs and the reports at the sectoral and regional level presented by the United Nations organs and organizations concerned and such other developments as may take place in the interim;

“11. *Requests further* the Secretary-General as well as the heads of the United Nations organs and organizations concerned, in preparing for the review and assessment, and Member States, in preparing their national reports on the implementation of the International Development Strategy, to take fully into account the provisions of the present resolution, in particular paragraph 9.”

22. At its 66th meeting, on 13 December, the Committee adopted draft resolution A/C.2/31/L.86 by a recorded vote of 105 to 1, with 7 abstentions (see para. 26 below, draft resolution IV). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Surinam, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Belgium, France, Germany, Federal Republic of, Israel, Italy, Japan, United Kingdom of Great Britain and Northern Ireland.

² 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), annex V (TD/195).

23. Statements in explanation of vote were made after the vote by the representatives of Belgium, France, Japan, Bulgaria (on behalf also of the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), Denmark, Finland, Greece, Italy, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Federal Republic of Germany, Spain, Canada, Pakistan (on behalf of the Group of 77), Australia, Israel and Egypt. The representative of the Upper Volta also made a statement.

VII

24. At its 66th meeting, the Committee had before it a draft decision proposed by the Chairman (A/C.2/31/L.91), on reports submitted to the General Assembly under item 66.

25. At the same meeting, the Committee adopted draft decision A/C.2/31/L.91 without a vote (see para. 27 below, draft decision III).

Recommendations of the Second Committee

26. The Second Committee recommends to the General Assembly the adoption of draft resolutions I to IV below:

DRAFT RESOLUTION I

Effective mobilization of women in development

The General Assembly,

Recalling its resolution 3505 (XXX) of 15 December 1975 on the integration of women in the development process,

Recalling further the United Nations regional seminar on the theme "The participation of women in economic, social and political development: obstacles that hinder their integration", held at Buenos Aires from 22 to 30 March 1976,³

Reaffirming the importance of the role of women in all aspects of economic and social development and their contribution to the establishment of the new international economic order,

Recognizing that women, especially those at the lower socio-economic levels, are among the most disadvantaged groups of society,

1. *Takes note* of the report of the Secretary-General on the integration of women in the development process (A/31/205 and Corr.1);

2. *Urges* Member States to implement the recommendations set out in General Assembly resolution 3505 (XXX), to facilitate the equal participation of women

with men in all development efforts and, in particular, to ensure that women have equal access to political parties, trade unions, training, especially in agriculture, co-operatives, and credit and loan systems, as well as equal opportunities to participate in policy-making in the economic field, in commerce and trade and in the advanced sectors of industry;

3. *Further urges* the relevant organizations of the United Nations system to strengthen their support of development programmes or projects relating to women;

4. *Requests* the Secretary-General to prepare a comprehensive report for submission to the General Assembly at its thirty-third session on the effective mobilization of women for development, particularly in the areas referred to in paragraph 2 above, in collaboration with the relevant organizations within the United Nations system—especially the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the United Nations Development Programme, the United Nations Children's Fund, the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Bank and the regional commissions—and the relevant non-governmental organizations, which should include an evaluation of the extent to which their programmes benefit women.

DRAFT RESOLUTION II

Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour

The General Assembly,

Recalling its resolution 3509 (XXX) of 15 December 1975 relating to the Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour,

Recalling further its resolutions 2626 (XXV) of 24 October 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Taking note of the information contained in chapter V of the report of the Economic and Social Council (A/31/3) and of Council decision 182 (LXI) of 5 August 1976 relating to the Tripartite World Conference,

Bearing in mind that the fundamental objectives of the United Nations include the creation of conditions of economic and social progress and development, the securing of higher standards of living, full productive employment and universal respect for the observance of human rights

1. *Takes note with satisfaction* of the Declaration of Principles and Programme of Action adopted by the Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour, held at Geneva from 4 to 17 June 1976 (see E/5857);

2. *Requests* the International Labour Organisation to submit a special report to the Economic and Social Council on the measures which it has taken and which it envisages for the implementation of the Programme of Action;

3. *Requests* the Secretary-General to take appropriate steps, through the Administrative Committee on Co-ordination, with a view to promoting and co-ordinating active participation by the various specialized agencies and other bodies of the United Nations system in the implementation of the Programme of Action and to report to the Economic and Social Council;

4. *Requests* the Economic and Social Council to undertake an appraisal of the activities of the organizations of the United Nations system in the light of the Programme of Action, taking into account, in particular, the relevant discussions and decisions of the Governing Body of the International Labour Office, as well as the reports referred to in paragraphs 2 and 3 above, and to report to the General Assembly at its thirty-second session.

DRAFT RESOLUTION III

United Nations Special Fund for Land-locked Developing Countries

The General Assembly,

Recalling its resolution 3311 (XXIX) of 14 December 1974 in which it requested the Secretary-General to submit to it at its special session devoted to development and international economic co-operation a comprehensive study on the transit problems of the land-locked developing countries and a complete study on the establishment of a fund in favour of the land-locked developing countries,

Recalling also Economic and Social Council resolution 1755 (LIV) of 16 May 1973 in which the Council defined the scope of a complete study on the establishment of the fund,

Recalling further the decision taken at its seventh special session⁴ and its resolution 3504 (XXX) of 15 December 1975, in which it decided to establish immediately a special fund for the land-locked developing countries to compensate for their additional transport and transit costs,

Reaffirming that the land-locked developing countries, as a result of their geographical limitations, are doubly disadvantaged, especially with regard to their additional transport, transit and trans-shipment costs,

Having considered the draft statute of the United Nations Special Fund for Land-locked Developing Countries con-

tained in the note by the Secretary-General prepared in pursuance of General Assembly resolution 3504 (XXX) (A/31/260, annex),

1. *Expresses its appreciation* to the Secretary-General and the United Nations Conference on Trade and Development for the preparation of proposals on the organizational arrangements of the United Nations Special Fund for Land-locked Developing Countries, including the draft statute;

2. *Approves* the statute of the Fund, annexed to the present resolution;

3. *Requests* the United Nations Development Programme, in close collaboration with the secretariat of the United Nations Conference on Trade and Development, to manage the Fund during the interim period and report on its activities to the General Assembly at its thirty-second session;

4. *Appeals* to all international organizations and financial institutions, as well as potential donor countries, to provide the necessary financial resources in order to make the Fund operational during the interim period;

5. *Requests* the Secretary-General to convene the pledging conference as envisaged in article 3, paragraph 2, of the statute;

6. *Calls upon* Member States and the entire international community to contribute generously to the Fund.

ANNEX

Statute of the United Nations Special Fund for Land-locked Developing Countries

INTRODUCTION

The United Nations Special Fund for Land-locked Developing Countries (hereinafter referred to as the Fund) shall operate as an organ of the General Assembly in accordance with the provisions set forth below.

Article 1

PURPOSE

In order to compensate the land-locked developing countries for their additional transport and transit costs, the Fund shall:

(a) Provide resources to offset the disadvantages created by the additional transport and transit costs facing the land-locked developing countries;

(b) Provide financial and technical assistance for projects aimed at reducing the transit and related transport costs incurred by the land-locked developing countries, and at other improvements in the transit and related transport facilities and arrangements for these countries;

(c) Provide financial support for studies, to be carried out by appropriate United Nations organs, of existing transit and related transport facilities and arrangements for land-locked developing countries, and of ways of improving them;

(d) Co-ordinate its activities with:

(i) The programme of studies and technical assistance concerning the transit and related transport needs of land-locked developing countries being carried out by the United Nations

⁴ See *Official Records of the General Assembly, Seventh Special Session, Supplement No. 1*, p. 10, item 7, subpara. (a).

Conference on Trade and Development and the regional commissions;

- (ii) Related programmes in the Department of Economic and Social Affairs of the United Nations Secretariat and other United Nations bodies;
- (iii) Programmes of technical and financial assistance on behalf of land-locked developing countries in the United Nations Development Programme and other multilateral and bilateral assistance agencies.

Article 2

GUIDING PRINCIPLES

1. The provision of assistance shall be in conformity with the purposes and principles of the Charter of the United Nations.

2. Assistance from the Fund shall not serve as a means for economic and political interference in the internal affairs of recipient countries and shall not be influenced by considerations relating to the nature of their economic, social and political systems.

Article 3

RESOURCES

1. The resources of the Fund shall consist of voluntary contributions in cash or in kind by Governments. The Fund shall also be empowered to receive contributions from international organizations, both governmental and non-governmental, and from other private sources.

2. Contributions to the Fund may also be made by means of pledging conferences convened by the Secretary-General of the United Nations, the first pledging conference to be convened not later than twelve months after the adoption of the statute of the Fund. Contributions as pledged to the Fund shall be payable within the twelve months following the pledge.

3. Cash contributions shall be made in convertible currencies or in currency readily usable by the Fund.

4. Contributions shall be made without limitation to a specific recipient country.

Article 4

ORGANIZATION AND SUPERVISION

1. The policies and procedures of the Fund shall be formulated by a Board of Governors, composed of representatives of thirty-six States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, elected by the General Assembly keeping in view, *inter alia*, the need for balance among the representation of the beneficiary land-locked developing countries and their transit neighbours, on the one hand, and potential donor countries, both developed and developing, on the other. States elected to the Board of Governors shall do their utmost to ensure that their representatives possess the expertise required for the efficient operation of the Fund.

2. The members of the Board of Governors shall be elected for a term of three years, provided, however, that, of the members elected at the first election, the terms of one third of the members shall expire at the end of one year and the terms of a further one third of the members at the end of two years. Retiring members shall be eligible for re-election.

3. The Board of Governors shall report annually to the General Assembly through the Economic and Social Council. The comments of the Council on the report shall also be transmitted to the Assembly.

4. The Board of Governors shall meet at least once a year and as often as may be necessary for the conduct of the work of the Fund.

5. The Board of Governors may, in the light of requirements, establish an Executive Committee to supervise the operations of the Fund on a continuous basis and report to the Board on its activities

at regular intervals. Beneficiary land-locked developing countries and their transit neighbours, on the one hand, and potential donor countries, on the other, shall be represented on the Executive Committee in proportions similar to such representation on the Board of Governors.

Article 5

QUORUM AND VOTING

1. A majority of the members of the Board of Governors or of the Executive Committee shall constitute a quorum.

2. Each member of the Board of Governors and each member of the Executive Committee shall have one vote.

3. Decisions on all questions shall as far as possible be made on the basis of consensus. In the absence of consensus, decisions shall be made by a majority of the members present and voting. For the purpose of the present article, the phrase "members present and voting" means members present and casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Article 6

MANAGEMENT

1. The chief executive officer of the Fund, who shall be appointed by the Secretary-General of the United Nations subject to confirmation by the General Assembly, shall be the Executive Director of the Fund.

2. The Executive Director shall discharge his functions under the guidance and supervision of the Board of Governors and the Executive Committee, if established, in whose deliberations he will participate without the right to vote. He shall exercise over-all responsibility for the day-to-day operations of the Fund and shall report directly, on a regular basis, to the Board of Governors, or through the Executive Committee, if established, on the operations of the Fund.

3. The Executive Director shall be assisted by a small secretariat within the framework of the United Nations Secretariat. The Fund may enter into management contracts with the competent international organizations, including the regional development banks, to conduct its operations. The contracts shall ensure the full and effective control, at all times, of the Fund over the operations. The Executive Director shall make effective use of the existing facilities of the United Nations Secretariat, including those of the United Nations Conference on Trade and Development, the regional commissions and the United Nations Industrial Development Organization, as well as those of the United Nations Development Programme. Where appropriate, the Fund may also use the facilities of the specialized agencies.

Article 7

MODES OF OPERATION

1. To carry out its purposes as specified in article 1, the Fund is empowered to make grants and loans, including loans on concessional terms, and, as appropriate, to participate in investments and to allocate assistance in kind under its control and direction.

2. The Fund shall ensure an equitable distribution of its resources, taking into account the needs of each of the land-locked developing countries as well as relevant problems at the regional and subregional levels.

Article 8

RESPONSIBILITIES OF GOVERNMENTS OF RECIPIENT COUNTRIES

Governments of recipient countries shall ensure the effective utilization of the resources provided by the Fund, shall maintain the records required by the Fund in connexion with the administration of its financial and technical assistance and shall report fully on the utilization of such assistance.

Article 9

FINANCIAL ADMINISTRATION

1. The financial regulations for the Fund shall be drafted by the Secretary-General of the United Nations in consultation with the Executive Director of the Fund, for approval by the General Assembly on the recommendation of the Board of Governors. In the preparation of these regulations, account shall be taken of the special requirements of the operations of the Fund.

2. Pending the approval by the General Assembly of financial regulations for the Fund, the Financial Regulations and Rules of the United Nations⁵ shall apply.

Article 10

FUTURE INSTITUTIONAL ARRANGEMENTS

The General Assembly shall review, in the light of experience, the effectiveness and further evolution of these institutional arrangements with a view to deciding upon such changes and improvements as may be necessary in order to meet fully the purposes of the Fund.

DRAFT RESOLUTION IV

Implementation of General Assembly resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII)

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling also its resolution 3506 (XXX) of 15 December 1975 on the implementation of the decisions adopted by the General Assembly at its seventh special session,

Recalling further its resolution 2626 (XXV) of 24 October 1970, containing the goals, targets and policy measures of the International Development Strategy for the Second United Nations Development Decade, which have been complemented and strengthened by its resolutions on the establishment of a new international economic order and its resolution 3517 (XXX) of 15 December 1975 on the mid-term review and appraisal of progress in the implementation of the International Development Strategy,

Noting the reports on the fourth session of the United Nations Conference on Trade and Development held at Nairobi from 5 to 31 May 1976 (A/31/276), and the interim report of the Conference on International Economic Co-operation (see A/31/282) as well as other relevant reports,

Noting further the pertinent decisions on the establishment of the new international economic order adopted at the Third Ministerial Meeting of the Group of 77, held at Manila from 26 January to 7 February 1976,⁶ the Fifth

Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (see A/31/197, annex II), and the Conference on Economic Co-operation among Developing Countries, held at Mexico City from 13 to 22 September 1976 (see A/C.2/31/7, part one),

Considering with deep and increasing concern that parts of the developing world are still subject to foreign aggression and occupation, *apartheid*, racial discrimination and colonial and neo-colonial domination, which constitute major obstacles to the economic emancipation and development of the developing countries as a whole as well as major threats to international peace and security,

Noting the regret expressed by the developing countries that the developed countries have yet to display the necessary political will to implement these fundamental decisions of the United Nations and fulfil their commitments and obligations and to adjust their policies for this purpose,

Deeply concerned that during the current Second United Nations Development Decade the terms of trade of the majority of developing countries have deteriorated, together with unprecedented and growing balance-of-payments deficits, that the burden of debt has reached unmanageable proportions in many developing countries and growth in the developing countries is expected to fall short not only of the 6 per cent target of the International Development Strategy but also of the rate of growth achieved in the First United Nations Development Decade and that, for many developing countries, particularly among the least developed, land-locked, island and most seriously affected developing countries, real *per capita* income could, if present trends persist, be lower in 1980 than at the start of the Decade,

Considering that the inequity in economic relations between the developed and the developing countries is one of the primal issues confronting the international community, a situation which could adversely affect international economic co-operation and the promotion of world peace and security,

I

1. *Affirms* that its resolutions on the establishment of a new international economic order reflect a commitment on the part of all countries to ensure equitable economic relations between developed and developing countries and a deliberate, sustained and planned effort to contribute to the development of the developing countries;

2. *Emphasizes* the conclusions reached in the mid-term review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade, contained in its resolution 3517 (XXX) of 15 December 1975, which specifically identified serious shortfalls in the implementation of its resolution 2626 (XXV) during the first half of the Decade;

3. *Expresses its deep concern and disappointment* at the failure of the Conference on International Economic

⁵ ST/SGB/Financial Rules/1/Rev.1 and Amend.1-5.

⁶ See *Proceedings of the United Nations Conference on Trade and Development, Fourth Session*, vol. 1, *Report and Annexes* (United

4. *Reaffirms* that urgent, more vigorous and concrete steps and actions still remain to be taken, collectively and individually, by all members of the international community to end without delay all forms of foreign aggression and occupation, racial discrimination, *apartheid*, colonialism and neo-colonialism and that it is also the duty of all States effectively to support and extend assistance to the countries, territories and peoples subjected to them so as to restore their national sovereignty, their territorial integrity and their inalienable and fundamental rights in order to promote development and international co-operation, peace and security;

5. *Expresses deep concern*, despite some progress in certain areas, at the slow pace of progress in the implementation of the measures specified in the resolutions and decisions of the General Assembly adopted at its sixth and seventh special sessions and at the limited nature of agreements reached at the fourth session of the United Nations Conference on Trade and Development;

6. *Urges* the international community, particularly the developed countries, to display the necessary political will in the ongoing negotiations in different United Nations forums and elsewhere so as to reach the concrete and urgent solutions necessary to promote the establishment of a new international economic order;

II

1. *Decides* to undertake during the course of its thirty-second session a detailed assessment of the progress made in the implementation of its resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII) under a single item entitled "Assessment of the progress made in the implementation of General Assembly resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII) entitled, respectively, 'International Development Strategy for the Second United Nations Development Decade', 'Programme of Action on the Establishment of a New International Economic Order', 'Charter of Economic Rights and Duties of States' and 'Development and international economic co-operation'";

2. *Requests* the Economic and Social Council and the Committee on Review and Appraisal to prepare a preliminary assessment, for consideration by the General Assembly at its thirty-second session, bearing in mind the provisions of the preceding paragraphs and the reports at the sectoral and regional level submitted by the United Nations organs and organizations concerned and such other developments as may take place in the interim;

3. *Requests* the Secretary-General and the heads of the United Nations bodies and organizations concerned, in preparing for the review and assessment, and Member States, in preparing their national reports on the implementation of the International Development Strategy for the Second United Nations Development Decade, to take fully into account the provisions of the present resolution, in particular section II, paragraph 1.

*

* *

27. The Second Committee also recommends to the General Assembly the adoption of draft decisions I to III below:

DRAFT DECISION I

Report of the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System

The General Assembly:

(a) Takes note of the report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System (A/31/34 and Add.1 and 2);

(b) Decides to extend the mandate of the *Ad Hoc* Committee with a view to enabling it to submit final recommendations, in accordance with General Assembly resolution 3362 (S-VII) of 16 September 1975, to the Assembly at its thirty-second session through the Economic and Social Council at its sixty-third session;

(c) Requests the Economic and Social Council to continue, as envisaged in section VII, paragraph 2, of General Assembly resolution 3362 (S-VII), the process of rationalization and reform which it has undertaken in accordance with Council resolution 1768 (LIV) of 18 May 1973 and Assembly resolution 3341 (XXIX) of 17 December 1974;

(d) Further requests the Economic and Social Council to submit to the General Assembly at its thirty-second session the report requested in Assembly resolution 3341 (XXIX).

DRAFT DECISION II

Special intergovernmental committee on international trade

The General Assembly decides to defer until its thirty-second session consideration of the draft resolution entitled "Special intergovernmental committee on international trade" (see A/C.2/31/L.5).

DRAFT DECISION III

Documents relating to development and international economic co-operation

The General Assembly decides to take note of the following documents:

(a) Preliminary study by the Secretary-General on the possibility of establishing an international energy institute within the framework of the United Nations system (A/31/262);

(b) Progress report of the Executive Director of the United Nations Industrial Development Organization on the joint study on international industrial co-operation (A/31/230);

(c) Report of the Secretary-General on the Conference on International Economic Co-operation (A/31/107 and Corr.1 and 2);

(d) Report of the Executive Director of the United Nations Industrial Development Organization on the establishment of an industrial technological information bank (A/31/147).

(e) Report of the Secretary-General on the establishment of a network for the exchange of technological information (E/5839).

DOCUMENT A/31/335/ADD.2

PART III

[Original: English]
[19 September 1977]

1. In accordance with General Assembly decision 31/429 A of 22 December 1976, the Second Committee resumed its consideration of agenda item 66 at its 70th and 71st meetings, on 14 and 19 September 1977. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.70 and 71).

2. The Committee had before it the following documents:

(a) Note by the Secretary-General transmitting the final report of the Conference on International Economic Co-operation (A/31/478 and Corr.1 and A/31/478/Add.1 and Corr.1);

(b) Report of the Secretary-General on the Conference on International Economic Co-operation (A/31/480).

3. At the 70th meeting, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced a draft resolution (A/C.2/31/L.95), entitled "Development and international economic co-operation", which read as follows:

"The General Assembly,

"Recalling its resolutions 2626 (XXV) of 24 October 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

"Recalling also the decisions within the context of the establishment of the new international economic order adopted by the United Nations conferences held on economic and social issues,

"Recalling also its resolutions 3515 (XXX) of 15 December 1975 and 31/14 of 19 November 1976 on the Conference on International Economic Co-operation,

"Taking note of the report of the Conference on International Economic Co-operation (A/31/478 and Corr.1 and A/31/478/Add.1 and Corr.1),

"Noting that the agreed objective of the Conference was to adopt concrete proposals for action, which would constitute a significant advance in international economic co-operation and make a substantial contribution to the economic development of developing countries;

"Noting with concern that the progress in negotiations towards the establishment of the new international economic order has been slow and limited in all areas and forums,

"Emphasizing that the United Nations system is the most appropriate and fully representative forum for these negotiations,

"1. Notes with regret that the results of the Conference on International Economic Co-operation fell far short of its agreed objective, that no real progress was made towards the restructuring of the international economic system and the solution of the most pressing problems facing the developing countries;

"2. Expresses concern that the Conference on International Economic Co-operation failed to reach agreements which could contribute to the establishment of the new international economic order;

"3. Notes that the Conference reached only certain limited agreements, inter alia, in areas of infrastructural development, particularly in Africa, commodities, food and agriculture and the flow of resources to developing countries;

"4. Affirms that new and resolute efforts must be made by the international community, in particular by the developed countries, in order to secure positive and concrete results within specific time frames on all issues relating to the establishment of the new international economic order;

"5. Urges all countries to use the United Nations system for all negotiations of a global nature related to the establishment of the new international economic order;

"6. Calls upon the developed countries urgently to fulfil their commitment to negotiate and to reconsider their position on unresolved issues in order to facilitate the early establishment of the new international economic order;

"7. Urges the developed countries to accord priority to the particular needs and requirements of the least developed, land-locked, most seriously affected and island developing countries on the basis of decisions adopted within the United Nations system;

"8. Decides to intensify at its thirty-second session, under item 67 of its provisional agenda, negotiations in the process of establishing the new international economic order and also to provide guidelines for the conduct of such negotiations in the appropriate bodies of the United Nations system;

"9. Decides to continue to review, in depth, at its regular sessions the progress of implementation of deci-

sions on and negotiations towards the establishment of the new international economic order and also to facilitate and/or find solutions to outstanding problems encountered in such negotiations in the organs, organizations and other bodies and conferences within the United Nations system;

"10. *Requests* the Economic and Social Council to assist the General Assembly in performing the tasks outlined in paragraph 9 above;

"11. *Requests* the United Nations Conference on Trade and Development to keep under review the interrelationship of international economic issues as well as the impact of the results of negotiations on these issues on international economic co-operation and especially on the trade and development of developing countries;

"12. *Requests* the Secretary-General and all organs, organizations and other bodies and conferences of the United Nations system:

"(a) To take appropriate steps, as envisaged in paragraph 8 above, to organize effective negotiations, within their fields of competence, with a view to reaching, within specific time frames, concrete and positive results on all issues relating to the establishment of the new international economic order;

"(b) To submit reports to the General Assembly regarding any difficulties that may arise in the negotiations in order to enable it to take action as provided for in paragraph 8 above;

"(c) To include in such reports adequate explanations as well as the necessary documentation prepared by the secretariats of the bodies submitting the reports;

"13. *Requests* the Secretary-General also to publicize, to the widest extent possible, the concept and elements of the new international economic order, in particular in the developed countries, for the purpose of generating the necessary political will for its implementation;

"14. *Decides* to convene a special session of the General Assembly at the ministerial level by early 1980 at the latest, 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, and in the light of that assessment to take appropriate action for further promotion of the development of developing countries and international economic co-operation, including the adoption of the new international development strategy."

4. A statement of the administrative and financial implications of the draft resolution was submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.2/31/L.96).

5. At the same meeting, following an exchange of views, the Committee agreed, on the proposal of the Chairman, to hold informal consultations on the draft resolution under the chairmanship of Mr. I. Goritza (Romania), Vice-Chairman of the Committee.

6. At the 71st meeting, the Vice-Chairman of the Committee reported that no agreement had been reached on the draft resolution.

DOCUMENT A/31/462

Suspension of the thirty-first session

Letter dated 17 December 1976 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the General Assembly

[Original: English]
[20 December 1976]

The Group of 77 met yesterday afternoon to take note of the decision by members of the Conference on International Economic Co-operation to postpone their Ministerial Meeting, which was to have taken place between 15 and 17 December 1976, until a date sometime in the first half of 1977. Discussion in the Group reflected disappointment at the fact that the meeting has had to be postponed and at the meagre results yielded by the Paris Conference so far. The meeting also took into account the wish of the General Assembly, expressed in its resolution 31/14 of 19 November 1976,⁷ that the results of the Conference should be assessed in the course of the current session. The Group also issued a communiqué containing its views on the subject, a copy of which is enclosed.

In the light of the postponement of the final Ministerial Meeting of the Conference, the Group of 77 was of the view that the current session of the General Assembly should not close on 21 December as previously decided and that it should be reconvened in a resumed session to consider agenda item 66, entitled "Development and international economic co-operation: implementation of the decisions adopted by the General Assembly at its seventh special session".

I would request that this letter as well as the enclosed communiqué of the Group of 77 developing countries be circulated as a document of the General Assembly.

(Signed) Iqbal AKHUND
Ambassador and Permanent Representative of Pakistan
to the United Nations
Chairman of the Group of 77

⁷ Resolution adopted on the recommendation of the Second Committee (see A/31/335 above, para. 9).

ANNEX

Communiqué issued by the Group of 77 developing countries

1. Following the decision of the countries participating in the Conference on International Economic Co-operation not to convene the concluding Ministerial Meeting from 15 to 17 December 1976 and to hold that meeting in the first part of 1977, the Group of 77 met at United Nations Headquarters in New York, on 16 December 1976, to consider the situation. The Group took note of that decision.

2. The Group also noted that, as Mr. Pérez Guerrero, the Co-Chairman of the Conference, stated to the press.

“The developing countries of the Group of 19 were prepared to meet on the original dates, but they have accepted the postponement in view of the argument advanced that at this time some industrialized countries of the Group of 8 are not able to assume the political position which will ensure the success of the Conference and that early in next year the prospects appear favourable. The initiative for the postponement did not come from the Group of 19 but from the Group of 8.”

3. The developing countries had agreed to participate in the restricted Conference on International Economic Co-operation on the understanding that it would seek to translate into action the agreements and understandings reached at the sixth and seventh special sessions of the General Assembly and also seek new areas of agreement on issues affecting the world economy. The developing countries expected the Conference to lead to concrete action to resolve the fundamental problems arising from the inequitable economic relations between the developed and the developing countries, make a significant contribution to the development of the developing countries and thereby promote the prosperity of all nations, the ultimate objective of the new international economic order. This expectation was reinforced by the consensus reached at the seventh special session of the General Assembly for concrete action to resolve the economic problems of the developing countries in certain specific areas.

4. The developing countries have become increasingly concerned that after a whole year, during which their economic conditions have continued to deteriorate, no progress has been registered at the Conference on International Economic Co-operation, despite the fact that the Conference was to have submitted its final conclusions to the General Assembly in December 1976.

5. The developing countries have presented detailed and specific proposals for concrete action in all the areas of the work of the Conference. There has been no positive response to these proposals from the developed countries; the few proposals put forward by them were limited in nature.

6. It is in this perspective that the General Assembly, in its resolution 31/14, has expressed its deep concern and disappointment at the failure of the Conference to achieve any concrete results so far, and its profound concern at the adverse effect which the failure of the Conference will have on international economic co-operation. The Assembly has urged all the participants in Paris, especially the developed countries, to ensure the success of the Conference and to respond positively to the proposals put forward by the developing countries.

7. While taking note of the postponement of the concluding Ministerial Meeting, the Group of 77 affirms the hope and expectation of the developing countries that positive and concrete results in all areas under consideration at the Conference will be forthcoming at the meeting which should be held in the early part of 1977. The Group expects the developed countries also to demonstrate the necessary political will and vision required to achieve substantial and real progress in the dialogue and to promote solutions to the grave and urgent problems affecting the developing countries and the world economy. The Group of 77 reiterates its conviction that the achievement of substantive and concrete results in all areas of major concern is a prerequisite for the success of the Conference. The developing countries will not be prepared to consider marginal results on peripheral issues as constituting such a success.

8. The Group of 77 also attaches great importance to the achievement of substantive results in the negotiations taking place in other forums, particularly in the current negotiations on commodities, including on the establishment of a common fund, the multilateral trade negotiations and the forthcoming Ministerial Meeting of the Trade and Development Board on the problem of indebtedness of the developing countries.

9. The Group of 77 wishes to emphasize once again the central role of the United Nations, especially the General Assembly, in the field of international economic co-operation. The General Assembly decided in its resolution 31/14 “to consider during its present session the results of the concluding Ministerial Meeting of the Conference on International Economic Co-operation”, which has now been postponed to the early part of next year. In view of this, the Group of 77 considers that the present session of the General Assembly should not be closed on the scheduled date. A resumed meeting of the thirty-first session of the General Assembly should be convened in the early part of 1977 to consider the results of the concluding Ministerial Meeting of the Conference on International Economic Co-operation and other relevant negotiations which are under way.

10. In this context, the Group of 77 expressed the general desire to consider convening a meeting of the developing countries at an appropriately high political level to assess the situation and to co-ordinate their strategy.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 72nd plenary meeting, on 19 November 1976, the General Assembly, by a recorded vote of 99 to none, with 30 abstentions, adopted the draft resolution submitted by the Second Committee in part one of its report (A/31/335, para. 9). For the final text, see resolution 31/14.⁸

At its 106th plenary meeting, on 21 December 1976, the General Assembly voted on draft resolutions I to IV submitted by the Second Committee in part two of its report (A/31/335/Add.1, para. 26). Draft resolutions I and II were adopted without a vote; draft resolutions III and IV were adopted by recorded votes of 115 to none, with 19 abstentions, and 128 to 1, with 8 abstentions, respectively. For the final texts, see resolutions 31/175 to 31/178.⁸

⁸ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

At the same meeting, the Assembly adopted draft decisions I to III recommended by the Second Committee in paragraph 27 of its report (A/31/335/Add.1) (see decision 31/421⁸).

At its 107th plenary meeting, on 22 December 1976, the General Assembly decided that the thirty-first session might be resumed for the consideration of agenda item 66 (see decision 31/429 A⁸).

At the same meeting, the Assembly decided that the election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries, in accordance with article 4, paragraphs 1 and 2, of the statute of the Fund,⁹ would be taken up by the Assembly at its resumed thirty-first session as part of its consideration of agenda item 66, and that, if the session were not resumed, the Economic and Social Council would be entrusted with that election (see decision 31/429 B⁸).

At its 109th plenary meeting, on 19 September 1977, the General Assembly took note of part three of the report of the Second Committee (A/31/335/Add.2) (see decision 31/430¹⁰).

At the same meeting, the Assembly decided to defer until its thirty-second session the election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries (see decision 31/431¹⁰).

⁹ *Ibid.*, resolution 31/177, annex.

¹⁰ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39A*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 66 which are not reproduced in the present fascicle. Unless otherwise indicated, the documents were issued in mimeographed form only.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------------|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/3/Add.1 (part V) | Addendum to the report of the Economic and Social Council (resumed sixty-first session) | <i>Ibid.</i> , Supplement No. 3A, chap. VII |
| A/31/34 | Report of the <i>Ad Hoc</i> Committee on the Restructuring of the Economic and Social Sectors of the United Nations System [on the work of its second, third and fourth sessions] | <i>Ibid.</i> , Supplement No. 34 |
| A/31/34/Add.1 | Addendum to the report of the <i>Ad Hoc</i> Committee on the Restructuring of the Economic and Social Sectors of the United Nations System [summary records of the meetings of the first and second sessions] | <i>Ibid.</i> , Supplement No. 34A |
| A/31/34/Add.2 | <i>Idem</i> [summary records of the meetings of the third and fourth sessions] | <i>Ibid.</i> , Supplement No. 34B |
| A/31/107 and Corr.1 and 2 | Conference on International Economic Co-operation: report of the Secretary-General | |
| A/31/147 | Establishment of an industrial technological information bank: report of the Executive Director of the United Nations Industrial Development Organization | |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | |
| A/31/205 and Corr.1 | Integration of women in the development process. report of the Secretary-General | |
| A/31/208 | Letter dated 9 September 1976 from the representative of Pakistan to the Secretary-General transmitting the text of an article by the Prime Minister of Pakistan | |
| A/31/230 | Joint study on international industrial co-operation: progress report of the Executive Director of the United Nations Industrial Development Organization | |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---|---|---|
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | |
| A/31/260 | United Nations special fund for land-locked developing countries: note by the Secretary-General | |
| A/31/262 | Preliminary study on the possibility of establishing an international energy institute within the framework of the United Nations system: report of the Secretary-General | |
| A/31/276 | Evaluation of the results of the fourth session of the United Nations Conference on Trade and Development: report of the Secretary-General of the Conference | |
| A/31/282 | Note by the Secretary-General transmitting the report of the Conference on International Economic Co-operation on its activities as at mid-September 1976 | |
| A/31/336 and Add.1 | Reports of organizations of the United Nations system submitted under paragraph 2 of General Assembly resolution 3506 (XXX): note by the Secretary-General | |
| A/31/405 | Report of the Committee to Draw Up a Constitution for the United Nations Industrial Development Organization as a specialized agency: note by the Secretary-General | |
| A/31/472 | Letter dated 23 December 1976 from the representative of Bulgaria to the President of the General Assembly, transmitting the text of the statement which the Bulgarian delegation intended to make at the 107th plenary meeting, on 22 December 1976 | |
| A/31/478 and Corr.1 and A/31/478/Add.1 and Corr.1 | Note by the Secretary-General transmitting the final report of the Conference on International Economic Co-operation | |
| A/31/480 | Conference on International Economic Co-operation: report of the Secretary-General | |
| A/31/483 | Letter dated 19 September 1977 from the representative of Bulgaria to the Secretary-General | |
| A/C.2/31/2 | Letter dated 3 October 1976 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General, transmitting the text of a statement by the Soviet Government on the restructuring of international economic relations | |
| A/C.2/31/L.5 | Note by the Secretariat reproducing the text of a draft resolution entitled "Special intergovernmental committee on international trade" | See A/31/335/Add.1, para. 14 |
| A/C.2/31/L.16 | Draft resolution | For the sponsors and the text, see A/31/335, paras. 4 and 9 |
| A/C.2/31/L.21 | Draft resolution | <i>Idem</i> , para. 5 |
| A/C.2/31/L.28 | Draft resolution | <i>Idem</i> , A/31/335/Add.1, para. 21 |
| A/C.2/31/L.48 | Draft resolution | <i>Idem</i> , paras. 7, 8; 9 and 26, draft resolution II |
| A/C.2/31/L.51 | Draft resolution | <i>Idem</i> , paras. 17 and 26, draft resolution III |
| A/C.2/31/L.61 | Draft resolution | <i>Idem</i> , paras. 4 and 26, draft resolution I |
| A/C.2/31/L.74 | Draft decision | <i>Idem</i> , paras. 15 and 27, draft decision II |
| A/C.2/31/L.79 | Administrative and financial implications of draft resolution A/C.2/31/L.51: note by the Secretary-General | |
| A/C.2/31/L.84 | Draft decision | <i>Idem</i> , paras. 13 and 27, draft decision I |
| A/C.2/31/L.86 | Draft resolution | <i>Idem</i> , paras. 20 and 26, draft resolution IV |
| A/C.2/31/L.91 | Draft decision | <i>Idem</i> , paras. 24 and 27, draft decision III |
| A/C.2/31/L.95 | Draft resolution | <i>Idem</i> , A/31/335/Add.2, para. 3 |
| A/C.2/31/L.96 | Administrative and financial implications of draft resolution A/C.2/31/L.95: note by the Secretary-General | |
| E/5803/Add.1 | Progress report of the Administrative Committee on Co-ordination on the response of the United Nations system to General Assembly resolution 3263 (XXIX) | |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
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| E/5839 | Establishment of a network for the exchange of technological information: report of the Secretary-General | |
| E/5857 | Progress report of the Director-General of the International Labour Office on the outcome of the Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour <i>Administrative and financial implications of draft decisions I and II submitted by the Second Committee in document A/31/335/Add.1</i> | |
| A/C.5/31/91 | Note by the Secretary-General (draft decision I) | |
| A/C.5/31/92 | <i>Idem</i> (draft decision II) | |
| A/31/460 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 67:* Economic co-operation among developing countries: report of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 30th, 36th to 44th, 60th and 66th meetings, *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum, and *ibid.*, *Plenary Meetings*, 101st meeting

** This question was discussed by the General Assembly at the twenty-ninth session (agenda item 49) and the thirtieth session (item 66).

DOCUMENT A/31/428

Report of the Second Committee

*[Original: English]
[14 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled "Economic co-operation among developing countries: report of the Secretary-General" and to allocate it to the Second Committee.

2. At its 25th meeting, on 29 October 1976, the Second Committee, on the proposal of the Chairman, decided to consider concurrently items 59 (Operational activities for development), 68 (Technical co-operation among developing countries) and 67 (Economic co-operation among developing countries).

3. The Committee considered item 67 at its 30th, 36th to 44th, 60th and 66th meetings, between 3 November and 13 December 1976. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.30, 36-44, 60 and 66).

4. The Committee had before it the following documents:

(a) Report of the Secretary-General on the implementation of the provisions of General Assembly resolution 3442 (XXX) (A/31/304 and Add.1);

(b) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(c) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237);

(d) Letter dated 11 October 1976 from the Secretary for Foreign Affairs of Mexico, President of the Conference on Economic Co-operation among Developing Countries, addressed to the Secretary-General, transmitting the text of the final report of the Conference (A/C.2/31/7 and Add.1).

5. At the 60th meeting, on 6 December, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced a draft resolution (A/C.2/31/L.62), entitled "Economic co-operation among developing countries", which read as follows.

"The General Assembly,

"Recalling its resolutions 3177 (XXVIII) of 17 December 1973, 3241 (XXIX) of 29 November 1974, 3442 (XXX) of 9 December 1975 and resolution 92 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development¹ on economic co-operation among developing countries,

"Recalling further its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a

¹ See *Proceedings of the United Nations Conference on Trade and Development, Fourth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. 1.76.II.D.10), part one, sect. A

New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

“*Noting* the Programme of Economic Co-operation among Developing Countries adopted at the Third Ministerial Meeting of the Group of 77, held at Manila from 26 January to 7 February 1976,²

“*Noting also* the decisions of the Non-Aligned Movement on Economic Co-operation among Developing Countries and in particular the Action Programme for Economic Co-operation (see A/31/197, annex III) and other relevant resolutions (*ibid.*, annex IV) adopted at the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976,

“*Noting further* the measures set out in the report of the Conference on Economic Co-operation among Developing Countries, held at Mexico City from 13 to 22 September 1976 (see A/C.2/31/7, part one),

“*Considering* that the developing countries have set in motion an irreversible trend towards the consolidation of their unity and mutual co-operation and noting their desire to maintain their efforts to strengthen further such co-operation and solidarity,

“*Recognizing* that the achievement of the goal of greater co-operation and collective self-reliance espoused by the developing countries will not only promote their economic development but will also facilitate effective and meaningful negotiations with the developed countries to establish the new international economic order,

“*Stressing* that the restructuring of the existing international economic relations on the basis of equity and justice is a prerequisite for an enduring solution to the world economic problems so essential for the promotion of international peace and security,

“*Reaffirming* that the efforts towards mutual co-operation by the developing countries do not diminish the responsibilities of the developed countries for establishing just and equitable economic relations between them and the developing countries and for contributing to the development of the developing countries,

“1. *Takes note* of the report of the Secretary-General (A/31/304 and Add.1);

“2. *Requests* the Secretary-General to take all necessary steps in order to give full co-operation and support in the realization of the measures of economic co-operation among developing countries, especially those set out in the Programme of Action adopted at the Third Ministerial Meeting of the Group of 77³ and the Action Programme for Economic Co-operation adopted at the Fifth Con-

ference of Heads of State or Government of Non-Aligned Countries and the report of the Conference on Economic Co-operation among Developing Countries, held at Mexico City, and to ensure the proper co-ordination of such support activities within the United Nations system;

“3. *Further requests* the Secretary-General to continue to include in the medium-term plan of the United Nations an intersectoral presentation of the activities envisaged to implement the relevant United Nations resolutions on economic co-operation among developing countries and, in co-operation with the organizations of the United Nations system, to secure the same kind of intersectoral presentation on a system-wide basis;

“4. *Urges* the specialized agencies and other organizations of the United Nations system to support measures of economic co-operation among developing countries, including, as and when requested, the continued provision of the necessary Secretariat support services and other suitable arrangements to facilitate the holding of meetings by the developing countries in pursuance of the objectives of economic co-operation among developing countries;

“5. *Requests* the Secretary-General of the United Nations Conference on Trade and Development, while taking all the necessary measures requested in Trade and Development Board decision 142 (XVI) of 23 October 1976,⁴ to assist developing countries, at their request, in carrying out studies on specific issues relating to trade and development and especially those relating to the promotion of trade and financial co-operation among developing countries;

“6. *Urges* developed countries to provide the support, as and when requested from them by the developing countries, for the implementation of all the measures of economic co-operation among developing countries;

“7. *Invites* the Secretary-General to submit a progress report to the General Assembly at its thirty-second session on all measures taken by the specialized agencies and other organizations of the United Nations system in support of measures of economic co-operation among developing countries.”

6. At the 66th meeting, on 13 December, the representative of Pakistan, in his capacity as current Chairman of the Group of 77, introduced a revised draft resolution (A/C.2/31/L.62/Rev.1) which incorporated the following changes to draft resolution A/C.2/31/L.62:

(a) The replacement, in the sixth preambular paragraph, of the word “*Considering*” by the word “*Noting*”;

(b) The revision of the seventh, eighth and ninth preambular paragraphs to read as follows:

“*Recognizing* that in the context of global economic co-operation the achievement of the goal of greater co-operation and collective self-reliance espoused by the developing countries will not only promote their eco-

² *Ibid.* (United Nations publication, Sales No. E.76.II.D.10), annex V (TD/195), annex I, resolution 1.

³ *Ibid.*, annex V (TD/195), part two.

⁴ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 15* (A/31/15), vol. II, annex I.

conomic development but will also facilitate effective and meaningful negotiations with the developed countries on the establishment of a new international economic order,

“*Stressing* that fundamental structural changes in existing international economic relations on the basis of equity and justice are important in providing an enduring solution to the world economic problems so essential for the promotion of international peace and security,

“*Reaffirming* that the efforts towards mutual co-operation by the developing countries do not diminish responsibilities of all other countries for establishing just and equitable economic relations between them and the developing countries and for contributing to the development of the developing countries”;

(c) The revision of operative paragraph 2 to read as follows:

“2. *Requests* the Secretary-General to study the relevant decisions on economic co-operation among developing countries, including the Programme of Action adopted at the Third Ministerial Meeting of the Group of 77, the Action Programme for Economic Co-operation adopted at the Fifth Conference of Heads of State or Government of Non-Aligned Countries and the report of the Conference on Economic Co-operation among Developing Countries, with a view to formulating appropriate support measures for the realization of the objectives of economic co-operation among developing countries, and to submit a report thereon, together with the organizational and financial implications, to the General Assembly at its thirty-second session, through the Economic and Social Council”;

(d) The insertion, in operative paragraph 4, of the words “in accordance with their established procedures and practices” after the words “the United Nations system”;

(e) The addition of a new operative paragraph 5 to read as follows:

“5. *Welcomes* the establishment by the Trade and Development Board, by its decision 142 (XVI) of 23 October 1976, of the Committee on Economic Co-operation among Developing Countries as an open-ended main committee of the Board to consider and recommend measures to provide, in the field of competence of the United Nations Conference on Trade and Development, as and when requested, support and assistance to developing countries in strengthening and enlarging their mutual co-operation at the subregional, regional and interregional levels, in accordance with General Assembly resolution 3362 (S-VII) and other relevant resolutions of the United Nations”;

(f) The insertion, in former operative paragraph 5 (new operative paragraph 6), of the words “and after consideration and appropriate action by the Committee on Economic Co-operation among Developing Countries” after the words “at their request” and the addition of the words “and to make those studies available to all delegations” at the end of the paragraph;

(g) The revision of former operative paragraph 6 (new operative paragraph 7) to read as follows:

“7. *Urges* developed countries to provide appropriate support, as and when requested from them by developing countries, for the implementation of measures of economic co-operation among developing countries”;

(h) The replacement, in former operative paragraph 7 (new operative paragraph 8) of the words “*Invites* the Secretary-General” by the words “*Requests* the Secretary-General”.

7. At the same meeting, the Committee adopted revised draft resolution A/C.2/31/L.62/Rev.1 without a vote (see para. 9 below).

8. Following the adoption of the revised draft resolution, statements were made by the representatives of Bulgaria (also on behalf of the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics), Australia and the United States of America.

Recommendation of the Second Committee

9. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Economic co-operation among developing countries

The General Assembly,

Recalling its resolutions 3177 (XXVIII) of 17 December 1973, 3241 (XXIX) of 29 November 1974, 3442 (XXX) of 9 December 1975 and resolution 92 (IV) of 30 May 1976 of the United Nations Conference on Trade and Development⁵ on measures of support by developed countries and international organizations for the programme of economic co-operation among developing countries,

Recalling also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Noting the programme of economic co-operation among developing countries, adopted at the Third Ministerial Meeting of the Group of 77, held at Manila from 26 January to 7 February 1976,⁶

Noting also the decisions of the non-aligned movement on economic co-operation among developing countries and, in particular, the Action Programme for Economic Co-operation and other relevant resolutions adopted at the Fifth Conference of Heads of State or Government of

⁵ 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), part one, sect. A.

⁶ *Ibid.* (United Nations publication, Sales No. E.76.II.D.10), annex V (TD/195), annex I, resolution 1.

Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (see A/31/197, annex III),

Noting further the measures set out in the report of the Conference on Economic Co-operation among Developing Countries, held at Mexico City from 13 to 22 September 1976 (see A/C.2/31/7, part one),

Noting that the developing countries have set in motion an irreversible trend towards the consolidation of their unity and mutual co-operation and noting their desire to maintain their efforts to strengthen further such co-operation and solidarity,

Recognizing that, in the context of global economic co-operation, the achievement of the goal of greater co-operation and collective self-reliance espoused by the developing countries will not only promote their economic development, but also facilitate effective and meaningful negotiations with the developed countries on the establishment of a new international economic order,

Stressing that fundamental structural changes in existing international economic relations on the basis of equity and justice are important in providing an enduring solution to the world economic problems so essential for the promotion of international peace and security,

Reaffirming that the efforts towards mutual co-operation by the developing countries do not diminish responsibilities of all other countries for establishing just and equitable economic relations between them and the developing countries and for contributing to the development of the developing countries,

1. *Takes note* of the report of the Secretary-General on economic co-operation among developing countries (A/31/304 and Add.1);

2. *Requests* the Secretary-General to study the relevant decisions on economic co-operation among developing countries, including the Programme of Action adopted at the Third Ministerial Meeting of the Group of 77,⁷ the Action Programme for Economic Co-operation adopted at the Fifth Conference of Heads of State or Government of Non-Aligned Countries, and the report of the Conference on Economic Co-operation among Developing Countries, with a view to formulating appropriate support measures for the realization of the objectives of economic co-operation among developing countries, and to submit a report thereon, together with the organizational and financial implications, to the General Assembly at its thirty-second session, through the Economic and Social Council;

3. *Further requests* the Secretary-General to continue to include in the medium-term plan of the United Nations an

intersectoral presentation of the activities envisaged to implement the relevant United Nations resolutions on economic co-operation among developing countries and, in co-operation with the organizations of the United Nations system, to secure the same kind of intersectoral presentation on a system-wide basis,

4. *Urges* the specialized agencies and other organizations of the United Nations system, in accordance with their established procedures and practices, to support measures of economic co-operation among developing countries, including, as and when requested, the continued provision of the necessary Secretariat support services and other suitable arrangements to facilitate the holding of meetings by the developing countries in pursuance of the objectives of economic co-operation among developing countries;

5. *Welcomes* the establishment, by the Trade and Development Board, by its decision 142 (XVI) of 23 October 1976,⁸ of the Committee on Economic Co-operation among Developing Countries as an open-ended main committee of the Board to consider and recommend measures to provide, in the field of competence of the United Nations Conference on Trade and Development, as and when requested, support and assistance to developing countries in strengthening and enlarging their mutual co-operation at the subregional, regional and interregional levels, in accordance with General Assembly resolution 3362 (S-VII) and other relevant resolutions of the United Nations;

6. *Requests* the Secretary-General of the United Nations Conference on Trade and Development, while taking all the necessary measures requested by the Trade and Development Board in its decision 142 (XVI), to assist developing countries, at their request and after consideration and appropriate action by the Committee on Economic Co-operation among Developing Countries, in carrying out studies on specific issues relating to trade and development, especially those relating to the promotion of trade and financial co-operation among developing countries, and to make those studies available to all delegations;

7. *Urges* developed countries to provide appropriate support, as and when requested from them by developing countries, for the implementation of measures of economic co-operation among developing countries;

8. *Requests* the Secretary-General to submit a progress report to the General Assembly, at its thirty-second session, on all measures taken by the specialized agencies and other organizations of the United Nations system in support of measures of economic co-operation among developing countries.

⁷ *Ibid.*, annex V (TD/195), part two.

⁸ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 15* (A/31/15), vol. II, annex I.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 101st plenary meeting, on 16 December 1976, the General Assembly adopted the draft resolution submitted by the Second Committee in its report (A/31/428, para. 9). For the final text, see resolution 31/119.⁹

⁹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 67 which are not reproduced in the present fascicle.

| <i>Document No</i> | <i>Title or description</i> | <i>Observations and references</i> |
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| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Mimeographed |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | Ditto |
| A/31/304 and Add.1 | Report of the Secretary-General | Ditto |
| A/C.2/31/7 and Add.1 | Letter dated 11 October 1976 from the Secretary for Foreign Affairs of Mexico, President of the Conference on Economic Co-operation among Developing Countries, addressed to the Secretary-General, transmitting the text of the final report of the Conference | Ditto |
| A/C.2/31/L.62 | Draft resolution | For the sponsors and the text, see A/31/428, para. 5 |
| A/C.2/31/L.62/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 6 and 9 |



Agenda item 68:* Technical co-operation among developing countries**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 30th, 36th to 44th, 62nd and 65th meetings: *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 56th meeting, *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 106th meeting.

** This question was discussed by the General Assembly at the thirtieth session (agenda item 67).

DOCUMENT A/31/416

Report of the Second Committee

*[Original: English]
[13 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled "Technical co-operation among developing countries" and to allocate it to the Second Committee.

2. At its 25th meeting, on 29 October 1976, the Second Committee, on the proposal of the Chairman, decided to consider concurrently items 59 (Operational activities for development), 68 (Technical co-operation among developing countries) and 67 (Economic co-operation among developing countries).

3. The Committee considered item 68 at its 30th, 36th to 44th, 62nd and 65th meetings, between 3 November and 10 December. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/31/SR.30, 36-44, 62 and 65).

4. The Committee had before it the following documents:

(a) Letter dated 12 April 1976 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General (A/31/82);

(b) Chapter VII, section D, of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3);

(c) Chapter IX of the report of the Governing Council of the United Nations Development Programme on its twenty-first session (E/5779);

(d) Chapter XII of the report of the Governing Council of the United Nations Development Programme on its twenty-second session (E/5846/Rev.1);

(e) Reports of the participating and executing agencies of the United Nations development system and the regional commissions on technical co-operation among developing countries (DP/148 and Add.1-5);

(f) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(g) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations addressed

to the Secretary-General, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237).

5. At the 30th meeting, on 3 November, the Committee heard an introductory statement by the Administrator of the United Nations Development Programme.

6. At the 62nd meeting, on 8 December, the representative of Argentina, on behalf of Algeria, Argentina, Bangladesh, Brazil, Chile, Cuba, Ecuador, Egypt, Ghana, Guyana, India, Indonesia, Jamaica, Jordan, Kenya, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Panama, Peru, the Philippines, Romania, the Sudan, Tunisia, Uganda, the Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire and Zambia, introduced a draft resolution (A/C.2/31/L.53), entitled "United Nations Conference on Technical Co-operation among Developing Countries", which read as follows:

"The General Assembly,

"Recalling its resolutions 3251 (XXIX) of 4 December 1974 and 3461 (XXX) of 11 December 1975, and other pertinent resolutions of the Assembly,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

"Noting the recommendations made at the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo (see A/31/197), and of the Conference on Economic Co-operation among Developing Countries held at Mexico City,¹

"Bearing in mind resolution 2023 (LXI) of 4 August 1976 of the Economic and Social Council,

"Recalling further the relevant decisions adopted by the Governing Council of the United Nations Development Programme at its eighteenth,² nineteenth,³ twentieth,⁴ twenty-first (E/5779) and twenty-second (E/5846/Rev.1) sessions,

"Taking note with appreciation of the statement made by the Administrator of the United Nations Development Programme emphasizing the importance of technical co-operation among developing countries as an integral part and a new dimension of mutual co-operation for development and of his assurances of making a great success of the United Nations Conference on Technical Co-operation among Developing Countries (30th meeting),

"Further taking note of the reports on the first and second sessions of the sessional Committee on Technical

Co-operation among Developing Countries, contained in the report of the Governing Council of the United Nations Development Programme on its twenty-second session, (E/5846/Rev.1, chap. XII) and of the conclusions of the regional meetings on technical co-operation among developing countries, held in Asia and the Pacific, Latin America and Africa,

"1. Decides to convene the United Nations Conference on Technical Co-operation among Developing Countries at Buenos Aires, Argentina, in March/April 1978;

"2. Requests the Administrator of the United Nations Development Programme, in view of the importance of the Conference, to act as the Secretary-General of the Conference;

"3. Requests the Secretary-General to invite:

"(a) All States to participate in the United Nations Conference on Technical Co-operation among Developing Countries;

"(b) Representatives of organizations, that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices in the capacity of observers, in accordance with General Assembly resolution 3237 (XXIX) of 22 November 1974;

"(c) Representatives of the national liberation movements recognized in its area by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

"(d) The United Nations Council for Namibia to participate as an observer;

"(e) The specialized agencies and the International Atomic Energy Agency, the regional commissions as well as interested organs of the United Nations, to be represented at the Conference;

"(f) Interested intergovernmental organizations to be represented by observers;

"(g) Interested non-governmental organizations in consultative status with the Economic and Social Council to be represented by observers;

"4. Decides that the sessional Committee on Technical Co-operation among Developing Countries of the Governing Council of the United Nations Development Programme shall function as the preparatory committee for the Conference and that, for that purpose, it shall be open to the participation of all Member States and hold three meetings;

"5. Further decides to establish a small secretariat to assist the Secretary-General of the Conference in discharging his functions, composed of the special unit for technical co-operation among developing countries for substantive purposes and of the concerned services of the secretariat of the Economic and Social Council for

¹ See A/C.2/31/7, part one.

² Official Records of the Economic and Social Council, Fifty-seventh Session, Supplement No. 2A (E/5543/Rev.1).

³ Ibid., Fifty-ninth Session, Supplement No. 2 (E/5646).

⁴ Ibid., Supplement No. 2A (E/5703/Rev.1).

organizational preparations, taking fully into account the need to maintain a close interrelationship between these two aspects of the preparatory work for the Conference;

“6. *Requests* the Secretary-General to convene the first session of the preparatory committee for the Conference in January 1977;

“7. *Also decides* that requisite funds over and above those already approved by the United Nations Development Programme for the preparations for, and organization of, the Conference, including those which may be necessary to strengthen existing services, should be provided under the regular budget of the United Nations;

“8. *Decides* to include Arabic among the languages of the Conference;

“9. *Requests* the Secretary-General of the United Nations and the Secretary-General of the Conference to mobilize the assistance of the Office of Public Information of the Secretariat and of the Division of Information of the United Nations Development Programme, as well as of the concerned services of the organizations of the United Nations system, to undertake a programme of public information activities designed to ensure world-wide awareness of and interest in the Conference and its objectives,

“10. *Agrees* that the provisional agenda contained in the report of the Administrator on the organization of the Conference should be finalized by the preparatory committee in the light of the comments and suggestions made at the twenty-second session of the Governing Council of the United Nations Development Programme and of the regional meetings on technical co-operation among developing countries;

“11. *Requests* the Secretary-General of the Conference to enlist the fullest co-operation of the participating and executing agencies, including the regional commissions, in the substantive preparations for the Conference and to this end, to establish an interagency task force within the framework of the Inter-Agency Consultative Board;

“12. *Requests* the participating and executing agencies, including the regional commissions, in close co-operation and consultation with the Secretary-General of the Conference, to continue to give priority to activities to promote technical co-operation among developing countries and to ensure that the Conference secures an effective and practical plan of action to intensify further such co-operation on a continuing basis;

“13. *Requests further* the interagency task force to report to the preparatory committee for the Conference at each session, through the Secretary-General, on the progress made and the activities undertaken for the implementation of paragraph 12 above;

“14. *Calls upon* the Governments of Member States, in particular those of developing countries, to participate actively in the preparations for the Conference and, to this end, to designate a co-ordinator or liaison officer at

the national level and make other arrangements, as appropriate, in order. *inter alia*, to prepare national reports on their experience and capacity as well as needs on a global and sectoral basis, in regard to technical co-operation among developing countries, for submission to the Conference; for this latter purpose, the Secretary-General of the Conference should prepare standards to facilitate uniformity in the format of the documents;

“15. *Also calls upon* the developed countries to participate actively in the preparations for the Conference and in particular in the identification of their specific contributions aimed at promoting and intensifying technical co-operation among developing countries.”

7. At the 65th meeting, on 10 December, the representative of Argentina, on behalf of the sponsors, now joined by Finland, Iraq, Mauritius, Morocco, Norway and Sri Lanka, introduced a revised version of the draft resolution (A/C.2/31/L.53/Rev.1). In introducing the revised draft resolution, the representative of Argentina said that, at the end of operative paragraph 1, the words “in March/April” should be replaced by the words “from 27 March to 7 April”; in operative paragraph 9, the word “official” should be deleted, and in the last line of operative paragraph 14 the words “paragraph 13” should be replaced by the words “paragraphs 12 and 13”. Subsequently, Bolivia, Colombia, the Dominican Republic, Equatorial Guinea, Mali and the United Republic of Cameroon joined in sponsoring the draft resolution, as orally revised.

8. At the same meeting, the representative of the Budget Division made a statement and orally introduced revisions to the statement of administrative and financial implications of draft resolution A/C.2/31/L.53 (A/C.2/31/L.72), submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly, and indicated the adjustments being made in the financial implications consequent upon the revision of the draft resolution.

9. At the same meeting, following a statement by the representative of Ecuador, the Committee adopted draft resolution A/C.2/31/L.53/Rev.1, as orally revised, without a vote (see para. 11 below).

10. Following the adoption of the revised draft resolution, statements were made by the representatives of Israel, the Union of Soviet Socialist Republics, Poland and the United States of America. The observer for the Palestine Liberation Organization also made a statement.

Recommendation of the Second Committee

11. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations Conference on Technical Co-operation among Developing Countries

The General Assembly,

Recalling its resolutions 3251 (XXIX) of 4 December 1974 and 3461 (XXX) of 11 December 1975, and other relevant resolutions of the General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Noting the recommendations made at the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (see A/31/197), and at the Conference on Economic Co-operation among Developing Countries, held at Mexico City from 13 to 22 September 1976,⁵

Bearing in mind Economic and Social Council resolution 2023 (LXI) of 4 August 1976,

Recalling further the relevant decisions adopted by the Governing Council of the United Nations Development Programme at its eighteenth,⁶ nineteenth,⁷ twentieth,⁸ twenty-first (E/5779, para. 302) and twenty-second (E/5846/Rev.1, para. 512) sessions,

Taking note with appreciation of the statement made by the Administrator of the United Nations Development Programme emphasizing the importance of technical co-operation among developing countries as an integral part and a new dimension of mutual co-operation for development and of his assurances of making a great success of the United Nations Conference on Technical Co-operation among Developing Countries (30th meeting),

Further taking note of the reports on the first and second sessions of the sessional Committee on Technical Co-operation among Developing Countries, contained in the report of the Governing Council of the United Nations Development Programme on its twenty-second session (E/5846/Rev.1, chap. XII), of the reports of the participating and executing agencies of the United Nations development system (DP/148 and Add.1-5) and of the conclusions of the regional meetings on technical co-operation among developing countries, held in Asia and the Pacific, Latin America and Africa,

1. *Decides* to convene the United Nations Conference on Technical Co-operation among Developing Countries at Buenos Aires from 27 March to 7 April 1978;

2. *Requests* the Administrator of the United Nations Development Programme, in view of the importance of the Conference, to act as the Secretary-General of the Conference;

3. *Requests* the Secretary-General to invite:

(a) All States to participate in the United Nations Conference on Technical Co-operation among Developing Countries;

⁵ See A/C.2/31/7, part one.

⁶ *Official Records of the Economic and Social Council, Fifty-seventh Session, Supplement No. 2A* (E/5543/Rev.1), para. 224.

⁷ *Ibid.*, *Fifty-ninth Session, Supplement No. 2* (E/5646), para. 164.

⁸ *Ibid.*, *Supplement No. 2A* (E/5703/Rev.1), para. 332.

(b) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices in the capacity of observers, in accordance with Assembly resolution 3237 (XXIX) of 22 November 1974;

(c) Representatives of the national liberation movements recognized in its region by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(d) The United Nations Council for Namibia to participate as an observer;

(e) The specialized agencies and the International Atomic Energy Agency, the regional commissions as well as interested organs of the United Nations to be represented at the Conference;

(f) Interested intergovernmental organizations to be represented by observers;

(g) Interested non-governmental organizations in consultative status with the Economic and Social Council to be represented by observers;

4. *Requests* the Secretary-General to ensure that the necessary arrangements are made for the effective participation in the Conference of the representatives referred to in paragraph 3 (b) and (c) above, including the requisite financial provisions for their travel expenses and per diem;

5. *Decides* that the sessional Committee on Technical Co-operation among Developing Countries of the Governing Council of the United Nations Development Programme shall function as the Preparatory Committee for the United Nations Conference on Technical Co-operation among Developing Countries and that, for that purpose, it shall be open to the participation of all Member States and hold three meetings;

6. *Also decides* to establish a small secretariat to assist the Secretary-General of the Conference in discharging his functions, composed of the special unit for technical co-operation among developing countries for substantive purposes and the concerned services of the secretariat of the Economic and Social Council for organizational preparations, taking fully into account the need to maintain a close interrelationship between these two aspects of the preparatory work for the Conference;

7. *Requests* the Secretary-General to convene the first session of the Preparatory Committee in January 1977;

8. *Also decides* that requisite funds for the preparation of the Conference in 1977 over and above those already approved by the United Nations Development Programme for the preparations for, and organization of, the Conference, including those which may be necessary to strengthen existing services, should be provided under the regular budget of the United Nations and that the Preparatory Committee shall prepare detailed recommendations to the General Assembly at its thirty-second session on the

total budget of the Conference to be financed by the regular budget of the United Nations;

9. *Decides* to include Arabic among the languages of the Conference;

10. *Requests* the Secretary-General of the United Nations and the Secretary-General of the United Nations Conference on Technical Co-operation among Developing Countries to mobilize the assistance of the Office of Public Information of the Secretariat and of the Division of Information of the United Nations Development Programme, as well as of the concerned services of the organizations of the United Nations system, to undertake a programme of public information activities designed to ensure world-wide awareness of and interest in the Conference and its objectives;

11. *Agrees* that the provisional agenda contained in the report of the Administrator on the organization of the Conference should be finalized by the Preparatory Committee in the light of the comments and suggestions made at the twenty-second session of the Governing Council of the United Nations Development Programme and at the regional meetings on technical co-operation among developing countries;

12. *Requests* the Secretary-General of the Conference to enlist the fullest co-operation of the participating and executing agencies, including the regional commissions, in the substantive preparations for the Conference and, to this end, to establish an interagency task force within the framework of the Inter-Agency Consultative Board;

13. *Requests* the participating and executing agencies, including the regional commissions, in close co-operation and consultation with the Secretary-General of the Conference, to continue to give priority to activities to promote technical co-operation among developing countries and to contribute fully to the development by the Conference of an effective and practical plan of action to intensify further such co-operation on a continuing basis;

14. *Requests further* the interagency task force to report to the Preparatory Committee at each session, through the Secretary-General, on the progress made and the activities undertaken for the implementation of paragraphs 12 and 13 above;

15. *Calls upon* the Governments of Member States, in particular those of developing countries, to continue to participate actively in the preparations for the Conference and, to this end, to designate a co-ordinator or liaison officer at the national level and make other arrangements, as appropriate, in order, *inter alia*, to prepare national reports on their experience and capacity as well as needs on a global and sectoral basis, in regard to technical co-operation among developing countries, for submission to the Conference; for this latter purpose, the Secretary-General of the Conference should prepare standards to facilitate uniformity in the format of the documents;

16. *Also calls upon* the developed countries to continue to participate actively in the preparations for the Conference and, in particular, in the identification of their measures and policies aimed at promoting and intensifying technical co-operation among developing countries.

DOCUMENT A/31/L.34 AND ADD.1*

Algeria, Argentina, Bangladesh, Bolivia, Brazil, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ghana, Guyana, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Madagascar, Mali, Mauritania, Mauritius, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Romania, Sri Lanka, Sudan, Togo, Tunisia, Uganda, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire and Zambia: amendment to the draft resolution submitted by the Second Committee in document A/31/416

[Original: English]
[18 December 1976]

Replace operative paragraph 5 by the following:

"*Decides* that the sessional Committee on Technical Co-operation among Developing Countries of the Governing Council of the United Nations Development Programme shall function as the Preparatory Committee for the United Nations Conference on Technical Co-operation among Developing Countries, that, for that purpose, it shall be open to the participation of all Member States as full members and hold three meetings, and that the Preparatory Committee shall elect its own bureau to be composed, in accordance with regional geographical distribution, of a chairman, three vice-chairmen and a rapporteur."

* Document A/31/L.34/Add.1, of 21 December 1976, was issued to add Togo to the list of sponsors of the amendment.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 106th plenary meeting, on 21 December 1976, the General Assembly adopted the amendment contained in document A/31/L.34 and then adopted the draft resolution submitted by the Second Committee in its report (A/31/416, para. 11), as amended. For the final text, see resolution 31/179.⁹

⁹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 68 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/82 | United Nations Conference on Technical Co-operation among Developing Countries letter dated 12 April 1976 from the representative of Argentina to the Secretary-General | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Ditto |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | Ditto |
| A/C.2/31/L.53 | Draft resolution | For the sponsors and the text, see A/31/416, para. 6 |
| A/C.2/31/L.53/Rev.1 | Revised draft resolution | <i>Ibid.</i> , paras. 7 and 11 |
| A/C.2/31/L.72 | Administrative and financial implications of draft resolution A/C.2/31/L.53, note by the Secretary-General | Mimeographed |
| DP/148 and Add.1-5 | Reports of the participating and executing agencies of the United Nations development system and the regional commissions on technical co-operation among developing countries | Ditto |
| F/5779 | Report of the Governing Council of the United Nations Development Programme on its twenty-first session | <i>Official Records of the Economic and Social Council, Sixty-first Session, Supplement No. 2</i> |
| L/5846/Rev.1 | Report of the Governing Council of the United Nations Development Programme on its twenty-second session | <i>Ibid.</i> , Supplement No. 2A |
| | <i>Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/31/416</i> | |
| A/C.5/31/93 | Note by the Secretary-General | Mimeographed |
| A/31/8/Add.22 | Report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/463 | Report of the Fifth Committee | <i>Ibid.</i> , Thirty-first Session, Annexes, agenda item 92 |



Agenda item 69: * Elimination of all forms of racial discrimination: **

- (a) Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;
- (b) Reports of the Committee on the Elimination of Racial Discrimination;
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
- (d) Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 3rd to 12th, 38th, 43rd to 45th, 47th, 48th and 50th meetings; *ibid.*, *Fifth Committee*, 45th meeting; and *ibid.*, *Plenary Meetings*, 97th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 54), twenty-seventh (item 50), twenty-eighth and twenty-ninth (item 53) and thirtieth (item 68).

DOCUMENTS A/31/273 AND ADD.1

Report of the Third Committee

DOCUMENT A/31/273

PART I OF THE REPORT

*[Original: English]
[26 October 1976]*

Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly allocated to the Third Committee agenda item 69 entitled:

“Elimination of all forms of racial discrimination:

- “(a) Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;
- “(b) Reports of the Committee on the Elimination of Racial Discrimination;
- “(c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
- “(d) Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*.”

2. At its 2nd meeting, on 27 September, the Third Committee decided to consider jointly subitems (a), (c) and (d).

3. The Committee considered these subitems at its 3rd to 12th meetings, from 28 September to 8 October 1976. The views expressed by the representatives of Member States on these subitems are contained in the summary records of those meetings.

4. In connexion with this agenda item the Committee had before it letters addressed to the Secretary-General by the representatives of:

(a) Turkey (A/31/97, A/31/168-S/12160, A/31/170-S/12162 and A/31/206-S/12196);

(b) Cyprus (A/31/151-S/12144 and Corr.1, A/31/178-S/12179);

(c) The Libyan Arab Republic (A/C.3/31/2).

5. In connexion with subitem (a), the Committee had before it the following documentation:

(a) The relevant part of the report of the Economic and Social Council to the General Assembly (A/31/3, chap. III, sect. F);

(b) The report of the Secretary-General (E/5759 and Add.1) submitted to the Economic and Social Council at its sixtieth session in accordance with paragraph 18 (e) of the Programme for the Decade for Action to Combat Racism

and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex), containing an analysis of replies received from Governments up to 1 April 1976 to the questionnaire circulated by the Secretary-General under the first cycle of biennial reports provided for under the Programme. This report was made available to the General Assembly at its thirty-first session in accordance with Council resolution 1989 (LX) of 11 May 1976;

(c) The third annual report of the Secretary-General (E/5760 Add.1), prepared and submitted to the Economic and Social Council in accordance with paragraph 18 (f) of the Programme for the Decade, containing a summary of actions, suggestions and trends emerging from the deliberations of various United Nations organs and bodies and from those of the specialized agencies concerned with the question of racial discrimination and *apartheid*; information on activities under the programme of advisory services in the field of human rights in regard to racial discrimination; information on the subject submitted by non-governmental organizations; and reports on action in relation to the Decade by the Office of Public Information and the United Nations Institute for Training and Research. This report was made available to the General Assembly at its thirty-first session at the request of the Economic and Social Council in its resolution 1989 (LX);

(d) The report of the Secretary-General (E/5763) submitted to the Economic and Social Council at its sixtieth session in accordance with General Assembly resolution 3378 (XXX) of 10 November 1975, relating to the Secretary-General's consultations with the Government of Ghana concerning arrangements for holding the World Conference to Combat Racism and Racial Discrimination at Accra, as well as the nature of the financial contribution that the Government of Ghana would be able to make with regard to this conference. This report was also made available to the Assembly at the request of the Council in its resolution 1989 (LX);

(e) The summary records of the discussion on the Decade for Action to Combat Racism and Racial Discrimination during the sixtieth session of the Economic and Social Council,¹ which the Council, in resolution 1989 (LX), had requested the Secretary-General to submit to the General Assembly;

(f) A note by the Secretary-General (A/31/223) submitted to the General Assembly at its thirty-first session in accordance with the request of the Economic and Social Council in resolution 1989 (LX), containing further information received by the Secretary-General on activities undertaken or contemplated in connexion with the Decade and supplementing the information submitted to the Council at its sixtieth session under paragraphs 18 (e) and (f) of the Programme for the Decade;

(g) A report of the Secretary-General (A/31/236) submitted under General Assembly resolution 3377 (XXX) of 10 November 1975 and paragraph 17 of the Programme for the Decade, containing proposals for the establishment of

an international fund on a voluntary basis to help the peoples struggling against racial discrimination and *apartheid*;

(h) A note by the Secretary-General on the Decade for Action to Combat Racism and Racial Discrimination (A/31/148), transmitting the texts of the two draft resolutions recommended by the Economic and Social Council, in resolutions 1989 (LX) and 1990 (LX), for adoption by the General Assembly;

(i) A note by the Secretary-General (A/C.3/31/L.5) concerning the administrative and financial implications of the draft resolution recommended by the Economic and Social Council, in resolution 1990 (LX), for adoption by the General Assembly. In this connexion, the Director of the Budget Division made a statement at the 11th meeting of the Committee.

6. In connexion with subitem (c), the Committee had before it the report of the Secretary-General (A/31/201) on the status of the International Convention on the Elimination of All Forms of Racial Discrimination, submitted by the Secretary-General in accordance with General Assembly resolution 2106 A (XX) of 21 December 1965.

7. In connexion with subitem (d), the Committee had before it the report of the Secretary-General (A/31/209) on the status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, submitted under General Assembly resolution 3380 (XXX) of 10 November 1975.

8. Subitems (a), (c) and (d) were introduced by the Director of the Division of Human Rights at the 3rd meeting of the Committee, on 28 September.

Consideration of the draft resolutions recommended by the Economic and Social Council

9. The draft resolutions concerning the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and the World Conference to Combat Racism and Racial Discrimination, recommended by the Economic and Social Council in resolutions 1989 (LX) and 1990 (LX) for adoption by the General Assembly, which were before the Committee in annexes I and II to document A/31/148, read as follows:

[For the text, see Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 1, *resolutions 1989 (LX) and 1990 (LX)*.]

A. Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination

10. At its 11th meeting, on 7 October, the Committee voted on the draft resolution concerning the implementation of the Programme (A/31/148, annex I). The draft resolution was adopted by a roll-call vote of 103 to 1, with 16 abstentions (see para. 17 below, draft resolution I). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Bahamas, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil,

¹ See *Official Records of the Economic and Social Council, Sixtieth Session, Plenary Meetings*, 1989th to 1993rd and 2000th meetings.

Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, China, Colombia, Comoros, Congo, Cuba, Cyprus, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, 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 Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: Australia, Belgium, Canada, Central African Republic, Chile, Costa Rica, France, Germany, Federal Republic of, Guatemala, Italy, Luxembourg, Netherlands, Nicaragua, Swaziland, United Kingdom of Great Britain and Northern Ireland, Uruguay.

The representative of the United States of America stated that his delegation would not participate in the voting. The representative of Bahrain stated subsequently that, had she been present during the voting, she would have voted in favour of the draft resolution.

B. *World Conference to Combat Racism and Racial Discrimination*

11. At the same meeting, the Committee voted on the draft resolution concerning the World Conference to Combat Racism and Racial Discrimination (A/31/148, annex II):

(a) At the request of the representative of Austria, a separate vote was taken on operative paragraph 2. The paragraph was adopted by 82 votes to 15, with 13 abstentions.

(b) The draft resolution as a whole was adopted by a roll-call vote of 99 to 2, with 20 abstentions (see para. 17 below, draft resolution II). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Bahamas, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Democratic Yemen, Ecuador, Egypt, Ethiopia, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar,

Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Surinam, 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, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Canada, Israel.

Abstaining: Australia, Belgium, Central African Republic, Costa Rica, Denmark, Fiji, France, Germany, Federal Republic of, Ireland, Italy, Liberia, Luxembourg, Netherlands, Nicaragua, Norway, Papua New Guinea, Singapore, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland.

The representative of the United States of America stated that his delegation would not participate in the voting. The representative of Bahrain stated subsequently that, had she been present during the voting, she would have voted in favour of the draft resolution.

Consideration of draft resolution A/C.3/31/L.3

12. At the 8th meeting of the Committee, on 5 October, the representative of Belgium, in connexion with agenda item 69 (c), introduced a draft resolution (A/C.3/31/L.3) on the status of the International Convention on the Elimination of All Forms of Racial Discrimination sponsored by Argentina, Belgium, Costa Rica, Egypt, Germany, Federal Republic of, Ghana, Iran, Morocco and Yugoslavia, subsequently joined by Bolivia, Bulgaria, Cyprus, India, Italy, the Libyan Arab Republic, New Zealand, the Philippines, Senegal, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and the United Republic of Cameroon. The draft resolution read as follows:

[Text of the preamble and operative paragraphs 1 to 5 same as that of the preamble and operative paragraphs 1 to 4 and 6 of draft resolution III contained in paragraph 17 below.]

13. At the 11th meeting, on 7 October, the representative of Uruguay introduced an amendment (A/C.3/31/L.6) which would add the following text as operative paragraph 5:

“Appeals to States parties to the Convention to study the possibility of making the declaration provided for in article 14 of the Convention;”

14. At its 12th meeting, on 8 October, the Committee voted on the draft resolution and the amendment thereto, as follows:

(a) The amendment was adopted by 48 votes to none, with 56 abstentions.

(b) The draft resolution as a whole, as amended, was adopted by consensus (see para. 17 below, draft resolution III).

Consideration of draft resolution A/C.3/31/L.4 and Corr.1

15. At the 11th meeting, the representative of the German Democratic Republic introduced a draft resolution on the status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (A/C.3/31/L.4 and Corr.1) sponsored by Benin, Cuba, the German Democratic Republic, Guinea, Mozambique, Poland, Somalia, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and Yugoslavia, later joined by Jamaica and Nigeria. The text of the draft resolution was the same as draft resolution IV contained in paragraph 17 below.

16. At its 12th meeting, the Committee adopted the draft resolution by 90 votes to none, with 28 abstentions.

Recommendations of the Third Committee

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

DRAFT RESOLUTION I

Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination

The General Assembly,

Recalling its resolution 3057 (XXVIII) of 2 November 1973, in which it reaffirmed its resolve to achieve the total and unconditional elimination of racism, racial discrimination and *apartheid*,

Reaffirming that the policies of racism, racial discrimination and *apartheid* are flagrant violations of the principles of the Charter of the United Nations and constitute serious violations of the obligations of Member States under the Charter,

Bearing in mind the vital importance of establishing a new international economic order based on justice and equality,

Noting that the realization of the national independence of the People's Republic of Angola and the courageous action of the People's Republic of Mozambique in applying fully the United Nations system of sanctions against the racist régime in Southern Rhodesia have contributed to the growing isolation of the racist régime in South Africa.

Realizing the serious threat to international peace and security resulting from the continued defiance of the racist régimes in South Africa and Southern Rhodesia of the resolutions and the will of the international community in relation to the abhorrent policies of *apartheid* and racial discrimination, the continued illegal occupation of Namibia and the denial of the right of peoples to self-determination,

Convinced that the Programme for the Decade for Action to Combat Racism and Racial Discrimination² is a major undertaking in the fight against racial discrimination which deserves the full support of all Governments and inter-governmental and non-governmental organizations,

1. *Condemns* the intolerable conditions which continue to prevail in southern Africa and elsewhere, including the denial of the right to self-determination and the inhumane and odious application of *apartheid* and racial discrimination;

2. *Reaffirms* its recognition of the legitimacy of the struggle of oppressed peoples to liberate themselves from racism, racial discrimination, *apartheid*, colonialism and alien domination;

3. *Calls upon* all States and intergovernmental and non-governmental organizations to offer all possible assistance to the People's Republic of Angola, the People's Republic of Mozambique and the African countries surrounding the racist régimes in southern Africa, so that they may continue to apply fully the sanctions against these régimes;

4. *Urges* all States to co-operate loyally and fully in achieving the goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination by taking actions and measures called for by the Programme for the Decade at the national, regional and international levels and, in particular:

(a) To ensure the immediate termination of all measures and policies, as well as military, nuclear, economic and other activities, which enable racist régimes in southern Africa to continue the repression of the African people;

(b) To provide full support and assistance, morally and materially, to the peoples which are victims of *apartheid* and racial discrimination and to the liberation movements;

(c) To cease emigration into South Africa;

(d) To ensure the release of political prisoners in South Africa and of those subjected to restrictions for their opposition to *apartheid*;

(e) To formulate and execute plans to realize the policy measures and goals contained in the Programme for the Decade, and to consider the advisability of establishing national arrangements to follow up the implementation of the Programme;

(f) To review internal laws and regulations with a view to identifying and rescinding those which provide for, give rise to, or inspire racial discrimination or *apartheid*;

(g) To ensure the cessation of all discriminatory measures against migrant workers and extend to them treatment equal to that provided for nationals of the host country with regard to human rights and the provisions of their labour legislation;

(h) To sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination,³ the International Convention on the Suppression and Punishment of the Crime of *Apartheid*,⁴ and all other relevant instruments;

³ General Assembly resolution 2106 A (XX), annex.

⁴ General Assembly resolution 3068 (XXVIII), annex.

² General Assembly resolution 3057 (XXVIII), annex.

5. *Also urges* Member States which are parties to the International Convention on the Elimination of All Forms of Racial Discrimination to comply fully with their obligations under the Convention and, in particular, to submit their reports in accordance with the time-table laid down in article 9 thereof;

6. *Further urges* United Nations bodies, the specialized agencies and intergovernmental and non-governmental organizations to ensure the continuation of their activities related to the Decade with emphasis on, *inter alia*:

(a) Providing moral and material support to the national liberation movements and the victims of *apartheid* and racial discrimination;

(b) Assisting and conducting vigorous educational and information campaigns to dispel racial prejudice and to involve public opinion in the struggle against racism and racial discrimination;

(c) Examining the socio-economic and colonial roots of racism, *apartheid* and racial discrimination with a view to eliminating them;

7. *Appeals* to Member States which have not yet done so to forward the reports called for under paragraph 18(e) of the Programme for the Decade;

8. *Welcomes* any contributions and suggestions related to the Programme for the Decade by the Committee on the Elimination of Racial Discrimination, the Special Committee against *Apartheid*, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Commission on Human Rights, its *Ad Hoc* Working Group of Experts and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, especially with regard to the preparations for the World Conference to Combat Racism and Racial Discrimination;

9. *Requests* the Secretary-General to draw on the expertise of the Committee on the Elimination of Racial Discrimination and the Sub-Commission on Prevention of Discrimination and Protection of Minorities while undertaking the relevant activities of the Decade;

10. *Reiterates* the call in paragraph 18(g) of the Programme for the Decade to make adequate resources available to the Secretary-General to enable him to undertake the activities entrusted to him under the Programme;

11. *Appeals* to Governments and private organizations to make voluntary contributions which would make it possible to carry out all of the activities provided for in the Programme for the Decade;

12. *Decides* to consider at its thirty-second session, as a matter of high priority, the question entitled "Decade for Action to Combat Racism and Racial Discrimination".

DRAFT RESOLUTION II

World Conference to Combat Racism and Racial Discrimination

The General Assembly,

Recalling its resolution 3057 (XXVIII) of 2 November 1973, in which it reaffirmed its resolve to achieve the total and unconditional elimination of racism, racial discrimination and *apartheid*,

Recalling also its resolution 3378 (XXX) of 10 November 1975,

Taking note of Economic and Social Council resolution 1990 (LX) of 11 May 1976,

Having considered the request of the Government of Ghana that the United Nations defray half of the additional cost involved in holding the World Conference to Combat Racism and Racial Discrimination at Accra, and the recommendation of the Economic and Social Council in this regard,

Recognizing that Ghana is one of the countries most seriously affected by the current world economic crisis and that, despite this, the Government of Ghana is making a substantial financial contribution towards the Conference,

1. *Welcomes again with appreciation* the offer of the Government of Ghana to act as host to the World Conference to Combat Racism and Racial Discrimination and takes note of the measures contemplated by that Government aimed at ensuring the success of the Conference;

2. *Decides*, in conformity with paragraph 13 of the Programme for the Decade for Action to Combat Racism and Racial Discrimination,⁵ to convene the Conference in Ghana in order to mobilize world public opinion and adopt measures likely to secure the full and universal implementation of United Nations decisions and resolutions on racism, racial discrimination, *apartheid*, decolonization and self-determination;

3. *Decides* to make exception to its resolution 2609 (XXIV) of 16 December 1969 on the pattern of conferences and agrees that half of the additional cost involved in holding the Conference in Ghana shall be defrayed from the regular budget of the United Nations;

4. *Requests* the Secretary-General to maintain his contacts with the Government of Ghana concerning future arrangements for holding the Conference at Accra;

5. *Decides* to include in the provisional agenda of its thirty-second session, as a matter of high priority, an item entitled "World Conference to Combat Racism and Racial Discrimination".

⁵ General Assembly resolution 3057 (XXVIII), annex.

DRAFT RESOLUTION III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its resolutions 3057 (XXVIII) of 2 November 1973, 3135 (XXVIII) of 14 December 1973, 3225 (XXIX) of 6 November 1974 and 3381 (XXX) of 10 November 1975,

1. Takes note of the report of the Secretary-General (A/31/201) on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;³

2. Expresses its satisfaction with the increase in the number of States which have ratified the Convention or acceded thereto;

3. Reaffirms once again its conviction that ratification of or accession to the International Convention on the Elimination of All Forms of Racial Discrimination on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Decade for Action to Combat Racism and Racial Discrimination;

4. Appeals to States which have not yet become parties to the Convention to ratify it or accede thereto;

5. Appeals to States parties to the Convention to study the possibility of making the declaration provided for in article 14 of the Convention;

6. Requests the Secretary-General to continue to submit to the General Assembly annual reports concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

DRAFT RESOLUTION IV

Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

The General Assembly,

Recalling its resolution 3068 (XXVIII) of 30 November 1973, by which it adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, and its resolution 3380 (XXX) of 10 November 1975,

Expressing its appreciation to those States which have become parties to the Convention,

Convinced that ratification of or accession to the International Convention on the Suppression and Punishment of the Crime of *Apartheid* on a universal basis and implementation of its provisions are necessary for the achievement of the goals of the Decade for Action to Combat Racism and Racial Discrimination,

Reiterating its firm conviction that *apartheid* constitutes a total negation of the purposes and principles of the Charter of the United Nations and is a crime against

humanity seriously disturbing international peace and security,

Underlining Security Council resolution 392 (1976) of 19 June 1976, in which the Council condemned the Government of South Africa for its resort to massive violence against and killings of the African people, including school children and students and others opposing racial discrimination,

Noting that the legitimate struggle of the oppressed African peoples against *apartheid* demands all necessary assistance by the international community,

1. Takes note of the report of the Secretary-General (A/31/209) on the status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;

2. Welcomes the entry into force on 18 July 1976 of the above-mentioned Convention;

3. Appeals to all States which have not yet become parties to the Convention to accede thereto;

4. Invites the Chairman of the thirty-third session of the Commission on Human Rights to appoint a group consisting of three members of the Commission on Human Rights as provided for by article IX of the Convention;

5. Invites the Commission on Human Rights to undertake the functions set out in article X of the Convention, in particular to prepare a list of individuals, organizations, institutions and representatives of States which are alleged to be responsible for the crimes enumerated in article II of the Convention;

6. Requests the Secretary-General to include in his next annual report under General Assembly resolution 3380 (XXX) a special part concerning the implementation of the Convention;

7. Decides to consider annually, starting with its thirty-second session, the question entitled "Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*".

DOCUMENT A/31/273/ADD.1

PART II OF THE REPORT

[Original: English]
[19 November 1976]

Introduction

1. At its 2nd meeting, on 27 September, the Third Committee decided to consider separately agenda item 69 (b), entitled "Reports of the Committee on the Elimination of Racial Discrimination".

2. The Committee considered the subitem at its 38th, 43rd to 45th, 47th, 48th and 50th meetings, from 3 to 15 November 1976. The views expressed by the representatives of Member States on this subitem are contained in the summary records of those meetings.

3. In connexion with subitem (b), the Committee had before it the following documents:

(a) Reports of the Committee on the Elimination of Racial Discrimination for the years 1975 and 1976 (A/10018 and A/31/18 and Corr.1);

(b) Letters to the Secretary-General from the representatives of Turkey (A/C.3/31/7) and Cyprus (A/C.3/31/8; E/5813; A/31/151-S/12144; A/31/178-S/12179).

4. The Director of the Division of Human Rights introduced the subitem at the 38th meeting, on 3 November.

Consideration of draft resolution A/C.3/31/L.18

5. At the 45th meeting, on 10 November, the representative of Yugoslavia, on behalf of Egypt, Ghana, Jordan, Nigeria, the Philippines, the Syrian Arab Republic, Yugoslavia and Zambia, subsequently joined by India, Madagascar, Mali, the Sudan and the United Republic of Tanzania, introduced a draft resolution (A/C.3/31/L.18) on the reports of the Committee on the Elimination of Racial Discrimination and indicated that the sponsors had decided to make certain changes in the text. In the first preambular paragraph the reference to resolutions 3223 (XXIX) and 3225 (XXIX) was replaced by a reference to the relevant resolutions adopted at the current session. In operative paragraph 2 the word "meeting" was replaced by "meetings" and in operative paragraph 5 the word "report" was replaced by "reports". The draft resolution, as orally revised, read as follows:

"The General Assembly,

"...[text of the preamble and operative paragraphs 1 to 3 and 4 to 9 same as that of the preamble and operative paragraphs 1 to 3 and 5 to 10 of the draft resolution contained in paragraph 11 below];

"10. Reiterates its appeals to States which are not yet parties to the International Convention on the Elimination of All Forms of Racial Discrimination to ratify or accede to it and, pending such ratification or accession, to be guided by the basic provisions of the Convention in their internal and foreign policies."

6. At the same meeting, the representative of Bulgaria, on behalf of Bulgaria and Czechoslovakia, introduced an amendment (A/C.3/31/L.20) which would add the following new operative paragraphs to the draft resolution:

"Commends the Committee's solidarity with the just cause of the peoples struggling against the oppression of colonialist and racist régimes in South Africa, Southern Rhodesia and Namibia;

"Invites all States to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination;"

7. At the 48th meeting, on 12 November, the representative of Yugoslavia indicated that the sponsors of the draft resolution, taking into account the amendments in

document A/C.3/31/L.20, had decided to modify the draft as follows:

(a) A new operative paragraph 4 was inserted after operative paragraph 3 and read as follows:

"4. Commends the Committee for focusing greater attention on the just cause of the peoples struggling against the oppression of colonialist and racist régimes in southern Africa;"

The subsequent paragraphs were renumbered accordingly.

(b) Before the word "States" in operative paragraph 10 (renumbered 11), the words *"Reiterates its appeal"* were replaced by *"Invites all"*.

8. At the same meeting, the amendment in A/C.3/31/L.20 was withdrawn by the sponsors.

9. Bulgaria, Czechoslovakia, Kuwait and Morocco joined in sponsoring the draft resolution as modified.

10. At its 48th meeting, the Committee adopted, without a vote, draft resolution A/C.3/31/L.18, modified (see para. 11 below).

Recommendation of the Third Committee

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

Reports of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its resolutions 3057 (XXVIII) of 2 November 1973 and 31/... of ... December 1976⁶ on the Decade for Action to Combat Racism and Racial Discrimination, resolution 3266 (XXIX) of 10 December 1974 on the report of the Committee on the Elimination of Racial Discrimination and resolution 31/... of ... December 1976⁷ on the Status of the International Convention on the Elimination of All Forms of Racial Discrimination,

Having considered the reports of the Committee on the Elimination of Racial Discrimination on the sixth and seventh years of its activities (A/10018 and A/31/18 and Corr.1) submitted under article 9, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination,

Noting with appreciation the interest of the Committee, when performing its functions under the Convention, to contribute to the achievement of the objectives of the Decade for Action to Combat Racism and Racial Discrimination,

⁶ Draft resolution I reproduced in paragraph 17 of part I of the present report, subsequently adopted by the General Assembly as resolution 31/77.

⁷ Draft resolution III reproduced in paragraph 17 of part I of the present report, subsequently adopted by the General Assembly as resolution 31/79.

Mindful of the undertaking of States parties to the Convention to engage in no act or practice of racial discrimination against any person, groups of persons or national or ethnic minorities, and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation, in accordance with relevant provisions of the Convention,

Noting the decisions adopted by the Committee at its eleventh to fourteenth sessions,

1. *Takes note with appreciation* of the reports of the Committee on the Elimination of Racial Discrimination;

2. *Takes note also* of the part of the reports of the Committee concerning petitions and other information relating to Trust and Non-Self-Governing Territories and to all other Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies, and draws the attention of the relevant United Nations bodies to the Committee's opinions and recommendations relating to those Territories;

3. *Expresses its appreciation* to the Committee for the work it performs in pursuance of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, thus contributing significantly to the elimination of all forms of racial discrimination;

4. *Commends* the Committee for focusing greater attention on the just cause of the peoples struggling against the oppression of the colonialist and racist régimes in southern Africa;

5. *Calls upon* the States parties to the Convention to observe fully the provisions of the Convention and other international instruments and agreements to which they are parties concerning the elimination of all forms of dis-

crimination based on race, colour, descent or national or ethnic origin;

6. *Welcomes* the co-operation of the States parties to the Convention with the Committee in submitting their reports and designating representatives to be present at the meetings of the Committee when it considers their reports;

7. *Calls upon* all States parties to the Convention to provide all necessary information to the Committee in accordance with article 9 of the Convention, taking also into account the relevant recommendations and requests of the Committee;

8. *Welcomes* the Committee's participation in the realization of the objectives of the Programme for the Decade for Action to Combat Racism and Racial Discrimination in accordance with its decision 1 (XI) of 4 April 1975;

9. *Invites* the States parties to the Convention to include in their reports, under article 9, paragraph 1, of the Convention, information on the status of their relations with the racist régimes of southern Africa, in accordance with decision 2 (XI) of the Committee of 7 April 1975;

10. *Reminds* the States parties to the Convention of their obligations, under the Convention, as recommended by the Committee in its decision 4 (XI) of 14 April 1975, to adopt appropriate legislative, judicial, administrative or other measures with a view to putting an end to racism and to the vestiges or manifestations of such ideologies wherever they exist;

11. *Invites* all States which are not yet parties to the Convention to ratify or accede to it and, pending such ratification or accession, to be guided by the basic provisions of the Convention in their internal and foreign policies.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 13 December 1976, the General Assembly voted on the draft resolutions submitted by the Third Committee in part I of its report (A/31/273, para. 17). Draft resolution I was adopted by a recorded vote of 113 to 1, with 14 abstentions; draft resolution II was adopted by a recorded vote of 110 to 2, with 16 abstentions; draft resolution III was adopted by consensus; draft resolution IV was adopted by a recorded vote of 99 to none, with 30 abstentions. For the final texts, see resolutions 31/77 to 31/80.⁸

At the same meeting, the General Assembly adopted the draft resolution submitted by the Third Committee in part II of its report (A/31/273/Add.1, para. 11). For the final text, see resolution 31/81.⁸

⁸ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 69 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|-------------------------|--|--|
| A/10018 | Report of the Committee on the Elimination of Racial Discrimination | <i>Official Records of the General Assembly, Thirtieth Session, Supplement No. 18</i> |
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Ibid., Thirty-first Session, Supplement No. 3</i> |
| A/31/18 and Corr.1 | Report of the Committee on the Elimination of Racial Discrimination | <i>Ibid., Supplement No. 18 and corrigendum</i> |
| A/31/97 | Letter dated 26 May 1976 from the representative of Turkey to the Secretary-General | Mimeographed |
| A/31/148 | Decade for Action to Combat Racism and Racial Discrimination: note by the Secretary-General | Ditto |
| A/31/151-S/12144 | Letter dated 15 July 1976 from the representative of Cyprus to the Secretary-General | <i>See Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/168-S/12160 | Letter dated 2 August 1976 from the representative of Turkey to the Secretary-General | <i>Ibid.</i> |
| A/31/170-S/12162 | Letter dated 3 August 1976 from the representative of Turkey to the Secretary-General | <i>Ibid.</i> |
| A/31/178-S/12179 | Letter dated 17 August 1976 from the representative of Cyprus to the Secretary-General | <i>Ibid.</i> |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General, transmitting the documents adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Mimeographed |
| A/31/201 | Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General | Ditto |
| A/31/206-S/12196 | Letter dated 8 September 1976 from the representative of Turkey to the Secretary-General | <i>See Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/209 | Status of the International Convention on the Suppression and Punishment of the Crime of <i>Apartheid</i> : report of the Secretary-General | Mimeographed |
| A/31/223 and Add.1 | Decade for Action to Combat Racism and Racial Discrimination: note by the Secretary-General | Ditto |
| A/31/236 | Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General | Ditto |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General, transmitting the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers | Ditto |
| A/31/339 and Corr.1 | Letter dated 18 November 1976 from the representative of Iraq to the Secretary-General | Ditto |
| A/31/458 | Letter dated 17 December 1976 from the representative of Israel to the Secretary-General | Ditto |
| A/31/473 | Letter dated 7 January 1977 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | Ditto |
| A/C.3/31/2 | Letter dated 28 September 1976 from the representative of the Libyan Arab Republic to the Secretary-General | Ditto |
| A/C.3/31/7 | Letter dated 22 October 1976 from the representative of Turkey to the Secretary-General | Ditto |
| A/C.3/31/8 | Letter dated 2 November 1976 from the representative of Cyprus to the Secretary-General | Ditto |
| A/C.3/31/L.3 | Draft resolution | For the sponsors and the text, see A/31/273, para. 12 |
| A/C.3/31/L.4 and Corr.1 | Draft resolution | <i>Idem</i> , para. 15 |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/C.3/31/L.5 | Administrative and financial implications of the draft resolution contained in annex II to document A/31/148: note by the Secretary-General | Mimeographed |
| A/C.3/31/L.6 | Amendment to document A/C.3/31/L.3 | For the sponsors and the text, see A/31/273, para. 13 |
| A/C.3/31/L.18 | Draft resolution | <i>Idem</i> , A/31/273/Add.1, para. 5 |
| A/C.3/31/L.20 | Amendments to document A/C.3/31/L.18 | <i>Idem</i> , para. 6 |
| E/5759 and Add.1 | Report of the Secretary-General prepared in accordance with paragraph 18 (e) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination | Mimeographed |
| E/5760 and Add.1 | Report of the Secretary-General prepared in accordance with paragraph 18 (f) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination | Ditto |
| E/5763 | Report of the Secretary-General prepared in accordance with General Assembly resolution 3378 (XXX) | Ditto |
| E/5813 | Letter dated 26 April 1976 from the representative of Cyprus to the Secretary-General | Ditto |
| | <i>Administrative and financial implications of draft resolution II submitted by the Third Committee in document A/31/273</i> | |
| A/C.5/31/61 | Note by the Secretary-General | Mimeographed |
| A/31/8/Add.13 | Report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/404 | Report of the Fifth Committee | <i>Ibid.</i> , <i>Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 70:* Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa**

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*For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 19th, 21st to 26th, 28th, 29th and 35th to 40th meetings; and *ibid.*, *Plenary Meetings*, 83rd meeting.

**This question was previously discussed by the General Assembly at its thirtieth session (agenda item 78).

DOCUMENT A/31/331

Report of the Third Committee

*[Original: English]
[19 November 1976]*

Introduction

1. The item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3383 (XXX) of 10 November 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 19th, 21st to 26th, 28th, 29th, and 35th to 40th meetings, held between 15 October and 5 November 1976. The views expressed by the representatives of Member States and observers are contained in the summary records of those meetings.

4. In connexion with item 70, the Committee had before it the following documentation: (a) a note by the Secretary-General giving background information on the item (A/31/221); (b) a preliminary report on the subject by Mr. Ahmed M. Khalifa, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, submitted to the Sub-Commission at its twenty-ninth session (E/CN.4/Sub.2/371); (c) the

introductory statement of the Special Rapporteur before the twenty-ninth session of the Sub-Commission.¹

5. At the 19th meeting, on 15 October, the Director of the Division of Human Rights introduced the item.

Consideration of draft resolution A/C.3/31/L.16

6. The Committee had before it a draft resolution (A/C.3/31/L.16), which was sponsored by Algeria, Benin, the Gambia, Ghana, Guinea, Iraq, the Libyan Arab Republic, Madagascar, Nigeria, Senegal, Somalia, the Syrian Arab Republic, Togo, the United Republic of Cameroon, the United Republic of Tanzania and Zambia, subsequently joined by the Congo and Democratic Yemen. The draft resolution read as follows:

"The General Assembly,

"... [Text of the preamble and operative paragraphs 1 to 7 same as preamble and corresponding paragraphs of the draft resolution contained in paragraph 11 below.];

"8. Invites the Economic and Social Council, in collaboration with the Commission on Human Rights, to examine the question of the consequences of the use of the veto on the enjoyment of human rights by the oppressed peoples of southern Africa and submit a report to the General Assembly at its thirty-third session;

¹ See E/CN.4/Sub.2/SR.763 and 764.

"9. *Requests* the Secretary-General to transmit the preliminary report of the Special Rapporteur to the Special Committee against *Apartheid* and to the Council for Namibia;

"10. *Decides* to consider this item at its thirty-third session as a matter of priority in the light of any recommendation by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council, as well as the Special Committee against *Apartheid*."

7. At the 38th meeting, on 3 November, the representative of Nigeria introduced a revised text (A/C.3/31/L.16/Rev.1), which was also sponsored by Burundi, Egypt, Ethiopia and Yemen, subsequently joined by Equatorial Guinea, Mozambique, the Lao People's Democratic Republic, Sierra Leone, the Sudan and Uganda. The draft resolution read as follows:

[Same text as the draft resolution contained in paragraph 11 below, with the exception of operative paragraph 8, which was the same as the corresponding paragraph in the initial text reproduced in paragraph 6 above.]

At the same meeting, the representative of Nigeria revised operative paragraph 8 by inserting the words "by the above-mentioned three permanent members" after the word "veto".

8. At the 39th meeting, on 4 November, the representatives of Senegal and the United Republic of Cameroon withdrew the names of their delegations from the list of sponsors of the revised draft resolution, because of the changes introduced to operative paragraph 8.

9. At the same meeting, the Committee adopted the draft resolution, as orally revised, by a vote of 87 to 12, with 31 abstentions (see para. 11 below). At the request of the representative of Nigeria, the vote was taken roll-call; the voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Barbados, Benin, Bolivia, Botswana, Brazil, Burma, Burundi, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, Denmark, 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, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Costa Rica, Czechoslovakia, Dominican Republic, Finland, German Democratic Republic, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Iran, Malawi, Mongolia, New Zealand, Nicaragua, Norway, Papua New Guinea, Poland, Portugal, Spain, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

10. The summary records of the 39th and 40th meetings contain the explanations of vote on the draft resolution.

Recommendation of the Third Committee

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

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa.

The General Assembly,

Recalling its resolutions 3382 (XXX) and 3383 (XXX) of 10 November 1975,

Recalling resolution 6 (XXXII) of 1 March 1976 of the Commission on Human Rights,² denouncing with indignation the political, military, economic and other forms of assistance which certain States give to the racist minority régimes of southern Africa,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order,

Recalling its resolution 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

Recalling its resolution 3171 (XXVIII) of 17 December 1973 relating to permanent sovereignty over natural resources of developing countries and territories under foreign occupation, colonial rule, alien domination and *apartheid*,

Having considered with satisfaction the preliminary report of 14 July 1976 prepared by the Special Rapporteur on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist régimes in southern Africa (E/CN.4/Sub.2/371),

Convinced that the above-mentioned report contains additional evidence enabling the General Assembly to

² See *Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 3*, chap. XX, sect. A.

conclude that the political, military, economic and other assistance given to the racist and colonial régimes of South Africa and Southern Rhodesia by certain States is the major factor in the perpetuation of the abominable policies of these régimes inasmuch as they adversely affect the human rights and fundamental freedoms of the oppressed peoples of southern Africa,

Noting with concern that three permanent members of the Security Council—France, the United Kingdom of Great Britain and Northern Ireland and the United States of America—by the use of the veto prevent the Council from taking effective action against the South African *apartheid* régime, thus impairing the exercise and the enjoyment of human rights of the oppressed peoples of southern Africa,

Noting further that the actions of some States in strengthening political, economic, military and other relations with the South African régime are in flagrant and deliberate violation of the purposes and principles of the Charter and resolutions of the United Nations,

Convinced that the continued military and nuclear collaboration of certain States and organizations with the racist régimes in southern Africa constitutes a serious menace not only to the oppressed peoples of southern Africa, but also to the independent African States and to international peace and security,

1. *Reaffirms* the inalienable rights of the oppressed peoples of southern Africa to self-determination, independence and the enjoyment of the natural resources of their territories;

2. *Reaffirms further* the right of these same oppressed peoples to dispose of those resources in their best interests and to receive full compensation for the exploitation, depletion, loss of and damages to their natural resources, including compensation for the exploitation and manipulation of their human resources;

3. *Strongly condemns* the collaboration of all States, particularly France, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Israel and Japan, as well as those foreign economic interests which maintain and/or continue to increase their collaboration with the racist régimes of

southern Africa, especially in the economic, military and nuclear fields;

4. *Reaffirms* that the States and organizations which give assistance to the racist and colonial régimes in southern Africa are accomplices in the inhuman practices of racial discrimination, *apartheid* and colonialism perpetrated by those régimes;

5. *Invites* the Security Council to impose a total embargo on sales, gifts and the transfer of arms or any other kind of military supplies to South Africa;

6. *Calls upon* all States scrupulously to observe the sanctions imposed on the illegal minority régime of Southern Rhodesia;

7. *Calls upon* all States, specialized agencies, intergovernmental and non-governmental organizations to offer all possible assistance to the liberation movements of southern Africa that are recognized by the Organization of African Unity and the United Nations;

8. *Invites* the Economic and Social Council, in collaboration with the Commission on Human Rights, to examine the question of the consequences of the use of the veto by the above-mentioned three permanent members of the Security Council on the enjoyment of human rights by the oppressed peoples of southern Africa and to submit a report thereon to the General Assembly at its thirty-third session;

9. *Requests* the Secretary-General to continue to accord the Special Rapporteur the assistance he needs to complete his study;

10. *Requests* the Secretary-General to transmit the preliminary report of the Special Rapporteur to the Special Committee against *Apartheid* and to the United Nations Council for Namibia;

11. *Decides* to consider this item at its thirty-third session as a matter of priority in the light of any recommendation by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights and the Economic and Social Council, as well as by the Special Committee against *Apartheid* and the United Nations Council for Namibia.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 30 November 1976, the General Assembly voted on the draft resolution submitted by the Third Committee in its report (A/31/331, para. 11). Operative paragraph 3, on which a separate vote was taken, was adopted by a recorded vote of 68 to 25, with 39 abstentions; the draft resolution as a whole was adopted by a recorded vote of 97 to 11, with 28 abstentions. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39, resolution 31/33*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 70 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|-------------------------|--|---|
| A/31/221 | Note by the Secretary-General | Mimeographed |
| A/C.3/31/L.16 | Draft resolution | For the sponsors and the text, see A/31/331, para. 6 |
| A/C.3/31/L.16/ Rev.1 | Revised draft resolution | <i>Idem</i> , para. 7 |
| E/CN.4/Sub.2/371 | Preliminary report submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its twenty-ninth session by Mr. Khalifa, Special Rapporteur of the Sub-Commission | Mimeographed |



Agenda item 71: * 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-first Session, Third Committee*, 76th and 77th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 102nd meeting.

** Since 1971, this question has been discussed by the General Assembly, at the following sessions: twenty-sixth (agenda item 50), twenty-seventh (item 58), twenty-eighth (item 63), twenty-ninth (item 56) and thirtieth (item 69).

DOCUMENT A/31/420

Report of the Third Committee

[Original: English]
[15 December 1976]

1. The item entitled "Human rights and scientific and technological developments" was included in the provisional agenda of the thirty-first session in accordance with General Assembly resolution 3384 (XXX) of 10 November 1975 and the decision taken at its 2400th plenary meeting, on 10 November 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 the 76th and 77th meetings, on 9 and 10 December 1976. The views expressed by the representatives of Member States are contained in the summary records of those meetings.

4. In connexion with item 71, the Committee had before it a note by the Secretary-General (A/31/169) containing background information on the item.

5. At the 76th meeting, the representative of the Byelorussian Soviet Socialist Republic introduced a draft resolution (A/C.3/31/L.55) sponsored by Benin, the Byelorussian Soviet Socialist Republic, Cuba, Cyprus, the Lao People's Democratic Republic, Mali, Nepal and Poland,

subsequently joined by Czechoslovakia. The draft resolution read as follows:

"The General Assembly,

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

"Convinced that the application of scientific and technological progress in the interests of peace and for the benefit of mankind is an important factor for the observance of fundamental human rights and freedoms,

"Noting that the achievements of scientific and technological progress have a great influence on the course of social and economic development both in the developed and in the developing countries,

"Expressing its concern at the fact that scientific and technological achievements may be used for purposes contrary to the interests of peace and international security and, consequently, of fundamental human rights and freedoms,

“1. *Calls upon* Member States, in their programmes and plans, fully to take account of and conform to the provisions and principles contained in the Declaration;

“2. *Instructs* the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and other United Nations specialized agencies concerned to take fully into account, in their programmes and activities, the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind;

“3. *Requests* the Commission on Human Rights, in its consideration of the question of scientific and technological progress and human rights, to give special attention to the implementation of the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind;

“4. *Decides* to consider at its thirty-second session the question of the implementation of the provisions of the Declaration, under the agenda item entitled ‘Human rights and scientific and technological developments’.”

6. At the same meeting, the representative of France introduced the following amendments (A/C.3/31/L.58) to the draft resolution:

(a) Insertion of a new first preambular paragraph to read as follows:

“*Recalling* its resolutions 2450 (XXIII), 2721 (XXV), 3026 (XXVII), 3150 (XXVIII) and 3268 (XXIX),”;

(b) Replacement of the fourth preambular paragraph by a new text, which would become the fifth preambular paragraph, to read as follows:

“*Expressing its concern* at the fact that scientific and technological achievements may be used to the detriment of fundamental human freedoms, the dignity of the human person, and peace and social progress,”;

(c) Deletion, in operative paragraph 1, of the words “fully” and “and conform to”;

(d) Insertion, in operative paragraph 2, of the words “and in accordance with the spirit of the Proclamation of Teheran” between the word “activities” and the words “the provisions”.

7. The sponsors of draft resolution A/C.3/31/L.55 accepted the third amendment proposed by France. At the 77th meeting, after an exchange of views during which the representatives of Austria, Cuba and Nigeria orally proposed subamendments to the second and fourth amendments, the representative of France revised his text. In the second amendment the words “fundamental human freedoms” were replaced by the words “fundamental human rights and freedoms” and the words “and peace and social progress” were replaced by the words “international peace and security and social progress”. It was nevertheless decided that that amendment should be put to the vote since the fourth preambular paragraph as thus worded did

not correspond exactly to the text read out by the representative of the Byelorussian Soviet Socialist Republic. The fourth amendment by France was accepted by the sponsors of the draft resolution as subamended by the representative of the Byelorussian Soviet Socialist Republic: the words “and in accordance with the spirit of the Proclamation of Teheran” were replaced by the words “the pertinent provisions of the Proclamation of Teheran”.

8. At the same meeting, the Committee voted on the first and second amendments contained in document A/C.3/31/L.58 and on the draft resolution, as follows:

(a) The first amendment was adopted by 81 votes to 2, with 24 abstentions;

(b) The second amendment, as subamended, was adopted by 81 votes to none, with 23 abstentions;

(c) Draft resolution A/C.3/31/L.55, as revised and amended, was adopted by 102 votes to none, with 7 abstentions (see para. 9 below).

Recommendation of the Third Committee

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

Human rights and scientific and technological developments

The General Assembly,

Recalling its resolutions 2450 (XXIII) of 19 December 1968, 2721 (XXV) of 15 December 1970, 3026 (XXVII) of 18 December 1972, 3150 (XXVIII) of 14 December 1973 and 3268 (XXIX) of 10 December 1974,

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

Convinced that the application of scientific and technological progress in the interests of peace and for the benefit of mankind is an important factor for the observance of fundamental human rights and freedoms,

Noting that the achievements of scientific and technological progress have a great influence on the course of social and economic development in both the developed and the developing countries,

Expressing its concern at the fact that scientific and technological achievements may be used to the detriment of fundamental human rights and freedoms, the dignity of the human person, international peace and security and social progress,

1. *Calls upon* Member States, in their programmes and plans, to take account of the provisions and principles contained in the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind;

2. *Requests* the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and other specialized agencies concerned to take fully into account, in their programmes and activities, the pertinent provisions of the Proclamation of Teheran¹ and the provisions of the Declaration;

¹ *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No. E.68.XIV.2), chap. II.

3. *Requests* the Commission on Human Rights, in its consideration of the question of scientific and technological progress and human rights, to give special attention to the implementation of the provisions of the Declaration;

4. *Decides* to consider at its thirty-second session the question of the implementation of the provisions of the Declaration under the item entitled "Human rights and scientific and technological developments".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 16 December 1976, the General Assembly, by a recorded vote of 126 to none, with 8 abstentions, adopted the draft resolution submitted by the Third Committee in its report (A/31/420, para. 9). For the final text, see resolution 31/128.²

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*,

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/31/169 | Note by the Secretary-General | Mimeographed |
| A/C.3/31/L.55 | Draft resolution | For the sponsors and the text, see A/31/420, para. 5 |
| A/C.3/31/L.58 | Amendments to document A/C.3/31/L.55 | <i>Idem</i> , para. 6 |



Agenda item 72: * World social situation: ** report of the Secretary-General

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* For the discussion of this item, see: *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 26th, 30th to 36th, 43rd, 47th, 48th, 50th, 53rd, 61st and 62nd meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 97th meeting.

** This question was previously discussed by the General Assembly at the twenty-sixth session (agenda item 53) and at the thirtieth session (agenda item 71).

DOCUMENT A/31/389

Report of the Third Committee

*[Original: English]
[7 December 1976]*

Introduction

1. The item entitled "World social situation: report of the Secretary-General" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with the decision taken by the Assembly at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 26th, 30th to 36th, 43rd, 47th, 48th, 50th, 53rd, 61st and 62nd meetings, from 21 October to 29 November 1976. The summary records of those meetings contain the views expressed by the representatives of Member States and of the specialized agencies on the item.

4. In connexion with item 72, the Committee had before it the 1974 *Report on the World Social Situation*, (E/CN.5/512/Rev.1), transmitted to the General Assembly by the Economic and Social Council in pursuance of General Assembly resolution 2771 (XXVI) of 22 November 1971; and a note by the Secretary-General containing background information on the item (A/31/198).

5. The Assistant Secretary-General for Social Development and Humanitarian Affairs made a statement at the 31st meeting and the Assistant Director and the Director,

Centre for Development Planning, Projections and Policies of the Department of Economic and Social Affairs made statements at the 26th and 36th meetings respectively.

Consideration of draft resolutions

Draft resolution A/C.3/31/L.15

6. At the 30th meeting, the representative of Belgium introduced a draft resolution (A/C.3/31/L.15) entitled "Implementation of the Declaration on the Rights of Disabled Persons" which was sponsored by Algeria, Austria, Bangladesh, Belgium, Burundi, Canada, Chad, Colombia, Costa Rica, Cyprus, Egypt, Finland, France, Germany, Federal Republic of, Greece, Guinea, Iceland, Indonesia, Iran, Ireland, Italy, Japan, Kenya, the Libyan Arab Republic, Luxembourg, Mali, Mauritania, Mexico, Morocco, Nepal, the Netherlands, New Zealand, Nigeria, Oman, Pakistan, Peru, the Philippines, Romania, Rwanda, Senegal, Singapore, Spain, Swaziland, Sweden, Thailand, Togo, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Yugoslavia and Zaire, later joined by Bhutan, Botswana, the Central African Republic, the Congo, Equatorial Guinea, Guatemala, Iraq, the Ivory Coast, Lesotho, Malaysia, Mozambique, Nicaragua, the Niger, Poland, Sierra Leone, Tunisia, Uganda and the United Republic of Tanzania.

7. At the 36th meeting, the representative of Belgium revised the text, incorporating some changes suggested by the representative of India, which would replace all

references to the principles contained in the Declaration by the words "the rights and principles laid down in the Declaration". India then became a sponsor of the draft resolution.

8. At the same meeting the Committee adopted, without a vote, the draft resolution, as revised (see para. 17 below, draft resolution I).

Draft resolutions A/C.3/31/L.21 and A/C.3/31/L.25

9. At the 43rd meeting, the representative of the United States of America introduced a draft resolution (A/C.3/31/L.21) entitled "World social situation" which read as follows:

"The General Assembly,

"Recalling its resolution 2215 (XXI) on the world social situation in which it requested that periodic reports on the world social situation should be prepared, taking into account the interrelationship between economic and social factors,

"Having considered the 1974 Report on the World Social Situation,

"1. Reaffirms the important contribution of the Report on the World Social Situation to the progress of development;

"2. Requests the Secretary-General to continue to issue the report every four years;

"3. Invites the Secretary-General to re-examine the format and content of the report in the light of the debate on the world social situation at the thirty-first session of the General Assembly."

10. The following amendments (A/C.3/31/L.23) to the draft resolution were submitted by Czechoslovakia, Iraq and Mongolia:

(a) The insertion of a new second preambular paragraph to read as follows:

"Recalling the Declaration on Social Progress and Development proclaimed in General Assembly resolution 2542 (XXIV)";

(b) The rewording of operative paragraph 3 to read as follows:

"3. Invites the Secretary-General to prepare the Report on the World Social Situation on the basis of the data provided by Member States as well as other official material and taking into account the debate on this agenda item at the thirty-first session of the General Assembly."

11. At the 47th meeting, the representative of the Philippines introduced a draft resolution (A/C.3/31/L.25) which was sponsored by Egypt and the Philippines, later joined by Cuba. The representative of the Philippines noted that the draft had taken into account the text (A/C.3/

31/L.21) submitted by the United States and the amendments thereto (A/C.3/31/L.23). The text of the draft resolution read as follows:

[Preamble and operative paragraphs 1 and 2 same as preamble and operative paragraphs 2 and 3 of draft resolution II contained in paragraph 17 below.]

12. At the 53rd meeting, the representative of the United States withdrew draft resolution A/C.3/31/L.21. The amendments thereto (A/C.3/31/L.23) were thus no longer before the Committee.

13. At the same meeting, the representative of the Philippines introduced a revised text (A/C.3/31/L.25/Rev.1) which was sponsored by Cuba, Egypt and the Philippines, later joined by the Syrian Arab Republic. *[For the text, see para. 17 below, draft resolution II.]*

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

Draft resolution A/C.3/31/L.22

15. At the 50th meeting, the representative of Pakistan introduced a draft resolution (A/C.3/31/L.22) on behalf of the States Members of the United Nations which are members of the Group of 77. The text of the draft resolution read as follows:

"The General Assembly,

[Text of the 12 preambular paragraphs same as that of first, second, third and fifth through thirteenth preambular paragraphs of draft resolution III contained in paragraph 17 below. Text of the operative part same as that of draft resolution III, with the exception of paragraphs 3 and 10, which read as follows:

"3. Recognizes the need for continued efforts at the national level towards the promotion of social progress and development through measures leading to:

"(a) More equitable redistribution of income and wealth;

"(b) Elimination of hunger and malnutrition;

"(c) A reduction of unemployment and under-employment;

"(d) The improvement of the distribution of health, housing, education and other social services;

"..."

"10. Urges the developed countries to respond in a spirit of co-operation and interdependence to ensure sustained socio-economic development in the developing countries to bridge the gap between the developed and developing countries."]

16. At the 61st meeting, the representative of Pakistan introduced a revised text (A/C.3/31/L.22/Rev.1), which was adopted by the Committee at the same meeting by 91

votes to none, with 10 abstentions (see para. 17 below, draft resolution III).

Recommendations of the Third Committee

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

DRAFT RESOLUTION I

Implementation of the Declaration on the Rights of Disabled Persons

The General Assembly,

Recalling its resolution 3447 (XXX) of 9 December 1975 proclaiming the Declaration on the Rights of Disabled Persons,

Desiring to achieve the effective implementation of the rights and principles laid down in the Declaration,

1. *Recommends* that all Member States should take account of the rights and principles laid down in the Declaration on the Rights of Disabled Persons in establishing their policies, plans and programmes;

2. *Recommends* that all international organizations and agencies concerned should include in their programmes provisions ensuring the effective implementation of those rights and principles;

3. *Requests* the Secretary-General to inform the General Assembly, in the form of a summary annexed to his reports on the world social situation, of the measures adopted by Member States and by the international organizations and agencies concerned with a view to ensuring the effective implementation of the rights and principles laid down in the Declaration and of the present resolution.

DRAFT RESOLUTION II

Report on the world social situation

The General Assembly,

Recalling the Declaration on Social Progress and Development proclaimed in General Assembly resolution 2542 (XXIV) of 11 December 1969,

Noting Economic and Social Council resolution 1927 (LVIII) of 6 May 1975 on the world social situation and the mid-term review and appraisal of the International Development Strategy for the Second United Nations Development Decade,¹

Having considered the 1974 Report on the World Social Situation (E/CN.5/512/Rev.1),

Desirous of improving the future reports on the world social situation as to their cross-sectoral analysis of social

policies and programmes, which analysis should take into account the goals and objectives of the new international economic order,

1. *Takes note* of the 1974 Report on the World Social Situation as well as the various points of view expressed regarding its substance and format during the thirty-first session of the General Assembly;

2. *Requests* the Secretary-General to take into consideration the following guidelines while preparing future reports on the world social situation.

(a) A more integrated and concise text should be presented, with emphasis on the analysis of the data obtained;

(b) All countries and territories should be covered, including those under colonial and alien domination and foreign occupation;

(c) A wide range of sources of information should be used, mainly from the specialized agencies, the regional commissions and the Governments concerned.

(d) The mid-term review and appraisal of the International Development Strategy for the Second United Nations Development Decade should be used as a guideline in assessing and analysing the data obtained;

(e) The goals and objectives of the new international economic order should be utilized as one of the guidelines for the preparation of future reports on the world social situation;

3. *Requests* Governments, appropriate United Nations bodies and specialized agencies concerned to continue to co-operate with the Secretary-General in the preparation of future reports on the world social situation.

DRAFT RESOLUTION III

World social situation

The General Assembly,

Recalling its resolutions 2542 (XXIV) of 11 December 1969, containing the Declaration on Social Progress and Development, and 2771 (XXVI) of 22 November 1971 on the world social situation,

Recalling in this connexion its resolution 2626 (XXV) of 24 October 1970, containing the International Development Strategy for the Second United Nations Development Decade, paragraph 7 of which states that the ultimate objective of development must be to bring about sustained improvement in the well-being of the individual and bestow benefits on all,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974,

¹ General Assembly resolution 3517 (XXX).

containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Further recalling Economic and Social Council resolution 1927 (LVIII) of 6 May 1975,

Recognizing that the persistence of colonialism, aggression and threats against national sovereignty, national unity and territorial integrity, foreign occupation, all forms of discrimination, *apartheid* and all forms of domination continue to exercise a negative impact on the world social situation,

Considering that the world social situation is characterized by the wide and growing disparity in conditions of living and income levels between people in the developed and developing countries and that it is incumbent on the international community to redress this disparity,

Aware of the decisive influence of existing economic relations on the internal social situation, particularly of the developing countries, and that social distress and poverty can be removed only if the pre-conditions are created for comprehensive and equitable economic growth and social development,

Recalling that during the period from 1974 to 1976 the General Assembly, at its sixth and seventh special sessions, and a number of international conferences, including the World Population Conference, the World Food Conference, the World Conference of the International Women's Year, Habitat: United Nations Conference on Human Settlements, the Tripartite World Conference on Employment, Income Distribution, Social Progress and International Division of Labour, the Second General Conference of the United Nations Industrial Development Organization, the fourth session of the United Nations Conference on Trade and Development and the Conference on Economic Co-operation among Developing Countries, addressed themselves to several issues related to the world economic and social situation,

Considering that the desired pace of social progress in the developing countries is hindered because of the magnitude of their difficulties arising from the unjust world economic order which has existed hitherto,

Re-emphasizing that the primary responsibility for the development of developing countries rests upon themselves, but that, however great their own efforts, these will not enable them to achieve the desired development goals as expeditiously as they must unless equitable economic and commercial relations between developed and developing countries are established, and increased financial and technological resources are available to the developing countries,

Noting that social disparities are not peculiar to the developing countries and are a reflection of the injustices and inefficiency of the present world economic system,

Emphasizing the interdependence of economic and social development in promoting comprehensive growth with justice and the importance of harmonizing this process of

development with the evolution of each country's values and structures,

Having considered the 1974 Report on the World Social Situation (E/CN.5/512/Rev.1),

1. *Reaffirms* the right and responsibility of each State and people to determine freely its own objectives of social development, to set its own priorities and to decide in conformity with the principles of the Charter of the United Nations the means and methods of their achievement without any external interference;

2. *Notes with satisfaction* the policies and programmes adopted by many developing countries, within their over-all development plans, despite the grave financial and other external constraints, to promote comprehensive social development in various fields, especially to improve the conditions in the particularly disadvantaged sectors of their societies;

3. *Recognizes* the need for continued efforts at the national level towards the promotion of social progress and development aiming at the fulfilment of basic needs of all segments of the population through measures leading to:

(a) More equitable redistribution of income and wealth;

(b) The elimination of hunger and malnutrition;

(c) A reduction of unemployment and under-employment;

(d) The improvement of the distribution of health, housing, education and other social services;

4. *Welcomes* the active participation and growing involvement of the people of all sectors of society, including the youth and women, in the programmes of socio-economic development in developing countries;

5. *Reaffirms* the urgency of observing the principles and implementing the decisions regarding the establishment of the new international economic order as well as the targets and policy measures of the International Development Strategy for the Second United Nations Development Decade as a necessary pre-condition for the success of measures to eradicate poverty and to ensure real social progress in developing countries;

6. *Reaffirms also* that the elimination of imperialism, colonialism, aggression, foreign occupation, all forms of discrimination and *apartheid* and threats against national sovereignty and territorial integrity is a pre-condition for social and economic progress;

7. *Affirms* that the need to eliminate social disparities in developing countries is an important reason for the developed countries to increase their commitment to achieving the goals of development co-operation and of the new international economic order;

8. *Deeply deplores* the lack of response from some of the developed countries to measures designed to establish the new international economic order;

9. *Urges* the organizations of the United Nations system to take into consideration Economic and Social Council decision 162 (LXI) of 3 August 1976, bearing in mind the close interrelationship between international economic relations and the world social situation;

10. *Urges* those developed countries that have not done so to respond in a spirit of co-operation and inter-

dependence to ensure sustained socio-economic development in the developing countries;

11. *Requests* the Secretary-General to continue to issue the report on the world social situation every four years, taking into consideration the provisions of the present resolution, and to give an account of the measures taken by Governments to implement these provisions.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 13 December 1976, the General Assembly voted on draft resolutions I, II and III submitted by the Third Committee in its report (A/31/389, para. 17). Draft resolutions I and II were adopted without a vote; draft resolution III was adopted by a recorded vote of 120 to none, with 12 abstentions. For the final text, see resolutions 31/82, 31/83 and 31/84.²

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 72 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/98 | Note by the Secretary-General | Mimeographed |
| A/C.3/31/L.15 | Draft resolution | For the sponsors and the text, see A/31/389, paras. 6, 7 and 17, draft resolution I |
| A/C.3/31/L.21 | Draft resolution | <i>Idem</i> , para. 9 |
| A/C.3/31/L.22 | Draft resolution | <i>Idem</i> , paras. 15 and 17, draft resolution III |
| A/C.3/31/L.22/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 16 and 17, draft resolution III |
| A/C.3/31/L.23 | Amendments to document A/C.3/31/L.21 | <i>Idem</i> , para. 10 |
| A/C.3/31/L.25 | Draft resolution | <i>Idem</i> , paras. 11 and 17, draft resolution II |
| A/C.3/31/L.25/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 13 and 17, draft resolution II |
| E/CN.5/512/Rev.1 | <i>1974 Report on the World Social Situation</i> | United Nations publication, Sales No. E.75.IV.6 |



Agenda item 73:* 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-first Session, Third Committee*, 70th, 71st and 73rd to 76th meetings: *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 102nd meeting.

** This question was previously discussed by the General Assembly at the thirtieth session (agenda item 72).

DOCUMENT A/31/406

Report of the Third Committee

*[Original: English]
[15 December 1976]*

Introduction

1. The item entitled "Policies and programmes relating to youth: reports of the Secretary-General" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3141 (XXVIII) of 14 December 1973 and the decision taken at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 70th, 71st and 73rd to 76th meetings, between 6 and 9 December 1976. The views expressed by the representatives of Member States are contained in the summary records of those meetings.

4. In connexion with item 73, the Committee had before it the following documents:

(a) A report of the Secretary-General (A/10143) entitled *Youth, its education and its responsibilities in the world of today* submitted in pursuance of General Assembly resolution 3141 (XXVIII);

(b) A report of the Secretary-General (A/10275) entitled *Channels of communication with youth and international youth organizations* prepared in accordance with General Assembly resolution 3022 (XXVII);

(c) Letter dated 10 September 1976 from the representative of Poland to the Secretary-General (A/31/212).

5. At the 70th meeting, the Assistant Secretary-General for Social Development and Humanitarian Affairs introduced the item.

Consideration of draft resolutions

Draft resolution A/C.3/31/L.32

6. At the same meeting, the representative of Romania introduced a draft resolution (A/C.3/31/L.32), entitled "Policies and programmes relating to youth", which was sponsored by Austria, Belgium, Bulgaria, Colombia, Costa Rica, Ecuador, Egypt, Ghana, Guinea, Honduras, Iran, Madagascar, Malaysia, Mali, Mexico, Morocco, Nicaragua, Peru, the Philippines, Romania, Rwanda and Venezuela, later joined by Barbados, Bhutan, Cyprus, Fiji, Guatemala, the Niger, Senegal, Sweden, Togo and the United Republic of Cameroon. The representative of Romania revised the text by replacing in operative paragraph 4, the word "thirty-third" by the word "thirty-fourth" before the word "session", and by adding a new operative paragraph 6, to read as follows:

"6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled 'Policies and programmes relating to youth'."

7. At its 76th meeting, the Committee adopted the draft resolution, as revised, without a vote (see para. 15 below, draft resolution I).

Draft resolution A/C.3/31/L.35

8. At the 75th meeting, the representative of India introduced draft resolution A/C.3/31/L.35, entitled "Role of youth", which was sponsored by India and the Philippines subsequently joined by Afghanistan, Barbados, Bhutan, Ethiopia, Fiji, the German Democratic Republic, Ghana, the Ivory Coast, Jamaica, the Libyan Arab Republic, Mongolia, Nepal, the Niger, Romania, Senegal, Togo and the United Republic of Cameroon.

9. At the same meeting, the representative of Cyprus proposed the insertion of the words "respect for human rights and fundamental freedoms" between the words "peace" and "human solidarity" in operative paragraph 2. After the sponsors had accepted the proposal, Cyprus became a sponsor of the draft resolution. At the 76th meeting, the representative of India, on behalf of the sponsors of the text, revised it further by inserting the word "international" between the words "promote" and "exchanges" in operative paragraph 5.

10. At its 76th meeting, the Committee adopted the draft resolution, as revised, without a vote (see para. 15 below, draft resolution II).

Draft resolution A/C.3/31/L.53

11. At the 75th meeting, the representative of the Netherlands introduced a draft resolution (A/C.3/31/L.53), entitled "United Nations Volunteers programme", which was sponsored by Austria and the Netherlands, subsequently joined by Iran.

12. At its 76th meeting, the Committee adopted the draft resolution without a vote (see para. 15 below, draft resolution III).

Draft resolution A/C.3/31/L.56

13. At the 75th meeting, the representative of Yugoslavia introduced a draft resolution (A/C.3/31/L.56), entitled "Channels of communication with youth and youth organizations", which was sponsored by Egypt, Lesotho and Yugoslavia, subsequently joined by Madagascar, Mozambique, Norway, Romania and Zambia.

14. At its 76th meeting, the Committee adopted the draft resolution without a vote (see para. 15 below, draft resolution IV).

Recommendations of the Third Committee

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

DRIFT RESOLUTION I

*Policies and programmes relating to youth**The General Assembly,*

Recalling its resolutions 2037 (XX) of 7 December 1965, 2447 (XXIII) of 19 December 1968, 2497 (XXIV) of 28 October 1969, 2633 (XXV) of 11 November 1970,

2770 (XXVI) of 22 November 1971, 3022 (XXVII) and 3023 (XXVII) of 18 December 1972 and 3141 (XXVIII) of 14 December 1973,

Noting with satisfaction that, in the eleven years since the promulgation of the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples,¹ substantial progress has been made in implementing its principles,

Reaffirming the principles inscribed in the Declaration and the importance of their universal implementation,

Emphasizing that efforts to educate youth in those principles must be closely related to programmes for their active involvement in all aspects of economic and social life,

Recalling Economic and Social Council resolution 1923 (LVIII) of 6 May 1975 in which the Council approved the recommendations concerning the establishment of a co-operative arrangement among youth research and information centres,²

1. Requests Member States, the United Nations organs and the specialized agencies concerned to give greater attention to the implementation of the provisions of the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, especially when establishing their policy and programmes regarding youth;

2. Addresses a solemn appeal to all States, as well as to intergovernmental and non-governmental organizations having consultative status with the Economic and Social Council, to take appropriate action to foster among youth respect for all peoples, irrespective of nationality, race, sex or religion, regard for human values and devotion to the ideals of peace, freedom and progress and to the cause of human rights;

3. Urges the Secretary-General to continue his efforts to promote international awareness of the situation and needs of youth and practical action to ensure the full participation of youth in the life of society, through United Nations activities in the field of youth and, as appropriate, with the co-operation of the specialized agencies concerned;

4. Requests the Secretary-General to submit a report on the measures that have been taken to implement the Declaration to the General Assembly at its thirty-fourth session, through the Commission for Social Development and the Economic and Social Council, with recommendations on how that process may be strengthened;

5. Requests the Secretary-General to submit a progress report on the establishment of a co-operative arrangement among youth research and information centres to the General Assembly at its thirty-second session, through the Commission for Social Development and the Economic and Social Council;

6. Decides to include in the provisional agenda of its thirty-second session the item entitled "Policies and programmes relating to youth".

¹ General Assembly resolution 2037 (XX).

² E/CN.5/503, paras. 5-12.

DRAFT RESOLUTION II

Role of youth

The General Assembly,

Recognizing the profound importance of the role of youth and the necessity of its participation in shaping the future of humanity,

Convinced of the imperative need to harness the energies, enthusiasm and creative abilities of youth in the task of nation building, the economic, social and cultural advancement of peoples, the preservation of world peace and the promotion of international co-operation and understanding,

Noting that the dynamic and active involvement of youth can be a very powerful factor in influencing in a positive manner the response from other sections of society for accelerating the process of reform and development,

Conscious of the enormous sacrifice made by youth and the sufferings inflicted on it in wars of all kinds,

Convinced of the necessity to meet the legitimate needs and aspirations of youth in this age of great scientific, technological and cultural progress and of opportunities for education,

Bearing in mind the valuable contribution that youth can make to the evolution of co-operation among States on the basis of equality and justice and to the ushering in of the new international economic order,

Appreciating the active participation of youth in the global movement to promote peace, disarmament and national liberation and in the struggle against colonialism, racism, racial discrimination, foreign domination and alien occupation,

Recalling the provisions of the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples adopted by the General Assembly in its resolution 2037 (XX) of 7 December 1965,

1. *Considers* that the development process as well as the promotion of international peace and security would benefit greatly by the integration and involvement of youth in all related activities;

2. *Considers it necessary* to disseminate among youth, through appropriate education, ideas of peace, respect for human rights and fundamental freedoms, human solidarity and dedication to the objectives of progress and development;

3. *Urges* all States, to that end, to undertake such further steps as may be necessary and appropriate to ensure the full and effective participation of youth in the process of development and co-operation;

4. *Invites* all relevant organizations within the United Nations system to give special attention to programmes connected with education and participation of youth in development;

5. *Invites* States to promote international exchanges between youth and youth organizations of their respective countries.

6. *Requests* the Secretary-General to collect from the Governments of Member States and relevant organizations

in the United Nations system the latest information concerning the present and future role and the participation of youth in the development and nation-building process, as well as in the field of the promotion of international co-operation and understanding, and to submit to the General Assembly at its thirty-second session a preliminary report for further consideration of the role of youth in promoting the objectives of the United Nations.

DRAFT RESOLUTION III

United Nations Volunteers programme

The General Assembly,

Recalling its resolutions 2497 (XXIV) of 28 October 1969, 2659 (XXV) of 7 December 1970, 2770 (XXVI) of 22 November 1971, 3022 (XXVII) of 18 December 1972, 3125 (XXVIII) of 13 December 1973 and 3140 (XXVIII) of 14 December 1973,

Taking note of Economic and Social Council resolution 1966 (LIX) of 30 July 1975 on youth policies and programmes relating to the role of the United Nations Volunteers programme,

Recognizing the important role of youth in the realization of the purposes of the Charter of the United Nations, especially those concerning economic and social progress and development,

Convinced that the active participation of the younger generation should be an integrated component of the over-all development process,

Believing that the United Nations must intensify its efforts to implement practical programmes to assist younger people to take constructive roles in the development of their societies, including the means of financing such programmes,

Acknowledging the role in the achievement of national and international development goals that has been entrusted to the United Nations Volunteers programme and the potential of that programme for the advancement of the role of youth in development,

1. *Considers* the United Nations Volunteers programme to be a major operational unit of the United Nations for the execution of youth programmes, especially of pilot projects to increase the participation of youth in development activities and training programmes for youth workers, such programmes to be undertaken only after consultation with the Governments of the recipient countries concerned;

2. *Decides* to expand the terms of reference of the Special Voluntary Fund for the United Nations Volunteers to include the receipt of additional contributions for the purpose of implementing youth programmes requested by developing countries;

3. *Appeals* to Governments and all other potential sources for contributions to the Special Voluntary Fund for United Nations Volunteers to help finance such youth programmes;

4. *Requests* the Secretary-General and the Administrator of the United Nations Development Programme:

(a) To hold joint intersecretariat consultations at least once every year to discuss the implementation of pro-

grammes described above on the basis of principles and programme objectives laid down by the relevant policy-making bodies;

(b) To take whatever administrative action is necessary within existing resources to implement the course of action described above with effect from 1 January 1977;

(c) To study the best ways and means to ensure the participation, to the fullest extent possible, of youth and youth organizations in the planning and implementation of youth programmes launched by the United Nations Volunteers;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-second session a progress report on the implementation of the present resolution with recommendations for further action.

DRAFT RESOLUTION IV

Channels of communication with youth and youth organizations

The General Assembly,

Recalling its resolutions 2037 (XX) of 7 December 1965, 2497 (XXIV) of 28 October 1967, 2633 (XXV) of 11

November 1970, 2770 (XXVI) of 22 November 1971, 3022 (XXVII) of 18 December 1972 and 3140 (XXVIII) of 14 December 1973,

Taking note of the report of the Secretary-General on channels of communication with youth and international youth organizations (A/10275),

Convinced that the pre-conditions of effective channels of communication are the promotion of the purposes and principles of the Charter of the United Nations and the existence of practical opportunities for youth and youth organizations to participate in the work of the United Nations at the national, regional, interregional and international levels,

Invites the Economic and Social Council to prepare, through the Commission for Social Development at its twenty-fifth session, appropriate recommendations concerning the best channels of communication between youth and youth organizations and the United Nations at the national, regional, interregional and international levels, and to report to the General Assembly at its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 16 December 1976, the General Assembly adopted the draft resolutions submitted by the Third Committee in its report (A/31/406, para. 15). For the final text, see resolutions 31/129 to 31/132.³

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 73 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/10143 | Youth, its education and its responsibilities in the world of today: report of the Secretary-General | Mimeographed |
| A/10275 | Channels of communication with youth and international youth organizations: report of the Secretary-General | Ditto |
| A/31/212 | Letter dated 10 September 1976 from the representative of Poland to the Secretary-General | Ditto |
| A/C.3/31/L.32 | Draft resolution | For the sponsors and the text, see A/31/406, paras. 6, 9 and 15, draft resolution I |
| A/C.3/31/L.35 | Draft resolution | <i>Idem</i> , paras. 8 and 15, draft resolution II |
| A/C.3/31/L.53 | Draft resolution | <i>Idem</i> , paras. 11 and 15, draft resolution III |
| A/C.3/31/L.56 | Draft resolution | <i>Idem</i> , paras. 13 and 15, draft resolution IV |



Agenda item 74: * 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-first Session, Third Committee*, 62nd to 67th meetings. *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 97th 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 session (agenda item 74).

DOCUMENT A/31/394

Report of the Third Committee

*[Original: English]
[9 December 1976]*

1. The item entitled "Torture and other cruel, inhuman or degrading treatment or punishment" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolutions 3452 (XXX) and 3453 (XXX) of 9 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 62nd to 67th meetings, between 29 November and 3 December 1976. The views expressed by the representatives of Member States and representatives of the specialized agencies are contained in the summary records of those meetings.

4. In connexion with item 74, the Committee had before it a note by the Secretary-General (A/31/234) giving information on relevant developments in the United Nations and the World Health Organization since the adoption by the General Assembly of resolutions 3452 (XXX) and 3453 (XXX).

5. At the 62nd meeting, the Director of the Division of Human Rights introduced the item. At the same meeting, the representative of the World Health Organization made a statement.

6. At the 63rd meeting, the representative of Portugal introduced a draft resolution (A/C.3/31/L.38) on behalf of Australia, Austria, Colombia, Costa Rica, Cyprus, Ecuador, Germany, Federal Republic of, Ghana, Greece, Ireland, Kenya, Mexico, the Netherlands, Papua New Guinea, Portugal, Sweden, the United Republic of Cameroon and Venezuela, subsequently joined by Barbados, Belgium,

Canada, Fiji, Italy, New Zealand and the United Kingdom of Great Britain and Northern Ireland. (*For the text, see para. 8 below.*)

7. At the 67th meeting, the Committee adopted the draft resolution without a vote.

Recommendation of the Third Committee

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

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, unanimously adopted in its resolution 3452 (XXX) of 9 December 1975,

Recalling also its resolution 3453 (XXX) of 9 December 1975, in which it requested the competent bodies to conduct further work on the elaboration of:

(a) A body of principles for the protection of all persons under any form of detention or imprisonment,

(b) A draft code of conduct for law enforcement officials,

(c) Principles of medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment,

Noting Economic and Social Council resolution 1993 (LX) of 12 May 1976 and resolution 10 (XXXII)

adopted by the Commission on Human Rights on 5 March 1976,¹

Welcoming the work of the Committee on Crime Prevention and Control at its fourth session, in particular with respect to a draft code of conduct for law enforcement officials as well as the range of application and the implementation of the Standard Minimum Rules for the Treatment of Prisoners,²

Noting further the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its twenty-ninth session to appoint a Rapporteur to prepare the first draft of a body of principles for the protection of all persons under any form of detention or imprisonment, and resolution 3A (XXIX) of 31 August 1976 in which the Sub-Commission recommended the appointment of a working group to analyse the materials received in connexion with its annual review of developments relating to the question of the human rights of persons subjected to any form of detention or imprisonment,³

Reiterating its belief that further efforts are needed to help ensure adequate protection for all against torture and other cruel, inhuman or degrading treatment or punishment,

1. *Calls upon* Governments, as well as intergovernmental and non-governmental organizations concerned with human rights, to give maximum publicity to the Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

¹ See *Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 3*, chap. XX.

² *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

³ See E/CN.4/1218, chap. XVII.

2. *Invites* the Economic and Social Council to give due priority to the examination of the draft code of conduct for law enforcement officials proposed by the Committee on Crime Prevention and Control,⁴ in order that the Council at its sixty-second session and the General Assembly at its thirty-second session take further steps with a view to the adoption of this instrument;

3. *Also invites* the Economic and Social Council to consider with due priority the recommendation of the Committee on Crime Prevention and Control at its fourth session contained in new draft rule 95 of the Standard Minimum Rules for the Treatment of Prisoners⁵ seeking to assure the applicability of the Standard Minimum Rules to all persons arrested or imprisoned with or without charge and conviction, as well as to the draft procedures for the effective implementation of the Rules;⁶

4. *Requests* the Commission on Human Rights, through the Economic and Social Council, to submit a comprehensive report on the elaboration of a body of principles for the protection of all persons under any form of detention or imprisonment to the General Assembly at its thirty-third session;

5. *Invites* the World Health Organization to prepare a draft code on medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment, and to bring it to the attention of the General Assembly at its thirty-second session;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

⁴ See E/CN.5/536, annex V.

⁵ See E/CN.5/536, para. 95.

⁶ See E/CN.5/536, annex VI.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 13 December 1976, the General Assembly adopted the draft resolution submitted by the Third Committee in its report (A/31/394, para.8). For the final text, see resolution 31/85.⁷

⁷ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 74 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|-------------------------------|---|
| A/31/234 | Note by the Secretary-General | Mimeographed |
| A/C.3/31/L.38 | Draft resolution | For the sponsors and the text, see A/31/394, paras. 6 and 8 |



Agenda item 75: * United Nations Decade for Women: ** Equality, Development and Peace: report of the Secretary-General

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 67th to 77th meetings: *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 102nd meeting.

** This question was previously discussed by the General Assembly at the following sessions: twenty-seventh and twenty-ninth (under agenda item 12) and thirtieth (items 75 and 76).

DOCUMENT A/31/407

Report of the Third Committee

*[Original: English/
15 December 1976]*

Introduction

1. The item entitled "United Nations Decade for Women: Equality, Development and Peace: report of the Secretary-General" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3520 (XXX) of 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 67th to 77th meetings, between 3 and 10 December 1976. The views expressed by the representatives of Member States and of the specialized agencies are contained in the summary records of those meetings.

4. In connexion with item 75, the Committee had before it the following documents:

(a) The relevant part of the report of the Economic and Social Council (A/31/3, chap. VI, sect. D);

(b) Part II of the addendum to the report of the Economic and Social Council (A/31/3/Add.1);

(c) A note verbale dated 30 January 1976 from the Mission of the German Democratic Republic to the Secretary-General (A/31/46);

(d) A letter dated 28 April 1976 from the Mission of Bulgaria to the Secretary-General (A/31/83);

(e) A letter dated 27 May 1976 from the representative of Iran to the Secretary-General (A/31/105);

(f) A letter dated 26 August 1976 from the Mission of the German Democratic Republic to the Secretary-General (A/31/187);

(g) A letter dated 7 December 1976 from the representatives of France, the United Kingdom and the United States of America to the Secretary-General (A/31/435);

(h) The report of the Secretary-General on the integration of women in the development process (A/31/205 and Corr.1);

(i) The report of the Secretary-General (A/31/220) on measures taken to implement the World Plan of Action for the Implementation of the Objectives of the International Women's Year and related resolutions of the World Conference of the International Women's Year and to initiate procedures for the review and appraisal of the Plan;

(j) The report of the Secretary-General on the progress achieved towards the establishment of an International Research and Training Institute for the Advancement of Women (A/31/310);

(k) A note by the Secretary-General (A/C.3/31/L.27) concerning the Programme for the Decade for Women

adopted by the Commission on the Status of Women at its twenty-sixth session (E/5894).

5. At the 67th meeting, the Assistant Secretary-General for Social Development and Humanitarian Affairs and the Deputy Director of the Centre for Social Development and Humanitarian Affairs in charge of the Promotion of Equality of Men and Women Branch made introductory statements. The Under-Secretary-General for Administration and Management made a statement at the 69th meeting.

Consideration of draft resolutions

Draft resolution contained in document A/C.3/31/L.28

6. The Committee considered a draft resolution on the Voluntary Fund for the United Nations Decade for Women which had been recommended by the Economic and Social Council in its resolution 2005 (LX) of 12 May 1976 for adoption by the General Assembly, and which was reproduced in a note by the Secretary-General (A/C.3/31/L.28).

7. At the 76th meeting, the Committee adopted the draft resolution without a vote (see para. 21 below, draft resolution I).

Draft resolutions A/C.3/31/L.45 and Rev.1

8. The Committee had before it a draft resolution (A/C.3/31/L.45) entitled "Improvement of the status and role of women in education" sponsored by the German Democratic Republic, India, Iraq, Mali, Mongolia, Morocco, Nepal, the Philippines and Poland, subsequently joined by Guinea, the Ivory Coast, Mozambique, Nicaragua, the Niger, Senegal, the Sudan, Togo and Zaire. The draft resolution read as follows:

[Same text as draft resolution II contained in paragraph 21 below, with the exception of operative paragraphs 1, 2 (b) and 4 which read as follows:

"1. *Appeals* to all States which have not yet done so to become parties to the UNESCO Convention against Discrimination in Education, 1960;

"2. ...

"(b) The provisions of the World Plan of Action for the Implementation of the Objectives of the International Women's Year concerning education and training including the Convention and Recommendation against Discrimination in Education, 1960, and the appropriate Recommendation concerning Technical and Vocational Education of UNESCO:

"..."

"4. *Calls upon* States which have not yet done so to consider undertaking all appropriate measures to introduce free and compulsory education at the elementary level, and, where possible, free education at all levels, in particular without discrimination against women;".]

9. At the 74th meeting, the representative of Mongolia introduced a revised version of the draft resolution (A/C.3/31/L.45/Rev.1), which was sponsored by Bhutan and Iran, in addition to the sponsors of the initial text, and subsequently by the Congo, Cuba, Cyprus, Czechoslovakia, Egypt, Ethiopia, Fiji, Finland, Hungary, Iceland, Mauritania, Nigeria, Papua New Guinea, the United Republic of Cameroon and the Upper Volta.

10. The revised draft resolution read as follows.

[Same text as draft resolution II contained in paragraph 21 below, with the exception of operative paragraphs 1, 2 (b) and 4, which read as follows:

"1. *Appeals* to all States which have not yet done so to become parties to the UNESCO Convention against Discrimination in Education, 1960;

"2. ...

"(b) The provisions of the World Plan of Action for the Implementation of the Objectives of the International Women's Year concerning education and training, particularly in respect to an increase in literacy and equal access of women at every level of education as well as the provisions of the Convention and Recommendation against Discrimination in Education, 1960, and the appropriate Recommendation concerning Technical and Vocational Education of UNESCO:

"..."

"4. *Calls upon* States which have not yet done so to consider undertaking all appropriate measures to introduce free and compulsory education at the elementary level, and, where possible, free education at all levels, including professional, vocational and technical, should be accessible to women without discrimination;".]

11. At the same meeting, the representative of Belgium on behalf of his delegation and that of the United Republic of Cameroon introduced an amendment (A/C.3/31/L.49/Rev.1) to the revised draft resolution whereby operative paragraph 4 would be revised to read as follows:

"4. *Calls upon* States which have not yet done so to consider undertaking all appropriate measures:

"(a) To introduce free and compulsory education at the elementary level, and, where possible, free education at all levels, including professional, vocational and technical education, which should be accessible to women without discrimination:

"(b) To promote co-education;

"(c) To ensure that men and women have access on a footing of equality to scholarships and other study grants."

12. At the 76th meeting, the representative of Morocco orally proposed the addition at the end of subparagraph (c) of the amendment submitted by Belgium of the words "when these are provided nationally or are made available

to States under bilateral or multilateral agreements". The representative of Belgium accepted the amendment.

13. Amendments to the revised draft resolution were also submitted by Canada (A/C.3/31/L.57) whereby:

(a) At the end of operative paragraph 1 the following would be added:

"to the Discrimination (Employment and Occupation) Convention, 1958, and the Human Resources Development Convention, 1975, elaborated by the International Labour Organisation";

(b) At the end of operative paragraph 2 (b) the following would be added:

"and the provisions of the Discrimination (Employment and Occupation) Convention, 1958, the Human Resources Development Convention, 1975, and the appropriate recommendations concerning discrimination (employment and occupation), employment (women with family responsibilities) and human resources development of the International Labour Organisation".

14. At the 76th meeting, the Committee voted on draft resolution A/C.3/31/L.45/Rev.1, and on the amendments thereto as follows:

(a) The first amendment in document A/C.3/31/L.57 was adopted by 99 votes to none, with 9 abstentions;

(b) The second amendment in document A/C.3/31/L.57 was adopted by 103 votes to none, with 4 abstentions;

(c) The amendment to the introductory part and to operative paragraph 4 (a), contained in document A/C.3/31/L.49/Rev.1, was adopted without a vote;

(d) The amendment to operative paragraph 4 (b), contained in document A/C.3/31/L.49/Rev.1, was adopted by 109 votes to none, with 4 abstentions;

(e) The amendment to operative paragraph 4 (c), contained in document A/C.3/31/L.49/Rev.1, as orally amended, was adopted by 110 votes to none;

(f) The draft resolution, as amended, was adopted without a vote (see para. 21 below, draft resolution II).

Draft resolution A/C.3/31/L.50

15. At the 74th meeting, the representative of Iran introduced a draft resolution (A/C.3/31/L.50) entitled "International Research and Training Institute for the Advancement of Women" on behalf of Argentina, Austria, Egypt, Guatemala, India, Iran, the Ivory Coast, Jordan, Mexico, Morocco, the Niger, Pakistan, Peru, the Philippines, Senegal, Trinidad and Tobago, Turkey, Yugoslavia, Zaire and Zambia, subsequently joined by Ghana, Italy, Nepal, the United Republic of Cameroon and the Upper Volta. In introducing the draft resolution, the representative of Iran revised operative paragraph 2 by adding at the end of the paragraph the words "in particular, the necessary close collaboration between the Centre and the regional institutes

which have similar objectives". The representative of Mexico further revised the text by inserting the words "with appreciation" after the word "Accepts" in operative paragraph 3. [For the text, see para. 21 below, draft resolution III.]

16. At the same meeting, the Committee adopted the draft resolution, as revised, by consensus.

Draft resolution A/C.3/31/L.51

17. At the 76th meeting, the representative of the Philippines introduced a draft resolution (A/C.3/31/L.51) entitled "United Nations Decade for Women" on behalf of Afghanistan, Barbados, Chad, the Congo, Costa Rica, Cyprus, Denmark, the Dominican Republic, Egypt, Finland, France, Ghana, India, Indonesia, Iran, Jamaica, Madagascar, Mexico, Morocco, Nepal, New Zealand, the Niger, Nigeria, Norway, Papua New Guinea, Peru, the Philippines, Romania, Sweden, Togo, Tunisia, Turkey, the Upper Volta and Zambia, later joined by Ethiopia, Iceland and Uganda. [For the text, see para. 21 below, draft resolution IV.]

18. The Secretary of the Committee made a statement on the financial implications of operative paragraph 7 of the draft resolution. At the same meeting, the Committee adopted the draft resolution without a vote.

Draft resolution A/C.3/31/L.52

19. At the 76th meeting, the representative of the Philippines introduced a draft resolution (A/C.3/31/L.52) entitled "Pledging Conference for the United Nations Decade for Women" on behalf of Iran, Nepal, the Netherlands, Norway and the Philippines. [For the text, see para. 21 below, draft resolution V.]

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

Recommendations of the Third Committee

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

DRAFT RESOLUTION I

Voluntary Fund 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,

Recalling also that it decided at its thirtieth session that the voluntary fund for the International Women's Year, established by Economic and Social Council resolution 1850 (LVI) of 16 May 1974, should be extended to cover the period of the Decade,¹

¹ See *Official Records of the General Assembly, Thirtieth Session, Supplement No. 34*, items 75 and 76, p. 100.

Aware that some countries, particularly the least developed ones, have limited financial resources for carrying out their national plans and programmes for the advancement of women and for the implementation of the World Plan of Action for the Implementation of the Objectives of the International Women's Year² adopted by the World Conference of the International Women's Year, held at Mexico City from 19 June to 2 July 1975,

Recognizing the necessity for continuing financial and technical support for these programmes,

Having considered the report of the Secretary-General on the Voluntary Fund for the Decade,³

1. *Adopts* the following criteria and arrangements for the management of the Voluntary Fund for the United Nations Decade for Women:

(a) *Criteria:*

The resources of the Fund should be utilized to supplement activities in the following areas designed to implement the goals of the United Nations Decade for Women: Equality, Development and Peace, priority being given to the related programmes and projects of the least developed, land-locked and island countries among developing countries:

- (i) Technical co-operation activities;
- (ii) Development and/or strengthening of regional and international programmes;
- (iii) Development and implementation of joint inter-organizational programmes;
- (iv) Research, data collection and analysis, relevant to (i), (ii) and (iii) above;
- (v) Communication support and public information activities designed to promote the goals of the Decade, and, in particular, the activities undertaken under (i), (ii) and (iii) above;
- (vi) In the selection of projects and programmes, special consideration should be given to those which benefit rural women, poor women in urban areas and other marginal groups of women, especially the disadvantaged;

(b) *Arrangements:*

The General Assembly endorses the arrangements for the future management of the Fund contained in the annex to the present resolution;

2. *Requests* the Secretary-General to consult the Administrator of the United Nations Development Programme on the use of the Fund for technical co-operation activities;

3. *Requests* the President of the General Assembly to select, with due regard to regional distribution, in the first instance for a period of three years, five Member States, each of which should appoint a representative to serve on a Consultative Committee on the Voluntary Fund for the United Nations Decade for Women to advise the Secretary-General on the application to the use of the Fund of the criteria in paragraph 1 above;

4. *Requests* the Secretary-General to report annually to the General Assembly on the management of the Fund.

ANNEX

Arrangements for the management of the Voluntary Fund for the United Nations Decade for Women

1. The Secretary-General shall apply the following arrangements for the management of the Voluntary Fund for the United Nations Decade for Women:

I. *Solicitation and acknowledgement of pledges and the collection of contributions*

2. The Controller, in consultation with the Under-Secretary-General for Economic and Social Affairs and the Assistant Secretary-General for Social Development and Humanitarian Affairs, shall determine the responsibility and procedures for soliciting voluntary contributions to the Fund.

3. Any prospective donor desiring to make a voluntary contribution to the Fund shall submit a written proposal to the Secretary-General: the request for acceptance should contain all relevant information, including the amount of the proposed contribution, the currency and the timing of payments, and may indicate the purposes and any action expected of the United Nations.

4. The proposal, with the comments, *inter alia*, of the Under-Secretary-General for Economic and Social Affairs and the Assistant Secretary-General for Social Development and Humanitarian Affairs, shall be forwarded to the Controller, who shall determine whether or not any proposed gift or donation might directly or indirectly involve additional financial liability for the Organization. Before acceptance of any gift or donation involving such liability, the Controller shall request and obtain the approval of the General Assembly through the Advisory Committee on Administrative and Budgetary Questions.

5. The Controller shall acknowledge all pledges and shall determine the bank account or accounts in which contributions to the Fund should be deposited; he shall be responsible for collecting contributions and following up on payments of contributions pledged.

6. The Controller may accept contributions in any national currency donated for the purpose of the Fund.

II. *Operations and control*

7. The Controller shall ensure that the operation and control of the Fund shall be in accordance with the Financial Regulations and Rules of the United Nations; he may delegate responsibility for the operation and administration of the Fund to the heads of departments or offices designated by the Secretary-General to execute activities financed by the Fund; only officials so designated may authorize the execution of specific activities to be financed by the Fund.

8. Subject to the criteria for disbursements from the Fund endorsed by the General Assembly, the Controller may, after consultation with the Department of Economic and Social Affairs, allocate resources of the Fund to a specialized agency or another United Nations body to execute projects financed by the Fund; in such an event, the administrative procedures of the executing body would apply, subject to such provisions for periodic reporting as the Controller may specify. Before making disbursements for technical

² See *Report of the World Conference of the International Women's Year* (United Nations publication, Sales No. E.76.IV.1), chap. II, sect. A.

³ E/5773.

co-operation activities, the Controller should consult the Administrator of the United Nations Development Programme.

9. In respect of activities conducted by the United Nations, requests for allotments of funds shall be submitted to the Controller by the Department of Economic and Social Affairs, accompanied by such supporting information as the Controller may require. After review, allotments to provide for expenditures of the funds received shall be issued by the Director of the Budget Division, and certifying officers for the Fund shall be designated by the Controller in accordance with established procedures.

10. The Controller shall be responsible for the reporting of all financial transactions concerning the Fund and shall issue quarterly statements of assets, liabilities, and unencumbered Fund balance, income and expenditure.

11. The Fund shall be audited by both the Internal Audit Service and the Board of Auditors, in accordance with the Financial Regulations and Rules of the United Nations.

III. Reporting

12. An annual report showing funds available, pledges and payments received and the expenditures made from the Fund shall be prepared by the Controller and submitted to the General Assembly and, as appropriate, to the Commission on the Status of Women.

DRAFT RESOLUTION II

Improvement of the status and role of women in education

The General Assembly,

Recalling that the Declaration on the Elimination of Discrimination against Women⁴ emphasizes the need to take all appropriate measures to ensure to women equal rights with men in education at all levels,

Recalling further its resolutions 3520 (XXX), 3521 (XXX), 3522 (XXX), 3523 (XXX), 3524 (XXX) of 15 December 1975,

Recognizing that the full and complete development of a country requires the maximum participation of women on equal terms with men in all fields,

Recognizing also the necessity for women to have equal rights, opportunities and obligations with men, particularly in the fields of education and professional and vocational training, to enable their full participation in the process of development,

Recognizing further the importance of promoting education of women and its impact on the bringing up of the young generation,

Noting that, despite the world-wide progress in reducing illiteracy, the illiteracy rate for women far exceeds that of men and, in some cases, continues to rise,

Recognizing the importance of exchange of experience in the elimination of illiteracy and improvement of the educational level of women at the national, regional and international levels.

1. *Appeals* to all States which have not yet done so to become parties to the Convention against Discrimination in

Education, 1960,⁵ elaborated by the United Nations Educational, Scientific and Cultural Organization, and to the Discrimination (Employment and Occupation) Convention, 1958,⁶ and the Human Resources Development Convention, 1975,⁷ elaborated by the International Labour Organisation;

2. *Calls upon* States to undertake, whenever necessary, in their economic, social and cultural programmes, specific short-term and long-term measures aimed at improving the status and role of women in education, bearing in mind the following:

(a) The provisions of the Declaration on the Elimination of Discrimination against Women;

(b) The provisions of the World Plan of Action for the Implementation of the Objectives of the International Women's Year⁸ concerning education and training, particularly with respect to an increase in literacy and equal access of women at every level of education, as well as the provisions of the Convention and Recommendation against Discrimination in Education, 1960, and the appropriate recommendation of the United Nations Educational, Social and Cultural Organization concerning technical and vocational education and the provisions of the Discrimination (Employment and Occupation) Convention, 1958, the Human Resources Development Convention, 1975, and the appropriate recommendations concerning discrimination (employment and occupation), employment (women with family responsibilities) and human resources development of the International Labour Organisation;

3. *Calls upon* States, whenever necessary, to undertake all possible measures to eliminate illiteracy among women, especially during the United Nations Decade for Women;

4. *Calls upon* States which have not yet done so to consider undertaking all appropriate measures:

(a) To introduce free and compulsory education at the elementary level and, where possible, free education at all levels, including professional, vocational and technical education, which should be accessible to women without discrimination;

(b) To promote co-education;

(c) To ensure that men and women have access on a footing of equality to scholarships and other study grants when these are provided nationally or are made available to States under bilateral or multilateral agreements;

5. *Recommends* to States to introduce measures to expand the exchange of experience on issues concerning the improvement of the status and role of women in education.

⁵ United Nations, *Treaty Series*, vol. 429, p. 93.

⁶ International Labour Organisation, *Conventions and Recommendations, 1919-1966* (Geneva, 1966), Convention No. 111.

⁷ International Labour Office, *Official Bulletin*, vol. LVIII, 1975, Series A, No. 1, Convention No. 142.

⁸ See *Report of the World Conference of the International Women's Year* (United Nations publication, Sales No. E.76.IV.1), para. 11.

⁴ General Assembly resolution 2262 (XXII).

6. *Invites*, as a matter of priority, Governments and organizations and bodies of the United Nations system as well as all governmental and non-governmental organizations concerned and the mass media to undertake massive public information programmes with a view to making all sectors of the population aware of the need to implement fully the Programme for the Decade;

7. *Requests* the Secretary-General to take fully into account the financial and staff needs required to implement effectively the World Plan of Action and the Programme for the Decade;

8. *Requests* the Secretary-General to prepare, for the consideration of the General Assembly at its thirty-second session, a report on the measures taken to implement the present resolution, in particular paragraphs 4, 5 and 6 above, as well as a progress report on other measures taken to implement the World Plan of Action and the Programme for the Decade.

DRAFT RESOLUTION V

Pledging Conference 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,

Recalling further that in its resolution 31/... of ... December 1976¹⁰ it endorsed the Programme for the United Nations Decade for Women,

¹⁰ Draft resolutions IV, I and III, respectively, of the present report, subsequently adopted by the General Assembly as resolutions 31/136, 31/133 and 31/135

Noting that it decided at its thirtieth session that the voluntary fund for the International Women's Year, established under Economic and Social Council resolution 1850 (LVI) of 16 May 1974, should be extended to cover the period of the Decade,

Aware that in its resolution 31/... of ... December 1976¹⁰ it adopted the criteria and arrangements for the management of the Voluntary Fund for the United Nations Decade for Women,

Conscious that in its resolution 31/... of ... December 1976¹⁰ concerning the establishment of the International Research and Training Institute for the Advancement of Women, it requested the Secretary-General to seek actively financial and technical support for the Institute,

1. *Reaffirms* its support for the implementation of the World Plan of Action for the Implementation of the Objectives of the International Women's Year,⁸ adopted by the World Conference of the International Women's Year held at Mexico City from 19 June to 2 July 1975, as well as the Programme for the United Nations Decade for Women;

2. *Requests* the Secretary-General to convene during the thirty-second session of the General Assembly, in 1977, a pledging conference for voluntary contributions to be made to the Voluntary Fund for the United Nations Decade for Women, for the purpose of financing programmes under the World Plan of Action and the Programme for the Decade, and to the International Research and Training Institute for the Advancement of Women;

3. *Appeals* to Governments to extend their full co-operation to help make this pledging conference a success.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 16 December 1976, the General Assembly adopted the draft resolutions submitted by the Third Committee in its report (A/31/407, para. 21). For the final text, see resolutions 31/133 to 31/137.¹¹

¹¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 75 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|--|
| A/31/3 and Add.1 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplements Nos. 3 and 3A</i> |
| A/31/46 | Note verbale dated 30 January 1976 from the Mission of the German Democratic Republic to the Secretary-General | Mimeographed |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/83 | Letter dated 28 April 1976 from the Mission of Bulgaria to the Secretary-General | Ditto |
| A/31/105 | Letter dated 27 May 1976 from the representative of Iran to the Secretary-General | Ditto |
| A/31/187 | Letter dated 26 August 1976 from the Mission of the German Democratic Republic to the Secretary-General | Ditto |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General transmitting the documents adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Ditto |
| A/31/205 and Corr.1 | Integration of women in the development process: report of the Secretary-General | Ditto |
| A/31/220 | Measures taken to implement the World Plan of Action and related resolutions of the World Conference of the International Women's Year and to initiate procedures for the review and appraisal of the Plan: report of the Secretary-General | Ditto |
| A/31/310 | Progress achieved towards the establishment of an International Research and Training Institute for the Advancement of Women: report of the Secretary-General | Ditto |
| A/31/435 | Letter dated 7 December 1976 from the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the Secretary-General | Ditto |
| A/31/477 | Appointment of the members of the Consultative Committee on the Voluntary Fund for the United Nations Decade for Women: note by the Secretary-General | Ditto |
| A/C.3/31/L.27 | Note by the Secretary-General | Ditto |
| A/C.3/31/L.28 | Note by the Secretary-General transmitting the text of the draft resolution recommended by the Economic and Social Council in its resolution 2005 (LX) for adoption by the General Assembly | Ditto |
| A/C.3/31/L.45 | Draft resolution | For the sponsors and the text, see A/31/407, paras. 8 and 21, draft resolution II |
| A/C.3/31/L.45/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 9, 10 and 21, draft resolution II |
| A/C.3/31/L.49 | Amendment to document A/C.3/31/L.45/Rev.1 | Replaced by A/C.3/31/L.49/Rev.1 |
| A/C.3/31/L.49/Rev.1 | Revised amendment to document A/C.3/31/L.45/Rev.1 | For the sponsors and the text, see A/31/407, para. 11 |
| A/C.3/31/L.50 | Draft resolution | <i>Idem</i> , paras. 15 and 21, draft resolution III |
| A/C.3/31/L.51 | Draft resolution | <i>Idem</i> , paras. 17 and 21, draft resolution IV |
| A/C.3/31/L.52 | Draft resolution | <i>Idem</i> , paras. 19 and 21, draft resolution V |
| A/C.3/31/L.57 | Amendment to document A/C.3/31/L.45/Rev.1 | <i>Idem</i> , para. 13 |
| F/5894 | Programme for the Decade for Women: Equality, Development and Peace, 1976-1985 | Mimeographed |



Agenda item 76: * 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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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 12th to 19th, 21st, 23rd to 25th, 27th and 28th meetings; and *ibid.*, *Plenary Meetings*, 83rd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 55), twenty-seventh (item 51), twenty-eighth (item 59), twenty-ninth (item 55) and thirtieth (item 77).

DOCUMENT A/31/291

Report of the Third Committee

*[Original: English]
[1 November 1976]*

Introduction

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" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3382 (XXX) of 10 November 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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, 21st, 23rd to 25th, 27th and 28th meetings, between 8 and 26 October 1976. 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 the item, the Committee had before it the following documents:

(a) Letters from the representative of Turkey to the Secretary-General (A/31/206-S/12196 and A/31/237);

(b) Report of the Secretary-General (A/31/152 and Add.1-3) submitted in accordance with resolution 3382 (XXX) containing replies received from Governments of Member States, regional intergovernmental organizations and non-governmental organizations on action taken pursuant to that resolution.

5. At the 12th meeting of the Committee, on 8 October, the Director of the Division of Human Rights introduced the item.

Consideration of draft resolution A/C.3/31/L.7

6. At the 21st meeting, on 19 October, the representative of Nigeria introduced a draft resolution (A/C.3/31/L.7) which was submitted by Algeria, Burundi, Chad, the Congo, Egypt, Gabon, Ghana, Kenya, Lesotho, the Libyan Arab Republic, Mali, Nigeria, Senegal, the Sudan, the Syrian Arab Republic, Uganda, the United Republic of Cameroon, the United Republic of Tanzania, the Upper Volta and Zambia, subsequently joined by Benin, the Comoros,

Democratic Kampuchea, Equatorial Guinea, Guinea, Guinea-Bissau, Iraq, Madagascar, Mozambique, the Niger, Rwanda, Somalia, Togo and Yemen. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 2955 (XXVII) of 12 December 1972, 3070 (XXVIII) of 30 November 1973, 3246 (XXIX) of 29 November 1974 and 3382 (XXX) of 10 November 1975,

"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,

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

"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,

"Welcoming the independence of Seychelles,

"Reiterating the need to respect the independence and to maintain the 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 the persistence of the racist minority régimes in Zimbabwe and South Africa,

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

"2. Reaffirms the inalienable rights of the peoples of Namibia, Zimbabwe and South Africa, of the Palestinian people and of all peoples under foreign and colonial domination to self-determination, independence and sovereignty without external interference;

"3. Condemns any interference in the internal affairs of the Comoros and demands the immediate withdrawal of French troops from the Comorian island of Mayotte;

"4. Reiterates its declaration that the practice of using mercenaries against movements for national liberation and independence constitutes a criminal act and that the mercenaries themselves are outlaws, 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;

"5. 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 of southern Africa and elsewhere encourage these régimes to persist in their suppression of the aspirations of peoples for self-determination and independence;

"6. 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;

"7. Strongly condemns the 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;

"8. Demands full respect for the basic human rights of all individuals detained or imprisoned as a result of their struggle for self-determination and independence, and strict respect for 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, and their immediate release;

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

"10. Decides to remain seized of this item at its thirty-second session on the basis of reports that Governments, United Nations agencies and intergovernmental and non-governmental organizations are requested to submit concerning the strengthening of assistance to colonial Territories and peoples under alien domination and foreign subjugation."

7. The following amendments to draft resolution A/C.3/31/L.7 were submitted:

(a) An amendment by Belgium, Canada, Germany, Federal Republic of, Italy, Luxembourg, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.3/31/L.10), which proposed the deletion, in operative paragraph 5, of the words "members of the North Atlantic Treaty Organization and of other".

(b) Amendments by Pakistan (A/C.3/31/L.11) proposing:

(i) The insertion, in the first preambular paragraph after the words "*Recalling its resolutions*", of resolution "2649 (XXV)".

(ii) The insertion, after the fourth preambular paragraph of a new preambular paragraph as follows:

"Reiterating 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 of self-determination, by peoples under colonial and alien rule, recognized as being entitled to this right”.

- (iii) The insertion, after operative paragraph 1 of a new operative paragraph as follows:

“Calls upon all States to fully and faithfully implement the resolutions of the United Nations regarding the exercise of the right of self-determination by peoples under colonial and alien rule recognized as being entitled to this right”.

(c) An amendment by Romania (A/C.3/31/L.12), proposing the insertion after operative paragraph 9 of the following paragraph:

“10. *Keenly awaits* the conclusion 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 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 alien domination to self-determination;”.

8. At the 25th meeting, on 21 October, the representative of Algeria, on behalf of the sponsors (see para. 6 above), introduced a revised text (A/C.3/31/L.7/Rev.1) which took into account the amendments submitted by Pakistan and Romania. In introducing the text, he indicated that the words “French troops” in operative paragraph 5 had been replaced by the words “the French administration”. Botswana, Cuba, Ethiopia, Jordan and the Lao People’s Democratic Republic subsequently joined as sponsors of the revised draft, the text of which is the same as the draft resolution contained in paragraph 10 below.

9. At its 27th meeting, on 25 October, the Committee voted on draft resolution A/C.3/31/L.7/Rev.1, as orally modified, and on the amendment thereto (A/C.3/31/L.10). The results of the vote were as follows:

(a) The amendment contained in document A/C.3/31/L.10 was rejected by a roll-call vote of 72 to 21, with 36 abstentions. The voting was as follows:

In favour: Belgium, Canada, Colombia, Denmark, Fiji, France, Greece, Honduras, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, Nicaragua, Norway, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Algeria, Bahrain, Barbados, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Comoros, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Lesotho, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman,

Panama, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, 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, Yemen, Yugoslavia, Zambia.

Abstaining: Argentina, Australia, Austria, Bangladesh, Bolivia, Brazil, Burma, Central African Republic, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Finland, Guatemala, India, Indonesia, Iran, Ivory Coast, Japan, Liberia, Malawi, Malaysia, New Zealand, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Singapore, Surinam, Sweden, Thailand, Uruguay, Venezuela, Zaire.

The representative of China stated that his delegation was not participating in the voting.

(b) Draft resolution A/C.3/31/L.7/Rev.1, as orally modified, was adopted by a roll-call vote of 102 to 4, with 24 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, Chile, China, Colombia, Comoros, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, 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, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: France, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Central African Republic, Costa Rica, Denmark, Finland, Germany, Federal Republic of, Honduras, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Spain, Sweden, Uruguay.

Recommendation of the Third Committee

10. 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 and 3382 (XXX) of 10 November 1975,

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,

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,

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 of self-determination by peoples under colonial and alien rule,

Welcoming the independence of Seychelles,

Reiterating the need to respect the independence and to maintain the 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 the persistence of the racist minority régimes in Zimbabwe and South Africa,

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

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

3. *Reaffirms* the inalienable rights of the peoples of Namibia and Zimbabwe, of the Palestinian people and of all peoples under alien and colonial rule to self-determination, independence and sovereignty without external interference;

4. *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;

5. *Condemns* any interference in the internal affairs of the Comoros and demands the immediate withdrawal of the French Administration from the Comorian island of Mayotte;

6. *Reiterates* its declaration that the practice of using mercenaries against movements for national liberation and independence 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;

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 of 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 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* full respect for the basic human rights of all individuals detained or imprisoned as a result of their struggle for self-determination and independence, and strict respect for 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, and their immediate release;

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

12. *Keenly awaits* the conclusion 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 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 alien domination to self-determination;

13. *Decides* to remain seized of this item at its thirty-second session on the basis of reports that Governments, United Nations agencies and intergovernmental and non-governmental organizations are requested to submit concerning the strengthening of assistance to colonial Territories and peoples under alien domination and foreign subjugation.

DOCUMENT A/31/L.19

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/31/291

[Original: French]
[19 November 1976]

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

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 30 November 1976, the General Assembly voted on the draft resolution submitted by the Third Committee in its report (A/31/291, para. 10) and on the amendment thereto (A/31/L.19). After rejecting the amendment by a registered vote of 65 to 28, with 42 abstentions, the Assembly adopted the draft resolution by a registered vote of 109 to 4, with 24 abstentions. For the final text, see resolution 31/34.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

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

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|----------------------|--|--|
| A/31/152 and Add.1-3 | Report of the Secretary-General | Mimeographed |
| A/31/206-S/12196 | Letter dated 8 September 1976 from the representative of Turkey to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General, transmitting the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers | Mimeographed |
| A/C.3/31/L.7 | Draft resolution | For the sponsors and the text, see A/31/291, para. 6 |
| A/C.3/31/L.7/Rev.1 | Revised draft resolution | <i>Idem</i> , para. 8 |
| A/C.3/31/L.10 | Amendment to document A/C.3/31/L.7 | <i>Idem</i> , para. 7 (a) |
| A/C.3/31/L.11 | Amendments to document A/C.3/31/L.7 | <i>Idem</i> , para. 7 (b) |
| A/C.3/31/L.12 | Amendment to document A/C.3/31/L.7 | <i>Idem</i> , para. 7 (c) |



Agenda item 77:* Elimination of all forms of religious intolerance**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 76th meeting; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 102nd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 60), twenty-seventh (item 59), twenty-eighth (item 55), twenty-ninth (item 54) and thirtieth (item 79).

DOCUMENT A/31/408

Report of the Third Committee

*[Original: English]
[14 December 1976]*

1. The item entitled "Elimination of all forms of religious intolerance" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3267 (XXIX) of 10 December 1974 and the decision taken at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 76th meeting, on 9 December 1976. The views expressed by the representatives of Member States are contained in the summary record of that meeting.

4. In connexion with item 77, the Committee had before it a note by the Secretary-General (A/31/158).

5. The Committee had before it a draft resolution entitled "Elimination of all forms of intolerance and of discrimination based on religion or belief" (A/C.3/31/L.47) sponsored by Argentina, Austria, Colombia, Costa Rica, Germany, Federal Republic of, France, Ireland, Mexico, the Netherlands, the Philippines, Senegal, Sweden and Venezuela, subsequently joined by Denmark, Guatemala and Nepal and, after its amendment (see para. 7 (a) below) was accepted, also by Australia.

6. At the 76th meeting, the representative of France introduced the draft resolution, which read as follows:

[Same text as the draft resolution in paragraph 9 below, with the exception of the first preambular paragraph and operative paragraph 1, which read as follows:

"Recalling its resolution 3069 (XXVIII), as well as its resolution 3267 (XXIX), requesting the Commission on Human Rights to submit, through the Economic and Social Council, to the Assembly at its thirtieth session a single draft Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief,"

"1. Requests the Commission on Human Rights to complete its work on the elaboration of a draft Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, by the end of the Commission's thirty-third session and to submit such draft, through the Economic and Social Council, to the General Assembly at its thirty-second session;".]

7. At the same meeting, the representatives of Australia and Bulgaria submitted the following oral amendments to the draft resolution:

(a) The representative of Australia proposed that the beginning of the first preambular paragraph should read: "Recalling its resolutions 1781 (XVII) and" before "3069 (XXVIII)";

(b) The representative of Bulgaria proposed the following amendments to operative paragraph 1:

- (i) Replacement of the word “complete” by the words “speed up”;
- (ii) Insertion of the word “single” before the words “draft Declaration”;
- (iii) Deletion of the words “by the end of the Commission’s thirty-third session”;
- (iv) Replacement of the words “such draft” by the words “a progress report”.

8. After the sponsors of the draft resolution had accepted the amendments, the Committee adopted the draft resolution, as orally revised, 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 resolution.

Elimination of all forms of intolerance and of discrimination based on religion or belief

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, through the Economic and Social Council, to the General Assembly at its thirtieth session a single draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also its decision of 15 December 1975¹ to consider with appropriate priority, at its thirty-first session, the question of elimination of all forms of religious intolerance,

Noting the actions of the Working Group established by the Commission on Human Rights at its thirtieth, thirty-first and thirty-second 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 decision 7 (XXXII) of 5 March 1976,² by which the Commission established an open-ended working group which would meet three times a week during its thirty-third 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,

1. *Requests* the Commission on Human Rights to 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 and to submit a progress report, through the Economic and Social Council, to the General Assembly at its thirty-second session;

2. *Decides* to include in the provisional agenda of its thirty-second session the item entitled “Elimination of all forms of religious intolerance”.

¹ *Official Records of the General Assembly, Thirtieth Session, Supplement No. 34*, pp. 99-100, item 79.

² See *Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 3*, chap. XX, sect. B.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 16 December 1976, the General Assembly adopted the draft resolution submitted by the Third Committee in its report (A/31/408, para. 9). For the final text, see resolution 31/138.³

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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> |
|---------------------|-------------------------------|--|
| A/31/158 | Note by the Secretary-General | Mimeographed |
| A/C.3/31/L.47 | Draft resolution | For the sponsors and the text, see A/31/408, paras. 5, 6 and 9 |



Agenda item 78: * Office of the United Nations High Commissioner for Refugees: ** report of the High Commissioner

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*For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee, 49th to 53rd meetings*; and *ibid.*, *Plenary Meetings*, 83rd meeting.

**Since 1971, this question had been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 58), twenty-seventh (item 56), twenty-eighth (item 67), twenty-ninth (item 59) and thirtieth (item 80).

DOCUMENT A/31/342

Report of the Third Committee

*[Original: English]
[24 November 1976]*

Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item entitled "Office of the United Nations High Commissioner for Refugees: report of the High Commissioner" in its agenda and to allocate it to the Third Committee.

2. The Committee considered this item at its 49th to 53rd meetings, from 15 to 17 November 1976. The views expressed by the representatives of Member States on this item are contained in the summary records of those meetings.

3. In connexion with agenda item 78, the Committee had before it:

(a) The report of the United Nations High Commissioner for Refugees (A/31/12), which was transmitted to the General Assembly by the Economic and Social Council under its resolution 2011 (LXI) of 2 August 1976, and two addenda to the report (A/31/12/Add.1 and A/31/12/Add.2) concerning, respectively, the work of the twenty-seventh session of the Executive Committee of the High Commissioner's Programme, and on the question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply. The

High Commissioner supplemented his report by an oral statement at the 49th meeting of the Committee;

(b) The relevant part of the report of the Economic and Social Council (A/31/3, chap. III, sect. L);

(c) A letter dated 10 November 1976 from the representative of Morocco to the Secretary-General (A/C.3/31/9).

Consideration of draft resolutions

Draft resolution A/C.3/31/L.30

4. At the 50th meeting, on 15 November, the representative of Finland introduced a draft resolution entitled "Report of the United Nations High Commissioner for Refugees" (A/C.3/31/L.30), which was sponsored by Australia, Austria, Belgium, Canada, Cyprus, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guinea, Iceland, Iran, Ireland, Italy, the Lao People's Democratic Republic, Morocco, Nepal, New Zealand, Nicaragua, the Niger, Nigeria, Norway, Pakistan, Peru, the Sudan, Swaziland, Sweden, Tunisia, Turkey, Uganda, the United Republic of Tanzania, the United States of America, Yemen, Yugoslavia and Zambia, subsequently joined by Guinea-Bissau, Malaysia, Mozambique, the Philippines and Zaire. *[For the text, see para. 8 below, draft resolution I.]*

5. At the 53rd meeting, on 17 November, the Committee adopted the draft resolution by consensus.

Draft resolution A/C.3/31/L.31

6. At the 50th meeting, the representative of Austria introduced a draft resolution entitled "Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply" (A/C.3/31/L.31), which was sponsored by Australia, Austria, Ireland, Norway, Sweden, and the United Kingdom of Great Britain and Northern Ireland. [For the text, see para. 8 below, draft resolution II.]

7. At the 53rd meeting, the Committee adopted the draft resolution by 100 votes to 9, with 14 abstentions.

Recommendations of the Third Committee

8. 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 (A/31/12 and Add.1 and 2), transmitted by the Economic and Social Council under its resolution 2011 (LXI) of 2 August 1976, and having heard his statement,¹

Recalling its resolutions 3454 (XXX) and 3455 (XXX) of 9 December 1975 relating to the activities of the High Commissioner for the benefit of refugees and displaced persons,

Recognizing the importance of the essential humanitarian tasks which the High Commissioner is called upon to perform and for which his Office has acquired particular expertise and experience,

Bearing in mind the increasingly useful co-operation between the High Commissioner and other members of the United Nations system, resulting in better co-ordination of action and greater efficiency,

Recognizing the need for further strengthening the international protection of refugees,

1. *Endorses* Economic and Social Council resolution 2011 (LXI) on the report of the United Nations High Commissioner for Refugees;

2. *Commends* the High Commissioner and his staff for the efficient manner in which they continue to discharge their manifold activities on behalf of refugees and displaced persons;

3. *Requests* the High Commissioner to intensify his efforts, in co-operation with Governments, United Nations bodies and voluntary agencies, to promote 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;

4. *Further requests* the High Commissioner to continue his humanitarian assistance on behalf of refugees and displaced persons in Africa and urges the fullest co-operation of all concerned for this purpose;

5. *Urges* Governments to strengthen further their support for the humanitarian activities which the High Commissioner is carrying out in accordance with pertinent resolutions of the General Assembly and the Economic and Social Council by:

(a) Facilitating his efforts in the field of international protection by means of accession to international instruments relating to refugees and respect for the rights of refugees;

(b) Co-operating in the promotion of permanent and speedy solutions to the problems faced by his Office;

(c) Providing the necessary financial means to attain the objectives of his humanitarian assistance programmes.

DRAFT RESOLUTION II

Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply

The General Assembly,

Recalling its resolution 3274 (XXIX) of 10 December 1974,

Having considered the report of the United Nations High Commissioner for Refugees (A/31/12/Add.2) on the question of the establishment, in accordance with the Convention on the Reduction of Statelessness of 1961,² of a body to which persons claiming the benefit of the Convention may apply,

Noting that the High Commissioner is carrying out the functions required under the Convention without any financial implications for the United Nations,

Requests the United Nations High Commissioner for Refugees to continue to perform these functions.

¹ See A/C.3/31/SR.49, paras. 1-12.

² A/CONF.9/15.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 30 November 1976, the General Assembly adopted the two draft resolutions submitted by the Third Committee in its report (A/31/342), para. 8). Draft resolution I was adopted by consensus; draft resolution II was adopted by a vote of 117 to 9, with 8 abstentions. For the final texts, see resolutions 31/35 and 31/36.³

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/12 and Add.1 and 2 | Report of the United Nations High Commissioner for Refugees and addenda | <i>Ibid., Supplement No. 12, 12A and 12B</i> |
| A/C.3/31/9 | Letter dated 10 November 1976 from the representative of Morocco to the Secretary-General | Mimeographed |
| A/C.3/31/L.30 | Draft resolution | For the sponsors and the text, see A/31/342, paras. 4 and 8, draft resolution I |
| A/C.3/31/L.31 | Draft resolution | <i>Idem</i> , paras. 6 and 8, draft resolution II |



**Agenda item 79: * National experience in achieving far-reaching social and economic changes
for the purpose of social progress: ** report of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 36th to 38th, 40th to 44th, 51st and 53rd meetings; and *ibid.*, *Plenary Meetings*, 83rd meeting.

** This question was previously discussed by the General Assembly at its twenty-ninth session (agenda item 62) and at its thirtieth session (item 81).

DOCUMENT A/31/343

Report of the Third Committee

*[Original: English]
[24 November 1976]*

Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item entitled "National experience in achieving far-reaching social and economic changes for the purpose of social progress: report of the Secretary-General" in its agenda and to allocate it to the Third Committee.

2. The Committee considered this item at its 36th to 38th, 40th to 44th, 51st and 53rd meetings, between 1 and 17 November 1976. The views expressed by the representatives of Member States on this item are contained in the summary records of those meetings.

3. In connexion with the item, the Committee had before it a report of the Secretary-General (A/10166) prepared pursuant to General Assembly resolution 3273 (XXIX) of 10 December 1974, and a note by the Secretary-General (A/31/199).

4. The Deputy to the Under-Secretary-General for Economic and Social Affairs introduced the item at the 36th meeting, on 1 November.

Consideration of draft resolutions

Draft resolution A/C.3/31/L.17

5. At the 40th meeting, on 5 November, the representative of India introduced a draft resolution entitled "Na-

tional experience in promoting the co-operative movement" (A/C.3/31/L.17) on behalf of the German Democratic Republic and India, later joined by Bulgaria, Ecuador and Mongolia. The draft resolution read as follows:

"The General Assembly,

"Recalling General Assembly resolutions 2459 (XXIII) and 3273 (XXIX) and Economic and Social Council resolution 1668 (LII),

"Recalling the necessity expressed in Article 55 of the Charter of the United Nations to promote higher standards of living, full employment and conditions of economic and social progress and development for the purpose of favourably influencing the welfare of the peoples as well as the peaceful and friendly relations among nations,

"Recalling the Declaration and the Programme of Action for the Establishment of a New International Economic Order and the Charter of Economic Rights and Duties of States,

"Recognizing that the role of the co-operative movement in the promotion of social and economic progress is an integral part of the structural and institutional reforms which, inter alia, aim at equitable distribution of income, popular participation in the development process, and equality of opportunity, to contribute to and benefit from the fruits of development,

"Underlining the appeal to the States contained in article 6 of the Declaration on Social Progress and Development to create forms of ownership of land and of the means of production which preclude any kind of exploitation of man, ensure equal rights to property for all and create conditions leading to genuine equality among people,

"Reaffirming the demand contained in the Programme of Action of the World Employment Conference that greater importance should be given to the development of co-operatives within the framework of national measures,

"Taking note of the tremendous strides made by the co-operative movement, both in developed and developing countries, and the contribution made by it in promoting collective self-reliance and mutually beneficial interdependence,

"Recognizing the social and economic benefits accruing from producers', consumers', credit, multipurpose and other kinds of co-operatives to all sections of society and, more particularly, to the middle and low-income groups,

"Stressing the need to assist the rapid development of the multipurpose co-operative movement particularly in the agricultural and allied rural sectors of economic and social life in the developing countries,

"Drawing attention to the lasting benefits enjoyed by large sections of society in urban and rural areas in all parts of the world owing to the noteworthy expansion in co-operative housing projects in the last three decades, and the considerable potential for further activity in this field,

"Bearing in mind the positive experience which many countries have gained in the past in implementing agrarian reforms, in promoting the co-operative movement and, above all, in the establishment of the new international economic order and in realizing the objectives of the Second United Nations Development Decade,

"1. *Recognizes* the necessity to pay due attention to the international exchange of experience in the growth and further development and diversification of the co-operative movement;

"2. *Requests* Governments and relevant specialized organizations to report to the Secretary-General of the United Nations on their experience in promoting the co-operative movement and in building the necessary socio-economic infrastructure for it;

"3. *Requests* the Secretary-General of the United Nations, in co-operation with Member States to submit to the General Assembly at its thirty-third session, through the Economic and Social Council, a report on their national experience in promoting the co-operative movement and on the results so far achieved by international co-operation in this field;

"4. *Decides* to include in the provisional agenda of its thirty-third session an item entitled 'National experience in achieving far-reaching social and economic changes for

the purpose of social progress' and to consider under this item the report of the Secretary-General on national experience in promoting the co-operative movement."

6. At the 43rd meeting, on 9 November, the representative of India introduced a revised text of the draft resolution (A/C.3/31/L.17/Rev.1) on behalf of Bulgaria, Cyprus, Denmark, Ecuador, the German Democratic Republic, India and Mongolia, later joined by Austria, Finland, Madagascar and Poland. [*For the text, see para. 10 below, draft resolution I.*]

7. At the 44th meeting, on 10 November, the Committee adopted the revised draft resolution without a vote.

Draft resolution A/C.3/31/L.24

8. At the 51st meeting, on 16 November, the representative of the Ukrainian Soviet Socialist Republic introduced a draft resolution (A/C.3/31/L.24) entitled "National experience in achieving far-reaching social and economic changes for the purpose of social progress" on behalf of Bulgaria, Cuba, Cyprus, Czechoslovakia, Ecuador, Equatorial Guinea, the German Democratic Republic, Hungary, India, Mongolia, Mozambique, Poland, the Syrian Arab Republic, and the Ukrainian Soviet Socialist Republic, later joined by the Lao People's Democratic Republic, Nepal and the Philippines. [*For the text, see para. 10 below, draft resolution II.*]

9. At the 53rd meeting, on 17 November, the Committee adopted the draft resolution by 100 votes to none, with 8 abstentions.

Recommendations of the Third Committee

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

DRAFT RESOLUTION I

National experience in promoting the co-operative movement

The General Assembly,

Recalling its resolutions 2459 (XXIII) of 20 December 1968 and 3273 (XXIX) of 10 December 1974 and Economic and Social Council resolution 1668 (LII) of 1 June 1972,

Recalling the objective expressed in Article 55 of the Charter of the United Nations to promote higher standards of living, full employment and conditions of economic and social progress and development for the purpose of favourably influencing the welfare of the peoples as well as the peaceful and friendly relations among nations,

Recalling the Declaration and the Programme of Action for the Establishment of a New International Economic Order¹ and the Charter of Economic Rights and Duties of States,²

¹ General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).

² General Assembly resolution 3281 (XXIX).

Recognizing that the expansion of the co-operative movement in the promotion of social and economic progress is closely linked to the structural and institutional reforms which, *inter alia*, aim at equitable distribution of income, popular participation in the development process and equality of opportunity to contribute to and benefit from the fruits of development,

Underlining the appeal to the States contained in article 6 of the Declaration on Social Progress and Development³ that social progress and development require the participation of all members of society in productive and socially useful labour and the establishment, in conformity with human rights and fundamental freedoms and with the principles of justice and the social function of property, of forms of ownership of land and of the means of production which preclude any kind of exploitation of man, ensure equal rights to property for all and create conditions leading to genuine equality among people,

Welcoming the recommendation contained in the Programme of Action of the Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour, held at Geneva from 4 to 17 June 1976,⁴ that greater importance should be given to the development of co-operatives within the framework of national measures,

Taking note of the progress made by the co-operative movement, both in developed and developing countries, and the contribution made by it in promoting collective self-reliance and mutually beneficial interdependence,

Recognizing the social and economic benefits accruing from producers', consumers', credit, multipurpose and other kinds of co-operatives to all sections of society and, more particularly, to the middle-income and low-income groups,

Stressing the need to assist the rapid development of the multipurpose co-operative movement, particularly in the agricultural and allied rural sectors of economic and social life in the developing countries,

Drawing attention to the lasting benefits enjoyed by large sections of society in urban and rural areas in many parts of the world owing to the noteworthy expansion in co-operative housing projects in the last three decades, and the considerable potential for further activity in this field,

Bearing in mind the positive experience which many countries have already gained in implementing agrarian reforms and in promoting the co-operative movement which would be conducive to the establishment of the new international economic order and to the realization of the objectives of the Second United Nations Development Decade,⁵

1. *Recognizes* the necessity to pay due attention to the international exchange of experience in the growth and further development and diversification of the co-operative movement;

2. *Invites* Governments and relevant specialized agencies to report to the Secretary-General on their experience in promoting the co-operative movement and in building the necessary socio-economic infrastructure for it;

3. *Requests* the Secretary-General, in co-operation with Member States, to submit to the General Assembly at its thirty-third session, through the Economic and Social Council, a report on their national experience in promoting the co-operative movement and on the results so far achieved by international co-operation in this field;

4. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "National experience in achieving far-reaching social and economic changes for the purpose of social progress" and to consider under this item the report of the Secretary-General on national experience in promoting the co-operative movement.

DRAFT RESOLUTION II

National experience in achieving far-reaching social and economic changes for the purpose of social progress

The General Assembly,

Guided by the desire to promote a better quality of life, full employment and other conditions for social and economic development,

Recalling the Declaration on Social Progress and Development,³

Mindful of the provisions of the Declaration and the Programme of Action on the Establishment of a New International Economic Order¹ as well as the Charter of Economic Rights and Duties of States,²

Bearing in mind resolutions 1581 A (L) of 21 May 1971, 1667 (LII) of 1 June 1972 and 1746 (LIV) of 16 May 1973, in which the Economic and Social Council emphasized the importance of fundamental structural socio-economic changes for the strengthening of national independence and achievement of the ultimate goals of social progress and considered it appropriate to study the experience of various countries in this field,

Recalling that in resolution 3273 (XXIX) of 10 December 1974, the General Assembly reaffirmed the right of every State to carry out fundamental social and economic changes for the purpose of social progress and the necessity to continue the studies of national experience in this field,

Desirous of securing a speedy and complete removal of obstacles to economic and social progress of peoples, especially colonialism, racism, racial discrimination, *apartheid*, aggression, foreign occupation or domination and all forms of inequality and exploitation of peoples,

Convinced that peaceful coexistence and friendly relations among States would contribute to economic and social development,

Taking note of the report of the Secretary-General (A/10166) prepared on the basis of information received

³ General Assembly resolution 2542 (XXIV).

⁴ See E/5857.

⁵ See E/5597.

from Governments on national experience in achieving far-reaching social and economic changes,

1. *Reaffirms* the inalienable right of all nations to pursue freely their economic and social development and to exercise full sovereignty over all their riches and natural resources;

2. *Considers* that the elimination of all forms of subjugation and dependence such as aggression, foreign occupation, colonialism, *apartheid*, racism and all forms of racial discrimination constitute a prerequisite for social and economic advancement;

3. *Emphasizes* that the carrying out of internal basic socio-economic changes designed to safeguard national independence and to ensure speedy improvement of the well-being of the population are of great importance for the achievement of social and economic progress;

4. *Re-emphasizes* the advisability of holding, within the programme of advisory services, regular interregional and regional seminars to study the national experience of

developing and developed countries in carrying out far-reaching social and economic changes for the purpose of social progress;

5. *Calls upon* the Commission for Social Development, the Economic and Social Council, as well as the regional commissions to pay special attention, on a regular basis, to studies and analyses of national experience in carrying out far-reaching socio-economic changes for the purpose of social progress;

6. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session, through the Commission for Social Development and the Economic and Social Council, a comprehensive report prepared on the basis of information received from Governments on national experience in carrying out far-reaching changes for the purpose of social progress;

7. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "National experience in achieving far-reaching social and economic changes for the purpose of social progress".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 30 November 1976, the General Assembly voted on the draft resolutions submitted by the Third Committee in its report (A/31/343, para. 10). Draft resolution I was adopted without a vote. Before draft resolution II was put to the vote, the Rapporteur, on behalf of the sponsors, amended operative paragraph 6 of the draft by replacing the word "and" by "and/or" before "the Economic and Social Council"; draft resolution II, as modified, was adopted by a vote of 125 to none, with 9 abstentions. For the final text, see resolutions 31/37 and 31/38.⁶

⁶ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/10166 | Report of the Secretary-General prepared in accordance with General Assembly resolution 3273 (XXIX) | Mimeographed |
| A/31/199 | Note by the Secretary-General | Ditto |
| A/C.3/31/L.17 | Draft resolution | For the sponsors and the text, see A/31/343, para. 5 |
| A/C.3/31/L.17/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 6 and 10, draft resolution I |
| A/C.3/31/L.24 | Draft resolution | <i>Idem</i> , paras. 8 and 10, draft resolution II |



Agenda item 80: * Freedom of information: **

- (a) Draft Declaration on Freedom of Information;
- (b) Draft Convention on Freedom of Information

DOCUMENT A/31/432

Report of the Third Committee

[Original: English]
[15 December 1976]

1. This item was included in the provisional agenda of the thirty-first session in accordance with the decision taken by the General Assembly at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 77th meeting, on 10 December 1976. The views expressed by the representatives of Member States are contained in the summary record of that meeting.

4. In connexion with the item, the Committee had before it a note by the Secretary-General (A/31/215) containing background information on the item.

5. The Committee had before it a draft decision submitted by the Netherlands (A/C.3/31/L.48), whose representative introduced it at the 77th meeting (see para. 7 below).

6. At the same meeting, the Committee adopted the draft decision without a vote.

Recommendation of the Third Committee

7. 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 agenda item 80, decides to include in the provisional agenda of its thirty-second session the item entitled "Freedom of information" and to consider it with appropriate priority.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 16 December 1976, the General Assembly adopted the recommendation made by the Third Committee in paragraph 7 of its report (A/31/432) (see decision 31/415¹).

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

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

| Document No. | Title or description | Observations and references |
|---------------|-------------------------------|-------------------------------------|
| A/31/215 | Note by the Secretary-General | Mimeographed |
| A/C.3/31/L.48 | Netherlands: draft decision | For the text, see A/31/432, para. 7 |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee, 77th meeting; ibid., Third Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings*, 102nd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 51), twenty-seventh (item 57), twenty-eighth (item 64), twenty-ninth (item 57) and thirtieth (item 83).



Agenda item 81:* 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-first Session, Third Committee*, 65th and 66th meetings; *ibid.*, *Third Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 97th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 63), twenty-seventh (item 55), twenty-eighth (item 65), twenty-ninth (item 58) and thirtieth (item 84).

DOCUMENT A/31/391

Report of the Third Committee

*[Original: English]
[7 December 1976]*

1. The item entitled "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" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3270 (XXIX) of 10 December 1974 and the decision taken by the Assembly at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and to allocate it to the Third Committee.

3. The Committee considered the item at its 65th and 66th meetings, on 1 and 2 December 1976. The views expressed by the representatives of Member States on this item are contained in the summary records of those meetings.

4. The Committee had before it the following documents:

(a) A report of the Secretary-General (A/31/202);

(b) Chapter III, section G, of the report of the Economic and Social Council (A/31/3), entitled "Procedures for the implementation of the International Covenant on Economic, Social and Cultural Rights";

(c) A letter dated 8 September 1976 from the representative of Turkey to the Secretary-General (A/31/207-S/12197).

5. At the 65th meeting, the Director of the Division of Human Rights introduced the item.

6. At the same meeting, the representative of Bulgaria introduced draft resolution A/C.3/31/L.40, which read as follows:

"The General Assembly,

[Text of the preamble and operative paragraph 1 same as corresponding paragraphs of the draft resolution contained in paragraph 10 below.]

"2. Requests the Secretary-General to ensure all appropriate facilities and assistance that may be necessary for the effective discharge by the Human Rights Committee of its functions under the International Covenant on Civil and Political Rights;

"3. Requests also the Secretary-General to submit to the Assembly at its thirty-second 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;

"4. Invites once again all States to become parties to the International Covenant on Economic, Social and

Cultural Rights and the International Covenant on Civil and Political Rights.”

7. At the same meeting, the representative of Denmark, on behalf of Canada, Costa Rica, Denmark, Ecuador, Norway and Sweden, introduced the following amendments (A/C.3/31/L.41) to the draft resolution:

“(a) Amend operative paragraph 2 to read as follows:

“‘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 performance of the functions of the Human Rights Committee under the International Covenant on Civil and Political Rights and the Optional Protocol thereto;’

“(b) After operative paragraph 2 insert the following new paragraphs and renumber the subsequent paragraphs accordingly:

“‘Recognizes that appropriate arrangements should be made to enable the Human Rights Committee to hold sessions at such intervals and of such duration as may be necessary for it to carry out in an efficient manner the functions entrusted to it under the International Covenant on Civil and Political Rights and the Optional Protocol thereto;’

“‘Endorses the appeal in Economic and Social Council resolution 1988 (LX) that States should include in their delegations to the sessions of the Council at which reports of States parties under the International Covenant on Economic, Social and Cultural Rights are examined, experts competent in the subject-matter of the relevant reports;’

“(c) At the end of the existing paragraph 4 add ‘and the Optional Protocol thereto’.”

8. The representative of Bulgaria accepted the second amendment contained in document A/C.3/31/L.41 and revised the draft resolution accordingly.

9. At its 66th meeting, the Committee voted on the two other amendments contained in document A/C.3/31/L.41 and on draft resolution A/C.3/31/L.40, as revised, as follows:

(a) The first amendment was adopted by 56 votes to none, with 39 abstentions;

(b) The third amendment was adopted by 56 votes to 5, with 37 abstentions;

(c) Draft resolution A/C.3/31/L.40, as revised and amended, was adopted by 97 votes to none, with 1 abstention (see para. 10 below).

Recommendation of the Third Committee

10. 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,

Having noted the report of the Secretary-General (A/31/202) 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,

Recalling its resolutions 2200 A (XXI) of 16 December 1966 and 3270 (XXIX) of 10 December 1974, and in particular its belief that the entry into force of the International Covenants on Human Rights will undoubtedly enhance the ability of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all, and thus contribute greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

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,

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

Expressing its appreciation to those States that have become parties to the above instruments,

1. *Welcomes with deep satisfaction* the entry into force 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 as a major step in the international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *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 performance of the functions of the Human Rights Committee under the International Covenant on Civil and Political Rights and the Optional Protocol thereto;

3. *Recognizes* that appropriate arrangements should be made to enable the Human Rights Committee to hold sessions at such intervals and of such duration as may be necessary for it to carry out in an efficient manner the functions entrusted to it under the International Covenant on Civil and Political Rights and the Optional Protocol thereto;

4. *Endorses* the appeal to States made by the Economic and Social Council in its resolution 1988 (LX) of 11 May 1976 that they include in their delegations to the sessions

of the Council at which reports of States parties to the International Covenant on Economic, Social and Cultural Rights are examined experts competent in the subject-matter of the relevant reports;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-second 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;

6. *Invites once again* all States 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.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 13 December 1976, the General Assembly, by a vote of 129 to none, adopted the draft resolution submitted by the Third Committee in its report (A/31/391, para. 10). For the final text, see resolution 31/86.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/202 | Report of the Secretary-General | Mimeographed |
| A/31/207-S/12197 | Letter dated 8 September 1976 from the representative of Turkey to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/C.3/31/L.40 | Draft resolution | For the sponsors and the text, see A/31/391, paras. 6 and 10 |
| A/C.3/31/L.41 | Amendments to document A/C.3/31/L.40 | <i>Idem</i> , para. 7 |



Agenda item 82:* United Nations conference for an international convention on adoption law**

DOCUMENT A/31/433

Report of the Third Committee

*[Original: English]
[15 December 1976]*

1. The item entitled "United Nations conference for an international convention on adoption law" was included in the provisional agenda of the thirty-first session in accordance with General Assembly resolution 3028 (XXVII) of 18 December 1972 and the decision taken at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 77th meeting, on 10 December 1976. The views expressed by the representatives of Member States are contained in the summary record of that meeting.

4. In connexion with item 82, the Committee had before it a note by the Secretary-General containing background information on the question (A/10144).

5. The Committee had before it a draft decision submitted by Liberia (A/C.3/31/L.54) whose representative introduced it at the 77th meeting. *[For the text, see para. 7 below.]*

6. At the same meeting, the Committee adopted the draft decision without a vote.

Recommendation of the Third Committee

7. 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 agenda item 82, decides to include in the provisional agenda of its thirty-second session the item entitled "United Nations conference for an international convention on adoption law" and to consider it with appropriate priority.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 16 December 1976, the General Assembly adopted the recommendation made by the Third Committee in paragraph 7 of its report (A/31/433) (see decision 31/416¹).

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/10144 | Note by the Secretary-General | Mimeographed |
| A/C.3/31/L.54 | Liberia draft decision | For the text, see A/31/433, para. 7 |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee, 77th meeting, ibid., Third Committee, Sessional Fascicle*, corrigendum, and *ibid., Plenary Meetings, 102nd meeting*.

** This question was previously discussed by the General Assembly at the twenty-seventh session (agenda item 62), at the twenty-ninth session (item 61) and at the thirtieth session (item 85).



Agenda item 83: * Preservation and further development of cultural values**

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| | Action taken by the General Assembly | 4 |
| | Check list of documents | 4 |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee*, 20th to 25th and 27th meetings; and *ibid.*, *Plenary Meetings*, 83rd meeting.

** This question was previously discussed by the General Assembly at the twenty-eighth session (under agenda item 63).

DOCUMENT A/31/294

Report of the Third Committee

*[Original: English]
[5 November 1976]*

Introduction

1. The item entitled "Preservation and further development of cultural values" was included in the provisional agenda of the thirty-first session of the General Assembly in accordance with Assembly resolution 3148 (XXVIII) of 14 December 1973.

2. At its 4th plenary meeting, on 24 September 1976, 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 item 83 at its 20th to 25th and 27th meetings, between 18 and 25 October 1976. The summary records of those meetings contain the views expressed by the representatives of Member States on the item.

4. In connexion with the item, the Committee had before it a note by the Secretary-General (A/31/111) transmitting the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), prepared in pursuance of General Assembly resolution 3148 (XXVIII).

5. At the 20th meeting, on 18 October, the Assistant Director-General of UNESCO introduced the item.

Consideration of draft resolutions

Draft resolution A/C.3/31/L.8

6. At the 21st meeting, on 19 October, the representative of Poland introduced a draft resolution (A/C.3/31/L.8) entitled "Preservation and further development of cultural values" which was sponsored by Ecuador, Ethiopia, Finland, the German Democratic Republic, Indonesia, Iran, Kenya, Peru, the Philippines, Poland, Romania and the Syrian Arab Republic, subsequently joined by Benin, Jordan, Morocco, Nepal, Senegal, Somalia, Tunisia, the United Republic of Cameroon and Zaire. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 3026 A (XXVII) of 18 December 1972 and 3148 (XXVIII) of 14 December 1973,

"Convinced that the development and exchange of cultural values contribute to a better understanding among States and among peoples, serving at the same time the cause of strengthening international peace for world-wide prosperity and being an important premise for the promotion of socio-economic progress,

"Profoundly convinced of the urgent need to develop international cultural relations,

“Taking note with appreciation of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the subject of the preservation and further development of cultural values,

“Noting with satisfaction the work of the United Nations Educational, Scientific and Cultural Organization in the field of preservation and development of cultural values,

“Requests the Director-General of the United Nations Educational, Scientific, and Cultural Organization to continue efforts and research in this field and to report to the General Assembly at its thirty-third session.”

7. At the same meeting, an amendment (A/C.3/31/L.9) to the draft resolution was submitted by Algeria, Argentina, Barbados, Bolivia, Costa Rica, the Dominican Republic, Guatemala, Honduras, Nicaragua, and Panama proposing the addition of the following text as operative paragraph 1:

“1. Requests the Director-General of the United Nations Educational, Scientific and Cultural Organization to submit to the General Assembly at its thirty-second session a progress report on the implementation of resolution 3148 (XXVIII) of 14 December 1973”.

8. At the 22nd meeting, on 19 October, after an exchange of views, the sponsors of the draft resolution decided to submit a revised text which would take into account that amendment as well as oral amendments proposed by India at the 21st meeting.

9. At the 23rd meeting, on 20 October, the revised draft resolution (A/C.3/31/L.8/Rev.1), also sponsored by Algeria, Bolivia, Cyprus, France, the Gambia, Greece, Guatemala, Guyana, Honduras, India, Jamaica, Madagascar, Nigeria, Swaziland, and Yugoslavia, was orally revised by the representative of Poland as follows: the words “the only basis” were replaced by “one of the bases” in the second preambular paragraph.

10. At the 25th meeting, on 21 October, the representative of Poland orally revised the draft by adding the following text as operative paragraph 3:

“3. Decides to include in the provisional agenda of its thirty-third session the item entitled ‘Preservation and further development of cultural values’.”

11. At the same meeting, the Committee adopted the revised draft resolution, as orally revised, by consensus (see para. 17 below, draft resolution I).

Draft resolution A/C.3/31/L.13

12. At the 25th meeting, the representative of Egypt introduced a draft resolution (A/C.3/31/L.13), entitled “Protection and restitution of works of art as part of the preservation and further development of cultural values”, which was sponsored by Cyprus, Ecuador, Egypt, Iraq, Sri Lanka, the Sudan and Zaire, later joined by Burundi, Colombia, the Congo, the Dominican Republic, Greece, India, Nigeria, Papua New Guinea, Turkey, Yemen and Yugoslavia.

13. At the same meeting, the representative of Egypt orally revised operative paragraph 3 by inserting a comma and the word “documents” after the word “manuscripts”.

14. At the 27th meeting, on 25 October, the Committee adopted the draft resolution, as orally revised, by 114 votes to none, with 14 abstentions (see para. 17 below, draft resolution II).

Draft resolution A/C.3/31/L.14

15. At the 27th meeting, the representative of the United Republic of Tanzania introduced a draft resolution (A/C.3/31/L.14), entitled “Second World Black and African Festival of Arts and Culture”, which was sponsored by the Congo, Egypt, Nigeria, Papua New Guinea and the United Republic of Tanzania, later joined by Algeria, Australia, Austria, Ghana, Jamaica, the Niger, Swaziland and Trinidad and Tobago.

16. At the same meeting, the Committee adopted the draft resolution by consensus (see para. 17 below, draft resolution III).

Recommendations of the Third Committee

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

DRAFT RESOLUTION I

Preservation and further development of cultural values

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972 and 3148 (XXVIII) of 14 December 1973,

Referring in particular to article 15 of the International Covenant on Economic, Social and Cultural Rights,¹ which reaffirms the right of everyone to participate in the preservation and development of culture, and being aware that one of the bases of international co-operation in the cultural field is mutual respect for cultural integrity,

Considering that the cultural dimension of development is integral to the whole development process,

Convinced that the development of cultural values, cultural exchange and co-operation contribute to a better understanding among States, peoples and individuals and contribute to the strengthening of international peace and security, which is an important pre-condition for socio-economic progress,

Stressing the need to evolve a harmonious blend of the cultural values of the traditional civilizations with developments in science and technology,

Profoundly convinced of the urgent need to develop international cultural relations,

¹ General Assembly resolution 2200 A (XXI), annex.

Taking note with appreciation of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the subject of the preservation and further development of cultural values (A/31/111, annex),

Noting with satisfaction the work of the United Nations Educational, Scientific and Cultural Organization in increasing awareness of the need for concerted action in the field of preservation and development of cultural values,

1. *Requests* the Director-General of the United Nations Educational, Scientific and Cultural Organization to submit to the General Assembly at its thirty-second session a progress report on the implementation of Assembly resolution 3148 (XXVIII) of 14 December 1973;

2. *Requests* the Director-General of the United Nations Educational, Scientific and Cultural Organization to continue efforts and research in this field and to report 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 "Preservation and further development of cultural values".

DRAFT RESOLUTION II

Protection and restitution of works of art as part of the preservation and further development of cultural values

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973 and 3391 (XXX) of 19 November 1975,

Taking note of resolutions 17 and 24 of the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976,²

Convinced that the promotion of national culture enhances a people's ability to understand the culture and civilization of other peoples and thus has a most favourable impact on international co-operation,

Convinced also that the protection by all means of national culture and heritage is an integral part of the process of preservation and future development of cultural values,

1. *Invites* all Member States to sign and ratify the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,³ adopted by the General Conference of

the United Nations Educational, Scientific and Cultural Organization on 14 November 1970;

2. *Calls upon* all Member States to take all necessary steps to prevent, in their territories, any illicit traffic in works of art coming from any other country, especially from territories which were or are under colonial or foreign domination and occupation;

3. *Affirms* that the restitution to a country of its *objets d'art*, monuments, museum pieces, manuscripts, documents and any other cultural or artistic treasures constitutes a step forward towards the strengthening of international co-operation and the preservation and future development of cultural values.

DRAFT RESOLUTION III

Second World Black and African Festival of Arts and Culture

The General Assembly,

Recalling its resolution 3148 (XXVIII) of 14 December 1973,

Referring to the International Covenant on Economic, Social and Cultural Rights,¹ in particular to article 15, which reaffirms the right of everyone to participate in the preservation and further development of culture,

Conscious of the need for agreement on a system of values based on justice, equality, freedom and fellowship and on the recognition of the unity of mankind with all its diverse peoples, races and cultures,

Convinced that contacts and exchanges between different cultures on the basis of the equality and the sovereignty of States can make a genuine contribution to the enrichment of cultural values on a national, regional and world-wide scale,

Conscious that the recognition of cultural identity as an integral part of the mobilization of society is an essential factor in the achievement and preservation of independence, national sovereignty and development,

Convinced that the forthcoming Second World Black and African Festival of Arts and Culture will contribute immensely to the promotion of international co-operation and understanding,

1. *Commends* the efforts made thus far by the international community, including international organizations, in the preparations for the Second World Black and African Festival of Arts and Culture;

2. *Notes with appreciation* the efforts made by Nigeria in its capacity as host country for the Festival;

3. *Appeals* to all interested and concerned countries to make all possible efforts at the national and international levels towards ensuring the success of the Festival.

² See A/31/197, annex IV.

³ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Sixteenth Session*, vol. I, *Resolutions*, p. 135.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 83rd plenary meeting, on 30 November 1976, the General Assembly voted on the draft resolutions submitted by the Third Committee in its report (A/31/294, para. 17). Draft resolution I, as orally revised by the Rapporteur—who indicated that in operative paragraph 1 the words “at its thirty-second session” should be replaced by “early in 1978”—was adopted by consensus. Draft resolution II was adopted by a vote of 125 to none, with 12 abstentions. With regard to draft resolution III, an oral amendment to operative paragraph 1, submitted by Egypt, proposing that the words “and the International Festival Committee” be added after “including international organizations”, was adopted without objection; the Assembly then adopted the draft resolution as amended. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolutions 31/39 to 31/41.

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/31/111 | Note by the Secretary-General transmitting a report of the Director-General of the United Nations Educational, Scientific and Cultural Organization | Mimeographed |
| A/31/458 | Letter dated 17 December 1976 from the representative of Israel to the Secretary-General | Ditto |
| A/31/473 | Letter dated 7 January 1977 from the representative of the Union of Soviet Socialist Republics to the Secretary-General | Ditto |
| A/C.3/31/L.8 | Draft resolution | For the sponsors and the text, see A/31/294, para. 6 |
| A/C.3/31/L.8/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 9, 10 and 17, draft resolution I |
| A/C.3/31/L.9 | Amendment to document A/C.3/31/L.8 | <i>Idem</i> , para. 7 |
| A/C.3/31/L.13 | Draft resolution | <i>Idem</i> , paras. 12, 13 and 17, draft resolution II |
| A/C.3/31/L.14 | Draft resolution | <i>Idem</i> , paras. 15 and 17, draft resolution III |



Agenda item 84: * 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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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fourth Committee*, 10th to 25th meetings; and *ibid.*, *Plenary Meetings*, 82nd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 65), twenty-seventh session (item 63), twenty-eighth session (item 69), twenty-ninth session (item 64) and thirtieth session (item 86).

DOCUMENT A/31/352

Report of the Fourth Committee

*[Original: English]
[26 November 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first 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 3rd meeting, on 5 October 1976, the Fourth Committee decided to hold a general debate covering agenda items 25, 84, 88 and 12, 89 and 90, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

3. The Fourth Committee considered item 84 at its 10th to 25th meetings, between 26 October and 15 November 1976.

4. At the 10th meeting, the Rapporteur of the Special Committee on the Situation with regard to the Implementa-

tion of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced chapter XXXII of the report of that Committee (A/31/23/Add.10), relating to the item.

5. The Fourth Committee also had before it the report of the Secretary-General on the item (A/31/275).

6. The general debate covering the agenda items referred to in paragraph 2 above took place at the 11th to 24th meetings, between 28 October and 12 November.

7. At the 24th meeting, on 12 November, the Chairman drew attention to a draft resolution (A/C.4/31/L.11), which was finally sponsored by the following Member States: Algeria, Brazil, Congo, Cuba, Egypt, Ghana, Guinea, Guinea-Bissau, Iraq, Ivory Coast, Lao People's Democratic Republic, Madagascar, Mali, Mozambique, Niger, Nigeria, Pakistan, Senegal, Sudan, Syrian Arab Republic, Uganda, United Republic of Cameroon and United Republic of Tanzania.

8. At its 25th meeting, on 15 November, the Fourth Committee adopted draft resolution A/C.4/31/L.11 by a recorded vote of 122 to none, with 4 abstentions (see para. 9 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barba-

dos, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Swaziland, 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 Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France, Kenya, United Kingdom of Great Britain and Northern Ireland, United States of America.

Recommendation of the Fourth Committee

9. 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 3420 (XXX) of 8 December 1975, 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/31/23/Add.10) 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/31/275),

Deploring that, despite the repeated recommendations of the General Assembly and the Special Committee, some Member States having responsibilities for the administration of Non-Self-Governing Territories have ceased or have failed 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-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 82nd plenary meeting, on 29 November 1976, the General Assembly, by a recorded vote of 124 to none, with 3 abstentions, adopted the draft resolution submitted by the Fourth Committee in its report (A/31/352, para. 9). For the final text, see resolution 31/29.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining 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/31/23/Add.10 | 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-first Session, Supplement No. 23</i> (A/31/23/Rev.1), chap XXXII |
| A/31/275 | Report of the Secretary-General | Mimeographed |
| A/C.4/31/L.11 | Draft resolution | For the sponsors and the text, see A/31/352, paras. 7 and 9 |



Agenda item 85: * 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) United Nations Fund for Namibia: report of the Secretary-General;
- (d) Appointment of the United Nations Commissioner for Namibia

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* For the discussion of this item; see *Official Records of the General Assembly, Thirty-first Session, Fourth Committee*, 30th to 41st and 43rd to 45th meetings; *ibid.*, *Fifth Committee*, 53rd meeting; and *ibid.*, *Plenary Meetings*, 104th, 105th and 107th meetings. See also the annex fascicles for agenda items 25, 87, 88 and 12, 89 and 90, dealing with related questions.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 66), twenty-seventh session (item 64), twenty-eighth session (item 70), twenty-ninth session (item 65) and thirtieth session (item 87).

DOCUMENT A/31/437

Report of the Fourth Committee

*[Original: English]
[16 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the item entitled:

“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) United Nations Fund for Namibia: report of the Secretary-General;
- “(d) Appointment of the United Nations Commissioner for Namibia”

and to allocate subitems (a), (b) and (c) to the Fourth Committee. Subitem (d) was retained for consideration by the General Assembly in plenary meeting.

2. The Fourth Committee considered item 85 at its 30th to 41st and 43rd to 45th meetings, between 22 November and 10 December 1976.

3. At the 30th meeting, on 22 November, the Permanent Representative of Finland to the United Nations, in his capacity as Acting President of the United Nations Council for Namibia, introduced the report of the Council (A/31/24).

4. At the same 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 chapters VII and IX of the report of that Committee (A/31/23/Add.1 and 3), relating to the item.

5. The Fourth Committee also had before it the report of the Secretary-General on the United Nations Fund for Namibia (A/31/392), submitted in pursuance of paragraph 12 of General Assembly resolution 3400 (XXX) of 26 November 1975. In addition, the Committee had before it the following communications addressed to the Secretary-General:

- (a) Letter dated 22 January 1976 from the Permanent Representative of the Libyan Arab Republic to the United Nations (A/31/45-S/11939);

(b) Letters dated 18 May, 20 August and 14 September 1976 from the Acting President of the United Nations Council for Namibia (A/31/92-S/12079, A/31/181-S/12185 and A/31/213-S/12201);

(c) Letters dated 20 July and 31 August 1976 from the Permanent Representative of the Federal Republic of Germany to the United Nations (A/31/155 and A/31/190 and Corr.1);

(d) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(e) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237).

The Committee had before it, besides, a letter dated 9 November 1976 addressed to its Chairman by the Acting President of the United Nations Council for Namibia (A/C.4/31/10).

6. During the Fourth Committee's consideration of the item, Mr. Theo-Ben Gurirab, representative of the South West Africa People's Organization (SWAPO), 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.

7. Mr. Gurirab made statements at the 30th and 45th meetings, on 22 November and 10 December.

8. At its 30th meeting, on the proposal of the representative of Yugoslavia and following a statement by the Secretary of the Committee concerning the related administrative and financial implications, the Fourth Committee decided without objection that the statement made by the representative of SWAPO at that meeting should be reproduced *in extenso* in the record of the meeting.

9. At its 10th meeting, on 26 October, the Committee granted a request for a hearing relating, *inter alia*, to the item, submitted by Mr. Romesh Chandra, Secretary-General of the World Peace Council (A/C.4/31/6). No representatives of the World Peace Council appeared before the Committee.

10. At its 29th meeting, on 19 November, the Committee decided not to grant a request for a hearing on the item submitted by Mr. Kuaima Riruako of the National Convention of Namibia (A/C.4/31/9).

11. The general debate on the item took place at the 31st to 40th meetings, between 24 November and 6 December.

12. At the 32nd meeting, on 25 November, the representative of Saudi Arabia introduced a draft resolution (A/C.4/31/L.29), which read as follows:

“The General Assembly,

“Taking into account all the resolutions on the question of Namibia adopted by the General Assembly and the Security Council,

“Considering that over half a century has elapsed since South Africa assumed the responsibility of preparing the people of Namibia to govern themselves, during which period all other mandated Territories have acceded to full independence,

“1. Requests the Secretary-General to invite without undue delay representatives of South Africa and the South West Africa People's Organization to meet him at United Nations Headquarters for discussions as to the composition and agenda of a conference to be convened by the United Nations in order to agree upon the modalities necessary to ensure the holding of free elections in Namibia under United Nations supervision;

“2. Further requests the United Nations Commissioner for Namibia to work as a liaison officer and co-ordinator among all the parties concerned with the liberation of Namibia.”

13. At the 41st meeting, on 7 December, the representative of Mauritius introduced seven draft resolutions relating to various aspects of the question of Namibia (A/C.4/31/L.30-A/C.4/31/L.36), which were finally sponsored by the following Member States:

(a) A/C.4/31/L.30: Afghanistan, Algeria, Benin, Botswana, Burundi, Chad, Congo, Cuba, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Kenya, Lao People's Democratic Republic, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia;

(b) A/C.4/31/L.31: Algeria, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Egypt, Equatorial Guinea, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia;

(c) A/C.4/31/L.32: Algeria, Benin, Botswana, Burundi, Chad, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Romania, Rwanda, 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, Yugoslavia and Zambia;

(d) A/C.4/31/L.33: Algeria, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Romania, Rwanda, 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, Yugoslavia and Zambia;

(e) A/C.4/31/L.34: Algeria, Barbados, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritius, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia.

(f) A/C.4/31/L.35: Algeria, Australia, Benin, Botswana, Burundi, Chad, Colombia, Congo, Cuba, Egypt, Equatorial Guinea, Ethiopia, Finland, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, Madagascar, Mali, Mauritius, Morocco, Mozambique, Nepal, New Zealand, Niger, Nigeria, Pakistan, Romania, Rwanda, Senegal, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia;

(g) A/C.4/31/L.36: Algeria, Benin, Botswana, Burundi, Chad, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mauritius, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Pakistan, Romania, Rwanda, Senegal, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia.

14. At the same meeting, the representative of Finland introduced a further draft resolution relating to the item (A/C.4/31/L.37), which was finally sponsored by the following Member States: Botswana, Burundi, Congo, Cuba, Egypt, Equatorial Guinea, Ethiopia, Finland, Gambia, Ghana, Guinea, Guinea-Bissau, India, Jamaica, Lesotho, Liberia, Mauritius, Nepal, Nigeria, Pakistan, Romania, Senegal, Togo, Turkey, Uganda, United Republic of Tanzania, Yugoslavia and Zambia.

15. At the 41st, 43rd and 44th meetings, on 7, 9 and 10 December respectively, the Chairman drew attention to statements by the Secretary-General (A/C.4/31/L.38, A/C.4/31/L.39, A/C.4/31/L.40, A/C.4/31/L.41, A/C.4/31/L.42, A/C.4/31/L.43 and A/C.4/31/L.44), submitted in accordance with rule 153 of the rules of procedure of the General Assembly, concerning the administrative and finan-

cial implications of the draft resolutions referred to in paragraphs 13 (a) to (f) and 14 above.

16. At the 44th meeting, the Fourth Committee took decisions on the draft resolutions referred to in paragraph 13 above as follows:

(a) Draft resolution A/C.4/31/L.30 was adopted by a recorded vote of 108 to 6, with 12 abstentions (see para. 18 below, draft resolution I). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Bahamas, Bahrain, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Surinam, 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, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, France, Germany, Federal Republic of, Luxembourg, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Canada, Denmark, Ireland, Italy, Japan, Malawi, Netherlands, New Zealand, Spain, Sweden, Uruguay.

(b) Draft resolution A/C.4/31/L.31 was adopted by a recorded vote of 123 to none, with 4 abstentions (see para. 18 below, draft resolution II). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Paki-

stan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, 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, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

(c) Draft resolution A/C.4/31/L.32 was adopted by a recorded vote of 120 to none, with 7 abstentions (see para. 18 below, draft resolution III). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, 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, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

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

(d) Draft resolution A/C.4/31/L.33 was adopted by a recorded vote of 118 to none, with 7 abstentions (see para. 18 below, draft resolution IV). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen,

Denmark, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, 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, 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, Yemen, Yugoslavia, Zaire.

Against: None.

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

(e) Draft resolution A/C.4/31/L.34 was adopted by a recorded vote of 124 to none, with 4 abstentions (see para. 18 below, draft resolution V). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, 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 Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, 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, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

(f) Draft resolution A/C.4/31/L.35 was adopted without objection (see para. 18 below, draft resolution VI).

(g) Draft resolution A/C.4/31/L.36 was adopted by a recorded vote of 114 to none, with 13 abstentions (see para. 18 below, draft resolution VII). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Surinam, Swaziland, 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 Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, Canada, Denmark, France, Germany, Federal Republic of, Ireland, Italy, Luxembourg, Malawi, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

(h) Draft resolution A/C.4/31/L.37 was adopted without objection (see para. 18 below, draft resolution VIII).

17. The draft resolution referred to in paragraph 12 above (A/C.4/31/L.29) was not pressed to a vote. However, at its 44th meeting, the Committee, at the request of the sponsor, decided that the Rapporteur should bring the text of the draft resolution to the attention of the General Assembly when presenting the report of the Committee on the item.

Recommendations of the Fourth Committee

18. The Fourth Committee recommends to the General Assembly the adoption of draft resolutions I to VIII below:

DRAFT RESOLUTION I

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/31/24) 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/31/23 (part I) and Corr.1, A/31/23 (parts II-V), A/31/23/Add.1 and III),

Having heard the statements of the representative of the South West Africa People's Organization, who participated in an observer capacity in the consideration of the item by the Fourth Committee (30th and 45th meetings),

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 both 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 resolution adopted by the Council of Ministers of the Organization of African Unity at its twenty-seventh ordinary session,² and subsequently endorsed by the Assembly of Heads of State and Government of the Organization of African Unity at its thirteenth ordinary session, held at Port Louis from 2 to 6 July 1976,

Also taking into consideration the political declaration and the resolution relating to Namibia adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976 (A/31/197, annex I, paras. 52-55, and annex IV, resolution 3),

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 deploring South Africa's continued refusal to comply with the resolutions and decisions of 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 attempts by South Africa, through the convening of a so-called constitutional conference, to perpetuate its colonial exploitation of the people and resources of Namibia by misrepresenting the genuine aspirations of the Namibian people,

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

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.*

² A/31/196 and Corr.1, annex, resolution CM/Res. 500 (XXVII).

and the forceful removal of Namibians from the northern border of the Territory for military purposes,

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,

Recognizing that the situation in Namibia constitutes a threat to international peace and security,

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 responsibilities entrusted to it by the relevant resolutions of the General Assembly,

1. *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 recognized in resolutions 1514 (XV) and 2145 (XXI), as well as subsequent resolutions of the General Assembly 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;

2. *Recognizes* that the national liberation movement of Namibia, the South West Africa People's Organization, is the sole and authentic representative of the Namibian people;

3. *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;

4. *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 independence and national unity for Namibia;

5. *Requests* all specialized agencies and other organizations within the United Nations system to prepare, in consultation with the United Nations Council for Namibia and within their respective spheres of competence, programmes of assistance to the people of Namibia and their liberation movement, the South West Africa People's Organization;

6. *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 Africa People's Organization at the United Nations;

7. *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;

8. *Strongly condemns* South Africa for its persistent refusal to withdraw from Namibia and for its manoeuvres to consolidate its illegal occupation of the Territory;

9. *Strongly condemns* the illegal South African administration for its aggression against the Namibian people and their national liberation movement;

10. *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 bogus constitutional structure aimed at subverting the territorial integrity and unity of Namibia and perpetuating a ruthless policy of racial segregation;

11. *Strongly condemns* South Africa for its military build-up in Namibia, 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;

12. *Strongly condemns* South Africa for organizing the so-called constitutional talks at Windhoek, which seek to perpetuate the *apartheid* and homelands policies as well as the colonial oppression and exploitation of the people and resources of Namibia by misrepresenting the genuine aspirations of the Namibian people for self-determination, freedom and national independence in a united Namibia;

13. *Urgently calls upon* the international community, especially all Member States, to refrain from according any recognition to, or co-operation with, any authority which the illegal occupation régime may install under the current fraudulent constitutional talks or any other circumstances in Namibia;

14. *Strongly condemns* the activities of all foreign corporations operating in Namibia under the illegal administration of South Africa which are exploiting the human and natural resources of the Territory, and demands that such exploitation cease forthwith;

15. *Reaffirms* that the activities of those corporations are illegal;

16. *Decides* that any independence talks regarding Namibia must be between the representatives of South Africa and the South West Africa People's Organization, 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;

17. *Requests* all Member States to co-operate fully with the United Nations Council for Namibia in discharging the

mandate entrusted to it under the terms and provisions of General Assembly resolution 2248 (S-V);

18. *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;

19. *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 the territorial integrity of Namibia;

20. *Demands* that South Africa release all Namibian political prisoners, including all those imprisoned or detained in connexion with offences under 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;

21. *Declares* that, in order that the people of Namibia shall be enabled freely to determine their own future, it is imperative that free elections under the supervision and control of the United Nations be held urgently in the whole of Namibia as one political entity;

22. *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;

23. *Reiterates* that the illegal occupation of Namibia and the war being waged there by South Africa constitute a threat to international peace and security;

24. *Declares* that the continued illegal occupation of Namibia by South Africa constitutes an act of aggression against the Namibian people and against the United Nations as the legal authority to administer the Territory until independence;

25. *Urges* the Security Council to take up again the question of Namibia, which is still on its agenda, and, in view of South Africa's failure to comply with Council resolution 385 (1976), to impose a mandatory arms embargo against South Africa;

26. *Requests* all States to cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa;

27. *Requests* all States to take effective measures to prevent the recruitment of mercenaries for service in Namibia or South Africa;

28. *Requests* 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;

29. *Requests* all States to cease and prevent:

(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 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;

(f) 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;

30. *Requests* the Secretary-General to report to the General Assembly at its thirty-second session on the implementation of the present resolution.

DRAFT RESOLUTION II

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/31/24) 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/31/23 (part I) and Corr.1, A/31/23 (parts II-V), A/31/23/Add.1 and 3),

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,

Noting with appreciation the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it by resolution 2248 (S-V) and subsequent resolutions of the General Assembly relating to Namibia,

1. *Approves* the report of the United Nations Council for Namibia, including the recommendations contained therein (A/31/24, vol. I, paras. 272 and 273), and decides to make adequate financial provision for their implementation;

2. *Decides* that the United Nations Council for Namibia, in the implementation of General Assembly resolution

2248 (S-V), shall, among other functions required for the full implementation of its mandate, continue to exercise the following functions and responsibilities:

(a) As an organ of the United Nations:

- (i) Review annually the political, military, economic and social conditions affecting the struggle of the Namibian people for self-determination, freedom and independence in a united Namibia, and submit reports on the above with appropriate recommendations for consideration and action by the General Assembly;
- (ii) 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;
- (iii) Consult with Member States to encourage compliance with United Nations resolutions on Namibia;
- (iv) Co-ordinate aid for Namibia provided by United Nations agencies and other bodies within the United Nations system;
- (v) Act as trustee of the United Nations Fund for Namibia and in this capacity administer and manage the Fund;

(b) As Administering Authority for Namibia:

- (i) Examine periodically the deleterious consequences of the illegal South African administration in Namibia;
- (ii) Formulate projects and programmes of assistance to Namibians;
- (iii) Consult with the South West Africa People's Organization, as appropriate, in the formulation and implementation of its programme of work;
- (iv) Propose to the United Nations Development Programme projects of assistance to Namibians in accordance with the resources made available through the indicative planning figure for Namibia;
- (v) Review and approve the annual budget of the United Nations Institute for Namibia at Lusaka, to be submitted to the Council by the Senate of the Institute, and make recommendations on the general direction of its work;
- (vi) Formulate a policy of intensive dissemination of information on Namibia, in consultation with the Office of Public Information of the Secretariat;

3. *Requests* the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to strengthen the units which service the Council in accordance with its requirements so that it may fully discharge all additional tasks and functions arising out of the new situation concerning Namibia;

4. *Requests* the United Nations Council for Namibia to authorize the United Nations Commissioner for Namibia to appoint a resident representative of the Commissioner in Botswana in order to enhance the effectiveness of assistance to Namibians by the Council.

DRAFT RESOLUTION III

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/31/24) 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/31/23 (part I) and Corr.1, A/31/23 (parts II-V), A/31/23/Add.1 and 3),

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,

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 1971,³ 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. *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;

2. *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 resolutions 2145 (XXI) and 2248 (S-V), as well as subsequent resolutions of the General Assembly relating to Namibia;

3. *Requests once again* all Member States to take all appropriate measures to ensure the full application of, and

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.*

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;

4. *Requests* the Secretary-General to prepare updated lists of foreign corporations operating in Namibia, accompanied by a summary of the major operations, including an historical note on their involvement in Namibia;

5. *Commends* the inauguration of the United Nations Institute for Namibia at Lusaka and requests all States and the specialized agencies and other organizations within the United Nations system to make adequate financial contribution to the United Nations Fund for Namibia so that the United Nations Council for Namibia can meet the additional costs of the Institute;

6. *Authorizes* the United Nations Council for Namibia to hold hearings and to continue to seek information regarding the exploitation and purchase of Namibian uranium and to report on this matter to the General Assembly at its thirty-second session;

7. *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 the position of the Council in this regard;

8. *Authorizes* the United Nations Council for Namibia to contact administering and managing bodies of foreign corporations operating in Namibia, with particular emphasis on those which are not under direct governmental control, to warn them of the illegal basis on which they are operating in Namibia and of the position of the Council in this regard;

9. *Calls upon* those States which have resident or non-resident consular representation in Namibia, whether ordinary or honorary, to terminate such representation.

DRAFT RESOLUTION IV

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/31/24) 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/31/23 (part I) and Corr.1, A/31/23 (parts II-V), A/31/23/Add.1 and 3),

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,

⁴ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 24A, para. 84.*

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 statements of the representative of the South West Africa People's Organization (30th and 45th meetings), who participated in an observer capacity in the consideration of the item by the Fourth Committee, 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 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* all specialized agencies and other organizations within the United Nations system to prepare, in consultation with the United Nations Council for Namibia and within their respective spheres of competence, programmes of assistance to the people of Namibia and their liberation movement, the South West African People's Organization;

2. *Expresses its appreciation* to the United Nations Development Programme for the indicative planning figure granted to 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 consider granting full membership to the United Nations Council for Namibia so that it may participate in that capacity as the 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 consider favourably granting 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 Administering Authority for Namibia, whenever such rights and interests are involved;

6. *Requests* the United Nations Council for Namibia to continue to examine this question and to report thereon to the General Assembly at its thirty-second session.

DRAFT RESOLUTION V

Dissemination of information on Namibia

The General Assembly,

Having examined the report of the United Nations Council for Namibia (A/31/24) 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/31/23 (part I) and Corr.1, A/31/23 (parts II and III), A/31/23/Add.1 and 3),

Recalling 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,

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. *Requests* the United Nations Council for Namibia to send a mission to the headquarters of the specialized agencies and non-governmental organizations to discuss the question of dissemination of information and assistance to Namibians;

2. *Requests* the Secretary-General to direct the Office of Public Information of the Secretariat, in co-operation with the United Nations Council for Namibia:

(a) To acquire and distribute appropriate films on Namibia, including the new film on Namibia which was shown at United Nations Headquarters on Namibia Day, 26 August 1976;

(b) To prepare, in consultation with the South West Africa People's Organization, a film on the contemporary situation inside Namibia and the struggle of the Namibian people for genuine national independence;

(c) To continue publicity through television, radio and other media;

(d) To continue to give publicity to the United Nations Council for Namibia and the South West Africa People's Organization on television in the United States of America and other major Western countries, in order to mobilize support in those countries for the genuine national independence of Namibia;

3. *Requests* Member States and the United Nations Postal Administration to issue commemorative stamps on Namibia until genuine national independence for Namibia is achieved;

4. *Further requests* the Secretary-General to direct the Office of Public Information to continue to make every effort to generate publicity and disseminate information with a view to mobilizing public support for the independence of Namibia;

5. *Decides* to make adequate budgetary provision in order to meet the additional costs required to expand the circulation of the *Namibia Bulletin* and to add German to the languages in which it is published;

6. *Decides* to observe the week of 27 October as a week of solidarity with the people of Namibia and its liberation movement, the South West Africa People's Organization, as proposed by the President of Senegal at the Dakar International Conference on Namibia and Human Rights (see A/31/24, vol. II, annex II, para. 25), and requests the United Nations Council for Namibia to prepare a commemorative programme for that purpose;

7. *Requests* the Secretary-General urgently to undertake, in consultation with the United Nations Council for Namibia, the preparation of a comprehensive United Nations map of Namibia reflecting therein the territorial integrity of the Territory of Namibia;

8. *Further requests* the United Nations Council for Namibia to follow the implementation of the present resolution and to report thereon to the General Assembly at its thirty-second session.

DRAFT RESOLUTION VI

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 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 as 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,

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/31/24, vol. II, annex XIII),

1. *Takes note* of the report of the United Nations Council for Namibia on the activities of the United Nations Fund for Namibia and approves the conclusions and recommendations contained therein (*ibid.*, paras. 89-106);

2. *Expresses its appreciation* to all those who have made voluntary contributions to the United Nations Fund for Namibia;

3. *Decides* to allocate to the United Nations Fund for Namibia the sum of \$US 300,000 from the regular budget of the United Nations for 1977;

4. *Requests* the Secretary-General and the United Nations Council for Namibia to continue to appeal to Governments, intergovernmental and non-governmental organizations and private individuals for generous voluntary contributions to the United Nations Fund for Namibia;

5. *Invites* Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;

6. *Appeals* to all States, the specialized agencies and other organizations within the United Nations system, as well as other organizations having a special interest in Namibia, to make financial contributions to the United Nations Institute for Namibia through the United Nations Fund for Namibia;

7. *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;

8. *Requests* the specialized agencies and other organizations within the United Nations system to render all necessary assistance to the United Nations Council for Namibia in implementing its programme of work;

9. *Calls upon* 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 International Bank for Reconstruction and Development, the International Monetary Fund, the United Nations Development Programme, the United Nations High Commissioner for Refugees and the United Nations Institute for Training and Research—to assist the United Nations Institute for Namibia, in all possible ways, including the provision of specialists, lecturers and researchers;

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-second session on the implementation of the present resolution.

DRAFT RESOLUTION VII

Observer status for the South West Africa People's Organization

The General Assembly,

Having considered the question of Namibia,

Recognizing the crucial phase reached in the struggle of the Namibian people and the added demands and critical tasks imposed upon their liberation movement, the South West Africa People's Organization,

Taking into consideration the report of the United Nations Council for Namibia (A/31/24) and the recommendations contained therein (*ibid.*, vol. I, paras. 272 and 273),

Reaffirming the resolutions and decisions of the General Assembly and the Security Council concerning the question of Namibia,

Recalling, in particular, its resolution 3111 (XXVIII) of 12 December 1973, by which it recognized the South West Africa People's Organization as the authentic representative of the Namibian people,

Noting that the Organization of African Unity and the non-aligned countries have recognized and invited the South West Africa People's Organization to participate in their meetings in an observer capacity,

1. *Invites* the South West Africa People's Organization to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Invites* the South West Africa People's Organization to participate in the sessions and the work of all international conferences convened under the auspices of the General Assembly in the capacity of observer;

3. *Considers* that the South West Africa People's Organization is entitled to participate as an observer in the sessions and the work of all international conferences convened under the auspices of other organs of the United Nations;

4. *Requests* the Secretary-General to take the necessary steps for the implementation of the present resolution and to accord all the facilities as may be required.

DRAFT RESOLUTION VIII

*Nationhood Programme**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,

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 of 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/31/24),

Welcoming the inauguration of the United Institute for Namibia at Lusaka,

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 Territory of Namibia,

1. *Decides* to launch, in support of the nationhood of Namibia, a comprehensive assistance programme within the United Nations system, covering both the present period of struggle for independence and the initial years of independence of Namibia and including:

(a) The review and planning of measures for assistance to Namibians by the specialized agencies and other organizations and bodies within the United Nations system;

(b) The consolidation of all measures in a comprehensive and sustained plan of action;

(c) The implementation of the plan of action;

2. *Calls upon* the United Nations Council for Namibia, as the Administering Authority of the Territory, to elaborate, in consultation with the South West Africa People's Organization, the guidelines and policies for such a programme, to be known as the Nationhood Programme for Namibia, and to direct and co-ordinate the implementation of the Programme;

3. *Invites* all States to participate in the Nationhood Programme for Namibia by supporting measures for assistance to Namibians and by contributing to the United Nations Fund for Namibia and the United Nations Institute for Namibia;

4. *Calls upon* 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;

5. *Requests* the Secretary-General to provide the necessary assistance to the United Nations Council for Namibia for the effective implementation of the Nationhood Programme for Namibia.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At the 104th plenary meeting, on 17 December 1976, the Rapporteur of the Fourth Committee, in accordance with the decision taken by the Committee (see A/31/437, para. 17), read out the text of draft resolution A/C.4/31/L.29.

At its 105th plenary meeting, on 20 December 1976, the General Assembly voted on draft resolutions I to VIII submitted by the Fourth Committee in its report (A/31/437, para. 18). Recorded votes were requested on draft resolutions I to V and VII. Draft resolution I was adopted by 107 votes to 6, with 12 abstentions, draft resolution II was adopted by 119 votes to none, with 4 abstentions; draft resolution III was adopted by 118 votes to none, with 7 abstentions; draft resolution V was adopted by 123 votes to none, with 4 abstentions; and draft resolution VII was adopted by 113 votes to none, with 13 abstentions. Draft resolutions VI and VIII were adopted without a vote. For the final texts, see resolutions 31/146 to 31/153.⁵

At its 107th plenary meeting, on 22 December 1976, the General Assembly, on the proposal of the Secretary-General (A/31/465, para. 2), appointed Mr. Martti Ahtisaari United Nations Commissioner for Namibia for a period of one year, with effect from 1 January 1977 (see decision 31/317).⁵

⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining 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/31/23 (part I) and Corr.1, A/31/23 (parts II-V) and A/31/23/Add.1 and 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 (chaps. I, II, IV-VII and IX) | Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 23</i> (A/31/23/Rev.1), chaps. I, II, IV-VII and IX |
| A/31/24 | Report of the United Nations Council for Namibia | <i>Ibid.</i> , Supplement No. 24 |
| A/31/45-S/11939 | Letter dated 22 January 1976 from the representative of the Libyan Arab Republic to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976</i> |
| A/31/92-S/12079 | Letter dated 18 May 1976 from the Acting President of the United Nations Council for Namibia to the Secretary-General | <i>Ibid.</i> , Supplement for April, May and June 1976 |
| A/31/155 | Letter dated 20 July 1976 from the representative of the Federal Republic of Germany to the Secretary-General | Mimeographed |
| A/31/181-S/12185 | Letter dated 20 August 1976 from the Acting President of the United Nations Council for Namibia to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/190 and Corr.1 | Letter dated 31 August 1976 from the representative of the Federal Republic of Germany to the Secretary-General | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Ditto |
| A/31/213-S/12201 | Letter dated 14 September 1976 from the Acting President of the United Nations Council for Namibia to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | Mimeographed |
| A/31/392 | United Nations Fund for Namibia: report of the Secretary-General | Ditto |
| A/31/465 | Appointment of the United Nations Commissioner for Namibia: note by the Secretary-General | Ditto |
| A/C.4/31/6 | Request for hearing | Ditto |
| A/C.4/31/9 | Request for hearing | Ditto |
| A/C.4/31/10 | Letter dated 9 November 1976 from the Acting President of the United Nations Council for Namibia to the Chairman of the Fourth Committee | Ditto |
| A/C.4/31/L.29 | Draft resolution | For the sponsors and the text, see A/31/437, para. 12. |
| A/C.4/31/L.30 | Draft resolution | <i>Idem</i> , para. 13 (a) and para. 18, draft resolution I |
| A/C.4/31/L.31 | Draft resolution | <i>Idem</i> , para. 13 (b) and para. 18, draft resolution II |
| A/C.4/31/L.32 | Draft resolution | <i>Idem</i> , para. 13 (c) and para. 18, draft resolution III |
| A/C.4/31/L.33 | Draft resolution | <i>Idem</i> , para. 13 (d) and para. 18, draft resolution IV |
| A/C.4/31/L.34 | Draft resolution | <i>Idem</i> , para. 13 (e) and para. 18, draft resolution V |
| A/C.4/31/L.35 | Draft resolution | <i>Idem</i> , para. 13 (f) and para. 18, draft resolution VI |
| A/C.4/31/L.36 | Draft resolution | <i>Idem</i> , para. 13 (g) and para. 18, draft resolution VII |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/C.4/31/L.37 | Draft resolution | <i>Idem</i> , paras. 14 and 18, draft resolution VIII |
| A/C.4/31/L.38 | Administrative and financial implications of draft resolution A/C.4/31/L.35: note by the Secretary-General | Mimeographed |
| A/C.4/31/L.39 | Administrative and financial implications of draft resolution A/C.4/31/L.32: note by the Secretary-General | Ditto |
| A/C.4/31/L.40 | Administrative and financial implications of draft resolution A/C.4/31/L.37: note by the Secretary-General | Ditto |
| A/C.4/31/L.41 | Administrative and financial implications of draft resolution A/C.4/31/L.31: note by the Secretary-General | Ditto |
| A/C.4/31/L.42 | Administrative and financial implications of draft resolution A/C.4/31/L.34: note by the Secretary-General | Ditto |
| A/C.4/31/L.43 | Administrative and financial implications of draft resolution A/C.4/31/L.33: note by the Secretary-General | Ditto |
| A/C.4/31/L.44 | Administrative and financial implications of draft resolution A/C.4/31/L.30: note by the Secretary-General | Ditto |
| | <i>Administrative and financial implications of draft resolutions I-VI and VIII submitted by the Fourth Committee in document A/31/437</i> | |
| A/C.5/31/81 | Note by the Secretary-General | Ditto |
| A/31/8/Add.18 | Report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/454 | Report of the Fifth Committee | <i>Ibid.</i> , <i>Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 86: * 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

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fourth Committee*, 40th to 43rd and 46th to 49th meetings; and *ibid.*, *Plenary Meetings*, 104th and 105th meetings. See also the annex fascicles for agenda items 25, 84, 87, 88 and 12, 89 and 90, dealing with related questions.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 68), twenty-seventh session (item 66), twenty-eighth session (item 72), twenty-ninth session (item 67) and thirtieth session (item 89).

DOCUMENT A/31/447

Report of the Fourth Committee

*[Original: English]
[16 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first 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 40th to 43rd and 46th to 49th meetings, between 6 and 14 December 1976.

3. At the 40th meeting, on 6 December, 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 chapters VII and VIII of the report of that Committee (A/31/23/Add.1 and 2), relating to the item.

4. The Committee also had before it the following communications addressed to the Secretary-General:

(a) Letter dated 8 March 1976 from the Minister for Foreign Affairs of Mozambique (A/31/61-S/12005);

(b) Letter dated 8 March 1976 from the Permanent Representative of Nigeria to the United Nations (A/31/62-S/12008);

(c) Letter dated 17 March 1976 from the Permanent Representative of Rwanda to the United Nations (A/31/66-S/12021);

(d) Letter dated 25 March 1976 from the Chargé d'affaires a.i. of the Permanent Mission of Algeria to the United Nations (A/31/71-S/12025);

(e) Letter dated 5 April 1976 from the Permanent Representative of Luxembourg to the United Nations (A/31/77-S/12039);

(f) Letter dated 20 July 1976 from the Permanent Representative of the Federal Republic of Germany to the United Nations (A/31/155);

(g) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197);

(h) Letter dated 30 September 1976 from the Permanent Representative of Turkey to the United Nations, transmitting the texts of the resolutions adopted by the Seventh Islamic Conference of Foreign Ministers (A/31/237);

(i) Note verbale dated 4 October 1976 from the Permanent Representative of Ghana to the United Nations (A/31/258);

(j) Letter dated 19 October 1976 from the Permanent Representative of the Netherlands to the United Nations (A/31/274-S/12217).

5. At its 10th meeting, on 26 October, the Fourth Committee granted a request for hearing relating, *inter alia*, to the item, submitted by Mr. Romesh Chandra, Secretary-General of the World Peace Council (A/C.4/31/6). No representatives of the World Peace Council appeared before the Committee.

6. The general debate on the item took place at the 41st to 43rd and 46th to 49th meetings, between 7 and 14 December.

7. At its 41st meeting, on 7 December, on the proposal of the representative of the United Republic of Tanzania, and following a statement by the Chairman concerning the related administrative and financial implications, the Fourth Committee decided that the statement made during the meeting by the representative of the United Kingdom of Great Britain and Northern Ireland in its capacity as administering Power, should be reproduced *in extenso* in the record of the meeting.

8. At the 46th meeting, on 13 December, the representative of Benin introduced two draft resolutions (A/C.4/31/L.45 and A/C.4/31/L.46), which were finally sponsored by the following Member States:

(a) A/C.4/31/L.45: Algeria, Benin, Burundi, Chad, Comoros, Congo, Cyprus, Democratic Yemen, Egypt, Ethiopia, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Ivory Coast, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mexico, Mozambique, Niger, Nigeria, Pakistan, Papua New Guinea, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia;

(b) A/C.4/31/L.46: Algeria, Benin, Bulgaria, Burundi, Chad, Comoros, Congo, Cuba, Czechoslovakia, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Mongolia, Mozambique, Niger, Nigeria, Pakistan, Papua New Guinea, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia.

9. At its 49th meeting, on 14 December, the Fourth Committee adopted draft resolution A/C.4/31/L.45 without objection (see para. 11 below, draft resolution A).

10. At the same meeting, the Committee adopted draft resolution A/C.4/31/L.46 by a recorded vote of 121 to 1, with 6 abstentions (see para. 11 below, draft resolution B). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Surinam, Swaziland, 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 Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Belgium, France, Germany, Federal Republic of, Israel, Malawi, United Kingdom of Great Britain and Northern Ireland.

Recommendations of the Fourth Committee

11. 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/31/23 (part I) and Corr.1, A/31/23 (parts II-V), A/31/23/Add.1 and 2),

Having heard the statement of the representative of the administering Power (41st meeting),

Taking into account the report of the *Ad Hoc* Group established by the Special Committee at its 1029th meeting, on 1 April 1976 (A/31/23/Add.1, annex I),

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 pro-

gramme 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 attempt 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),

Taking note of the declared position of the administering Power that there shall be no independence before majority rule in Zimbabwe (see A/31/23/Add.2, annex, para. 44),

Reaffirming also its endorsement of the relevant provisions of the Dar es Salaam Declaration on Southern Africa, adopted by the Council of Ministers of the Organization of African Unity at its ninth extraordinary session, held from 7 to 10 April 1975,¹

Endorsing the relevant provisions of the Political Declaration adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976, relating to southern Africa (A/31/197, annex I),

Taking note of the convening of the conference on Zimbabwe at Geneva,

Condemning the illegal racist minority régime for its intensified oppression of the people of Zimbabwe, the arbitrary imprisonment and detention of political leaders and others, the illegal execution 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,

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 and 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. *Strongly condemns* the illegal racist minority régime for its continued brutal and repressive measures perpetrated against the people of Zimbabwe and in particular the wanton killings of Africans carried out by the régime within and outside Zimbabwe;

4. *Further strongly condemns* the illegal racist minority régime for its systematic acts of aggression against neighbouring African States;

5. *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;

6. *Commends* to the administering Power for appropriate action the relevant sections of the report of the *Ad Hoc* Group established by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples at its 1029th meeting, on 1 April 1976;

7. *Firmly supports* the people of Zimbabwe in their struggle to achieve majority rule;

8. *Demands*:

(a) The termination forthwith of the executions of freedom fighters being carried out by the illegal Smith régime;

(b) The unconditional and immediate release of all political prisoners, detainees and restrictees, the removal of all restrictions on political activity and the establishment of full democratic freedom and equality of political rights, as well as the restoration to the population of fundamental human rights;

(c) The discontinuance forthwith of all repressive measures, in particular the brutality committed in the "operational area", the arbitrary closure of African areas, the eviction, transfer and resettlement of Africans and the creation of so-called protected villages, and the persecution of Christian missionaries supporting the cause of the liberation of Zimbabwe;

(d) The cessation of the influx of foreign immigrants into the Territory and the immediate withdrawal of all mercenaries therefrom;

9. *Calls upon* all States to take all necessary and effective measures to prevent advertisement for, and recruitment of, mercenaries for Southern Rhodesia;

10. *Requests* all States, directly and through their action in the specialized agencies and other organizations within

¹ Official Records of the General Assembly, Thirtieth Session, Supplement No. 23, chap. IX, annex, para. 99.

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;

11. *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 illegal régime;

12. *Expresses the hope* that the conference on Zimbabwe at Geneva will succeed in establishing the conditions for early independence on the basis of majority rule, in accordance with the relevant resolutions adopted by the United Nations;

13. *Requests* the Government of the United Kingdom, in keeping with its express readiness to do so, to co-operate with the Special Committee 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-second session;

14. *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-second 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 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,

Seriously concerned at the continued importation of chrome and nickel into the United States of America from Southern Rhodesia, in violation of the relevant decisions of the Security Council and in disregard of the related resolutions of the General Assembly,

Deeply disturbed at recent reports of 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,

Reaffirming its conviction that the sanctions will not put an end to the illegal racist minority régime unless they are comprehensive, mandatory and effectively supervised, enforced and complied with, particularly by South Africa,

Noting with appreciation the decision of the Government of Mozambique to close its borders with Southern Rhodesia and to impose sanctions against the illegal racist minority régime in compliance with the relevant decisions of the Security Council,²

1. *Strongly condemns* those Governments, particularly the racist régime of South Africa, for their policies 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 those sanctions strictly, as being contrary to the obligations assumed by them under Article 2, paragraph 5, and Article 25 of the Charter;

3. *Condemns* the continued importation of chrome and nickel from Southern Rhodesia (Zimbabwe) into the United States of America, and calls upon the Government of the United States to repeal speedily all legislation permitting such importation;

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;

² See *Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976*, document S/12004 and Add.1.

5. *Highly commends* the action taken by the Government of Mozambique in closing its borders with Southern Rhodesia and imposing total sanctions against the Smith régime, and considers that that action constitutes an important contribution in support of the liberation struggle in Zimbabwe and towards the maximum isolation of the illegal régime;

6. *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 Government of Mozambique all forms of financial, technical and material assistance in order to enable it to overcome any economic difficulties in connexion with its application of economic sanctions against the illegal régime;

7. *Further requests* the Security Council to undertake a periodic review of the question of economic assistance to

the Government of Mozambique as well as to the Government of Zambia;

8. *Reiterates its conviction* that the scope of the sanctions against the illegal régime must be widened to include all the measures envisaged under Article 41 of the Charter and requests the Security Council to consider taking the necessary measures in that regard as a matter of urgency;

9. *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 105th plenary meeting, on 20 December 1976, the General Assembly adopted draft resolutions A and B submitted by the Fourth Committee in its report (A/31/447, para. 11). Draft resolution A was adopted without a vote and draft resolution B was adopted by 124 votes to none, with 7 abstentions. For the final texts, see resolutions 31/154 A and 31/154 B.³

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining 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/31/23 (part I) and Corr.1, A/31/23 (parts II-V) and A/31/23/Add 1 and 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 (chaps. I, II and IV-VIII) | Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 23</i> (A/31/23/Rev 1), chaps. I, II and IV-VIII |
| A/31/61-S/12005 | Letter dated 8 March 1976 from the representative of Mozambique to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976</i> |
| A/31/62-S/12008 | Letter dated 8 March 1976 from the representative of Nigeria to the Secretary-General | <i>Ibid.</i> |
| A/31/66-S/12021 | Letter dated 17 March 1976 from the representative of Rwanda to the Secretary-General | <i>Ibid.</i> |
| A/31/71-S/12025 | Letter dated 25 March 1976 from the representative of Algeria to the Secretary-General | <i>Ibid.</i> |
| A/31/77-S/12039 | Letter dated 5 April 1976 from the representative of Luxembourg to the Secretary-General | <i>Ibid., Supplement for April, May and June 1976</i> |
| A/31/155 | Letter dated 20 July 1976 from the representative of the Federal Republic of Germany to the Secretary-General | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|--|
| A/31/237 | Letter dated 30 September 1976 from the representative of Turkey to the Secretary-General | Ditto |
| A/31/258 | Note verbale dated 4 October 1976 from the representative of Ghana to the Secretary-General | Ditto |
| A/31/274-S/12217 | Letter dated 19 October 1976 from the representative of the Netherlands to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> |
| A/C.4/31/6 | Request for hearing | Mimeographed |
| A/C.4/31/L.45 | Draft resolution | For the sponsors and the text, see A/31/447, para. 8 (a) and para. 11, draft resolution A |
| A/C.4/31/L.46 | Draft resolution | <i>Idem</i> , para. 8 (b) and para. 11, draft resolution B |



Agenda item 87:* 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

C O N T E N T S

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| Action taken by the General Assembly | | 4 |
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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fourth Committee*, 3rd to 9th meetings; and *ibid.*, *Plenary Meetings*, 55th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 70), twenty-seventh session (item 67), twenty-eighth session (item 73), twenty-ninth session (item 68) and thirtieth session (item 90).

DOCUMENT A/31/301

Report of the Fourth Committee

[Original: English]
[3 November 1976]

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first 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 9th meetings, between 5 and 22 October 1976.

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/31/23 (part III)), relating to the item.

4. The general debate on the item took place at the 4th to 7th meetings, on 8 and 12 October.

5. At the 8th meeting, on 20 October, the representatives of the Syrian Arab Republic, Mali and Benin introduced a draft resolution (A/C.4/31/L.1 and Corr.1) which was finally sponsored by the following Member States: Algeria, Benin, Burundi, Congo, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Iraq, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Republic, Madagascar, Mali, Mongolia, Mozambique, Nigeria, Rwanda, Senegal, Somalia, Sudan, Syrian Arab Republic, Togo, United Republic of Tanzania, Yemen and Zambia.

6. At its 9th meeting, on 22 October, the Fourth Committee rejected, by 86 votes to 32, with 13 abstentions, a proposal by the representative of Belgium that a separate vote be taken on the tenth preambular paragraph and on operative paragraph 6 of the draft resolution.

7. At the same meeting, the Fourth Committee adopted draft resolution A/C.4/31/L.1 and Corr.1 by a recorded vote of 102 to 9, with 19 abstentions (see para. 8 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Barbados, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic

Kampuchea, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, 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, Yemen, Yugoslavia, Zaire, Zambia.

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

Abstaining: Australia, Austria, Bahamas, Canada, Costa Rica, Denmark, El Salvador, Finland, Guatemala, Honduras, Iceland, Ireland, Japan, Malawi, New Zealand, Norway, Portugal, Spain, Sweden.

Recommendation of the Fourth Committee

8. 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 and 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/31/23 (part III)),

Taking into consideration the parts of the report of the United Nations Council for Namibia (A/31/24) relating to this question,

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,

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,

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 related to the item and that they have failed to implement, in particular, General Assembly resolutions 2621 (XXV) of 12 October 1970 and 3398 (XXX) of 21 November 1975, by which the Assembly called upon the colonial Powers and those Governments which had not yet done so to take legislative, administrative or other measures to put an end to enterprises in colonial Territories, particularly in Africa, which are owned by their nationals or by 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,

Deeply concerned at the growing investments of foreign capital in the production of uranium and military equipment and the extent of the nuclear and military collaboration between the racist minority régime of South Africa and some Western and other countries, in particular, France, the Federal Republic of Germany, Israel, the United Kingdom of Great Britain and Northern Ireland and

the United States of America, in providing the Pretoria régime with equipment and technology, which increases its nuclear and military capability and reflects the intensified support of foreign interests in South Africa's continued illegal occupation of Namibia, as well as South Africa's own growth as a nuclear and military Power,

Concerned also 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 unwillingness of administering Powers to restrict the sale of land to foreigners,

Conscious of the continued need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of the 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. *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;

3. *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;

4. *Condemns* the activities of foreign economic and other interests in the colonial Territories impeding 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;

5. *Condemns* the Governments which continue to support or collaborate with those foreign economic and other interests engaged in exploiting the natural and human resources of the Territories, thus violating the political, economic and social rights and interests of the indigenous peoples and obstructing the full and speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV) in respect of those Territories,

6. *Strongly condemns* the collaboration in both nuclear and military fields between the racist minority régime of

South Africa and all countries, in particular France, the Federal Republic of Germany, Israel, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which continue to supply this régime with nuclear and military equipment and technology, thus increasing its nuclear and military potential, and calls upon all Governments, in particular France, the Federal Republic of Germany, Israel, the United Kingdom and the United States, to refrain from extending facilities, directly or indirectly, to the racist minority régime of South Africa enabling it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

7. *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;

8. *Condemns* all Governments violating 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;

9. *Requests* all States to take effective measures to end the supply of funds and other forms of assistance, 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;

10. *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;

11. *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;

12. *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;

13. *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;

14. *Requests* the Secretary-General to undertake, through the Office of Public Information of the Secretariat, a sustained and wide publicity 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;

15. *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-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 55th plenary meeting, on 5 November 1976, the General Assembly, by a recorded vote of 93 to 9, with 19 abstentions, adopted the draft resolution submitted by the Fourth Committee in its report (A/31/301, para. 8). For the final text, see resolution 31/7.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining 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/31/22/Add.2 | Relations between Israel and South Africa: report of the Special Committee against <i>Apartheid</i> | Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 22A</i> (A/31/22/Add.1-3) |
| A/31/23 (part III) | 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) | <i>Idem</i> , <i>Supplement No. 23</i> (A/31/23/Rev.1), chap. IV |
| A/31/24 | Report of the United Nations Council for Namibia | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 24</i> |
| A/AC.109/540 | Resolution adopted by the Special Committee at its 1055th meeting, on 13 September 1976 | Mimeographed. For the printed text, see <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 23</i> (A/31/23/Rev.1), chap. IV, para. 9 |
| A/C.4/31/L.1 and Corr.1 | Draft resolution | For the sponsors and the text, see A/31/301, paras. 5 and 8 |

United Nations
**GENERAL
ASSEMBLY**

Official Records



Agenda items 88 and 12

ANNEXES

THIRTY-FIRST SESSION

NEW YORK, 1976

Agenda item 88: * 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 [A/31/3 (chapter VII, section E)] ***

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fourth Committee*, 10th to 25th meetings; and *ibid.*, *Plenary Meetings*, 82nd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda items 71 and 12), twenty-seventh session (items 68 and 12), twenty-eighth session (items 74 and 12), twenty-ninth session (items 69 and 12) and thirtieth session (items 91 and 12).

*** For the documentation on the other parts of the report of the Economic and Social Council, see the annex fascicle relating to agenda item 12.

DOCUMENT A/31/353

Report of the Fourth Committee

*[Original: English]
[26 November 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first session the following items:

“88. 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 88, together with chapter VII, section E, of the report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3), relating to the item.

3. At its 3rd meeting, on 5 October 1976, the Fourth Committee decided to hold a general debate covering agenda items 25, 84, 88 and 12, 89 and 90, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

4. The Fourth Committee considered items 88 and 12 at its 10th to 25th meetings, between 26 October and 15 November 1976.

5. At the 10th 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/31/23 (part V)), relating to item 88.

6. The Committee also had before it the following documents:

- (a) Reports of the Secretary-General relating to the items, submitted in pursuance of paragraph 12, subparagraphs (a) and (b), of General Assembly resolution 3421 (XXX) of 8 December 1975 (A/31/65 and Add.1-5 and A/31/238);

(b) Letter dated 1 September 1976 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the documents of the Fifth Conference of Heads of State or Government of Non-Aligned Countries (A/31/197).

7. At the 22nd meeting, on 11 November, the representative of the World Health Organization provided the Fourth Committee with information on the related activities of his organization to supplement that which was included in the above-mentioned report of the Secretary-General (A/31/65 and Add.1-5).

8. The general debate covering the agenda items referred to in paragraph 3 above took place at the 11th to 24th meetings, between 28 October and 12 November.

9. At the 22nd meeting, the representative of Bulgaria introduced a draft resolution (A/C.4/31/L.4), which was finally sponsored by the following Member States: Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iran, Iraq, Ivory Coast, Jamaica, Kenya, Lao People's Democratic Republic, Madagascar, Mali, Mongolia, Mozambique, Nepal, Niger, Nigeria, Poland, Portugal, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia.

10. At its 25th meeting, on 15 November, the Fourth Committee adopted draft resolution A/C.4/31/L.4 by a recorded vote of 124 to none, with 5 abstentions (see para. 11 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Swaziland, 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 Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: France, Germany, Federal Republic of, Malawi, United Kingdom of Great Britain and Northern Ireland, United States of America.

Recommendation of the Fourth Committee

11. 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 of the General Assembly and the Security Council,

Having examined the reports submitted on the item by the Secretary-General (A/31/65 and Add.1-5, A/31/238), the Economic and Social Council (A/31/3, 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/31/23 (part V)),

Taking into account the positions of the national liberation movements of the colonial Territories in Africa on this item, as explained to the Special Committee and to the *Ad Hoc* Group established by the Committee at its 1029th meeting on 1 April 1976 (see A/31/23/Add.1), which visited a number of African countries in May 1976, and conscious of the urgent and pressing need of the peoples concerned for concrete assistance from the specialized agencies and other organizations within the United Nations system,

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,

Noting with concern that, although progress has been maintained in the extension of assistance to refugees from the colonial Territories in Africa, the actions taken hitherto by the organizations concerned in the provision of as-

sistance to the peoples of the Territories through their national liberation movements continue to remain inadequate to meet the urgent needs of these peoples,

Noting with satisfaction the measures initiated by some of the specialized agencies and other organizations within the United Nations system, in particular the World Food Programme and the United Nations Development Programme, to provide assistance on a priority basis to the peoples of the Territories formerly administered by Portugal, and expressing its appreciation to the Secretary-General for the initiative he has taken in that regard,

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 United Nations 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/31/23 (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 the necessary moral and material assistance to the peoples of the colonial Territories and their national liberation movements;

3. *Expresses its appreciation* to those 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 and other relevant resolutions of the General Assembly;

4. *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 terms of the actual needs of the peoples concerned;

5. *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;

6. *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;

7. *Recommends* that the organizations concerned should initiate or broaden contacts and co-operation with the colonial peoples in consultation with the Organization of African Unity, review their procedures with respect to the formulation and 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);

8. *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 of 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 the legitimacy of the domination of the Territories by those régimes;

9. *Notes with satisfaction* the arrangements made by several specialized agencies and organizations 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 international institutions which have not yet done so to follow this example and to make the necessary arrangements without delay;

10. *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;

11. *Urges* the executive heads of the specialized agencies and other organizations within the United Nations system, having regard to the recommendations contained in paragraph 7 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;

12. *Requests* the Secretary-General:

(a) To prepare for submission to the relevant bodies concerned with related aspects of the present item, with the assistance of the specialized agencies and other organizations within the United Nations system, 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;

(b) 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 report thereon to the General Assembly at its thirty-second session;

13. *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;

14. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 82nd plenary meeting, on 29 November 1976, the General Assembly, by a recorded vote of 120 to none, with 5 abstentions, adopted the draft resolution submitted by the Fourth Committee in its report (A/31/353, para. 11). For the final text, see resolution 31/30.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda items 88 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/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/23 (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.</i> , <i>Supplement No. 23</i> (A/31/23/Rev.1), chap. VI |
| A/31/65 and Add.1-5 | Report of the Secretary-General | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General | Ditto |
| A/31/238 | Report of the Secretary-General | Ditto |
| A/C.4/31/L.4 | Draft resolution | For the sponsors and the text, see A/31/353, paras. 9 and 11 |



**Agenda item 89: * United Nations Educational and Training Programme for
Southern Africa: ** report of the Secretary-General**

C O N T E N T S

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| A/31/354 | Report of the Fourth Committee | 1 |
| | Action taken by the General Assembly | 2 |
| | Check list of documents | 2 |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fourth Committee*, 10th to 25th meetings; and *ibid.*, *Plenary Meetings*, 82nd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 72), twenty-seventh session (item 69), twenty-eighth session (item 75), twenty-ninth session (item 70) and thirtieth session (item 92).

DOCUMENT A/31/354

Report of the Fourth Committee

*[Original: English]
[26th November 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first 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".

2. At its 3rd meeting, on 5 October 1976, the Fourth Committee decided to hold a general debate covering agenda items 25, 84, 88 and 12, 89 and 90, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

3. The Fourth Committee considered item 89 at its 10th to 25th meetings, between 26 October and 15 November 1976.

4. The Committee had before it the report of the Secretary-General relating to the item (A/31/268).

5. The general debate covering the items referred to in paragraph 2 above took place at the 11th to 24th meetings, between 28 October and 12 November.

6. At the 19th meeting, on 9 November, the Chairman drew attention to a draft resolution on the item (A/C.4/31/L.2).

7. At the 23rd meeting, on 12 November, the representative of Canada introduced draft resolution A/C.4/31/L.2,

which was finally sponsored by the following Member States: Argentina, Australia, Austria, Brazil, Canada, Chad, Colombia, Denmark, Egypt, Ethiopia, Finland, France, Germany, Federal Republic of, Ghana, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Japan, Kenya, Lesotho, Malaysia, Mali, Mozambique, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Philippines, Portugal, Senegal, Sierra Leone, Somalia, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Venezuela, Zaire and Zambia.

8. At its 25th meeting, on 15 November, the Fourth Committee adopted draft resolution A/C.4/31/L.2 without objection (see para. 9 below).

Recommendation of the Fourth Committee

9. 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 3422 (XXX) of 8 December 1975,

Taking note of the report of the Secretary-General on the Programme for 1975/76 (A/31/268),

Taking note with satisfaction of the increase in contributions to the Programme which permitted the continuance in 1975/76 of a substantial level of assistance, in the form of individual awards, for the education of persons from the Territories concerned,

Recognizing however that, because of significant increases in the costs of educational and training awards, additional funds are essential if the Programme is to continue in operation at a satisfactory level,

Considering that the Programme has been a significant and worth-while effort of the international community, and that a continuation and expansion of the Programme is

desirable to meet the increased needs arising from recent developments in the Territories concerned,

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, particularly during this most important period.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 82nd plenary meeting, on 29 November 1976, the General Assembly adopted the draft resolution submitted by the Fourth Committee in its report (A/31/354, para. 9). For the final text, see resolution 31/31.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 89 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---------------------------------|---|
| A/31/268 | Report of the Secretary-General | Mimeographed |
| A/C.4/31/L.2 | Draft resolution | For the sponsors and the text, see A/31/354, paras. 7 and 9 |



**Agenda item 90: * 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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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fourth Committee*, 10th to 25th meetings, and *ibid.*, *Plenary Meetings*, 82nd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 73), twenty-seventh session (item 70), twenty-eighth session (item 76), twenty-ninth session (item 71) and thirtieth session (item 93).

DOCUMENT A/31/355

Report of the Fourth Committee

*[Original: English]
[26 November 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee (A/31/250), decided to include in the agenda of its thirty-first 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 3rd meeting, on 5 October 1976, the Fourth Committee decided to hold a general debate covering agenda items 25, 84, 88 and 12, 89 and 90, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.

3. The Fourth Committee considered item 90 at its 10th to 25th meetings, between 26 October and 15 November 1976.

4. The Committee had before it the report of the Secretary-General relating to the item (A/31/287).

5. The general debate covering the items referred to in paragraph 2 above took place at the 11th to 24th meetings, between 28 October and 12 November.

6. At the 24th meeting, on 12 November, the Chairman drew attention to a draft resolution (A/C.4/31/L.16), which was finally sponsored by the following Member States: Australia, Austria, Brazil, Canada, Congo, Egypt, Ethiopia, Greece, India, Indonesia, Iraq, Ivory Coast, Kenya, Liberia, Libyan Arab Republic, Mexico, Mozam-

bique, Nigeria, Norway, Pakistan, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, United Republic of Cameroon, United Republic of Tanzania, Yugoslavia and Zambia.

7. At its 25th meeting, on 15 November, the Fourth Committee adopted draft resolution A/C.4/31/L.16 without objection (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 3423 (XXX) of 8 December 1975,

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/31/287), 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-second 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 82nd plenary meeting, on 29 November 1976, the General Assembly adopted the draft resolution submitted by the Fourth Committee in its report (A/31/355, para. 8). For the final text, see resolution 31/32.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents pertaining to agenda item 90 which are not included in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---------------------------------|---|
| A/31/287 | Report of the Secretary-General | Mimeographed |
| A/C.4/31/L.16 | Draft resolution | For the sponsors and the text, see A/31/355, paras. 6 and 8 |



Agenda item 91:* Financial reports and accounts, and reports of the Board of Auditors:**

- (a) United Nations;
- (b) United Nations Development Programme;
- (c) United Nations Children's Fund;
- (d) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (e) United Nations Institute for Training and Research;
- (f) Voluntary funds administered by the United Nations High Commissioner for Refugees;
- (g) Fund of the United Nations Environment Programme;
- (h) United Nations Fund for Population Activities

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee*, 26th, 27th and 36th meetings; and *ibid.*, *Plenary Meetings*, 81st meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 74), twenty-seventh (item 71), twenty-eighth (item 77), twenty-ninth (item 72) and thirtieth (item 94).

DOCUMENT A/31/351

Report of the Fifth Committee

[Original: English]
[24 November 1976]

1. At its 26th and 27th meetings, on 9 and 10 November 1976, the Fifth Committee considered the financial reports and accounts for the year ended 31 December 1975 and the reports of the Board of Auditors concerning the United Nations (A/31/7 and Corr.1-3, vol. I), the International Trade Centre (*ibid.*, vol. II), the United Nations University (*ibid.*, vol. III), the United Nations Development Programme (A/31/7/Add.1), the United Nations Children's Fund (A/31/7/Add.2), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/31/7/Add.3 and Corr.1), the United Nations Institute for Training and Research (A/31/7/Add.4), the voluntary funds administered by the United Nations High Commissioner for Refugees (A/31/7/Add.5), the Fund of the United Nations Environment Programme (A/31/7/Add.6 and Corr.1) and the United Nations Fund for Population Activities (A/31/7/Add.7).

2. The report of the Advisory Committee on Administrative and Budgetary Questions covering nine sets of reports and accounts (A/31/140) and the report covering the United Nations Relief and Works Agency for Palestine

Refugees in the Near East (A/31/140/Add.1) were also before the Committee.

3. At the 26th meeting, the Chairman of the Board of Auditors orally introduced the reports mentioned in paragraph 1 above.

4. In so doing, the Chairman noted, *inter alia*, that the Board, for the first time, had in certain instances qualified its opinion in order to present to the General Assembly an accurate picture of the financial situation as at 31 December 1975, in keeping with internationally accepted accounting principles. The Board had also decided to set up a high-level Audit Operations Committee which would plan the audit work on a unified and integrated basis, review all audits, prepare reports in a consistent manner and establish common auditing standards. Moreover, it hoped to complete by 1978 an audit manual which would incorporate those auditing standards. The manual would also provide background information and guidelines which would assist developing countries in establishing their own audit systems. Finally, the Board, while continuing transaction

auditing, had decided to shift its emphasis to systems-based auditing. Under this new approach, in addition to identifying irregularities in financial transactions in the traditional way, the Board would immediately formulate recommendations to the officials concerned and check on their implementation.

5. At the same meeting, the Chairman of the Advisory Committee introduced the reports of the Advisory Committee (A/31/140 and Add.1). In so doing, he referred, *inter alia*, to the innovations which the Board of Auditors had decided to introduce and noted that the Advisory Committee had been given to understand by the Board that no additional expenditures were expected to arise with respect to those innovations, at least during the experimental period. The Advisory Committee intended to monitor developments in that area in the context of its annual meetings with the Board.

6. The comments made and reservations stated by delegations in the course of the discussion on the different reports, as well as the responses of the Chairman of the Board of Auditors and agency representatives to queries raised, are reflected in the summary records of the Fifth Committee (A/C.5/31/SR.26 and 27).

7. At its 26th and 27th meetings, the Fifth Committee adopted, without objection, 10 draft resolutions concerning the item (see para. 8 below, draft resolutions A to J).

Recommendations of the Fifth Committee

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

FINANCIAL REPORTS AND ACCOUNTS, AND REPORTS OF THE BOARD OF AUDITORS

A

United Nations

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations for the biennium 1974-1975 and the audit opinion of the Board of Auditors (A/31/7 and Corr.1-3, vol. I, chaps. I-III);

2. *Concurs* with the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, paras. 3-14);

3. *Requests* the Secretary-General to take such remedial action as may be required by the comments made by the Board of Auditors in its report (A/31/7 and Corr.1-3, vol. I, chap. IV).

B

International Trade Centre

The General Assembly

1. *Accepts* the financial reports and accounts of the International Trade Centre for the years 1974 and 1975

and the respective audit opinions of the Board of Auditors (*ibid.*, vol. II, chaps. I-VI);

2. *Concurs* with the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, paras. 15 and 16);

3. *Requests* the Secretary-General to take such remedial action as may be required by the comments made by the Board of Auditors in its report (A/31/7 and Corr.1-3, vol. II, chap. VII).

C

United Nations University

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations University for the biennium 1974-1975 and the audit opinion of the Board of Auditors (*ibid.*, vol. III, chaps. I-III);

2. *Concurs* with the comments of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, paras. 33 and 34);

3. *Requests* the Secretary-General to take such remedial action as may be required by the comments made by the Board of Auditors in its report (A/31/7 and Corr.1-3, vol. III, chap. IV).

D

United Nations Development Programme

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations Development Programme for the year ended 31 December 1975 and the audit opinion of the Board of Auditors (A/31/7/Add.1, chaps. I-III);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, paras. 17-20);

3. *Requests* the Administrator of the United Nations Development Programme to take such remedial action as may be required by the comments made by the Board of Auditors in its report (A/31/7/Add.1, chap. IV).

E

United Nations Children's Fund

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations Children's Fund for the year 1975 and the audit opinions of the Board of Auditors (A/31/7/Add.2, part one, chaps. I-III, and part two, chaps. I-III);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, paras. 21-24);

3. *Requests* the Executive Director of the United Nations Children's Fund to take such remedial action as may be required by the comments made by the Board of Auditors in its reports (A/31/7/Add.2, part one, chap. IV, and part two, chap. IV).

F

*United Nations Relief and Works Agency for
Palestine Refugees in the Near East*

The General Assembly

1. *Accepts* the accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the year ended 31 December 1975 and the audit opinion of the Board of Auditors (A/31/7/Add.3 and Corr.1, chap. I, paras. 11 and 12, and chap. II);

2. *Requests* the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to take such remedial action as may be required by the comments made by the Board of Auditors in its report (*ibid.*, chap. I, paras. 1-10).

G

United Nations Institute for Training and Research

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations Institute for Training and Research for the year ended 31 December 1975 and the audit opinion of the Board of Auditors (A/31/7/Add.4, chaps. I-III);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, paras. 25-27);

3. *Requests* the Executive Director of the United Nations Institute for Training and Research to take such remedial action as may be required by the comments made by the Board of Auditors in its report (A/31/7/Add.4, chap. IV).

H

*Voluntary funds administered by the United Nations
High Commissioner for Refugees*

The General Assembly

1. *Accepts* the accounts of the voluntary funds administered by the United Nations High Commissioner for

Refugees for the year ended 31 December 1975 and the audit opinion of the Board of Auditors (A/31/7/Add.5, chaps. I and II);

2. *Requests* the United Nations High Commissioner for Refugees to take such remedial action as may be required by the comments made by the Board of Auditors in its report (*ibid.*, chap. III).

I

Fund of the United Nations Environment Programme

The General Assembly

1. *Accepts* the financial report and accounts of the Fund of the United Nations Environment Programme for the year ended 31 December 1975 and the audit opinion of the Board of Auditors (A/31/7/Add.6 and Corr.1, chaps. I-IV);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, paras. 29-31);

3. *Requests* the Executive Director of the United Nations Environment Programme to take such remedial action as may be required by the comments made by the Board of Auditors in its report (A/31/7/Add.6 and Corr.1, chap. V).

J

United Nations Fund for Population Activities

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations Fund for Population Activities for the year ended 31 December 1975 and the audit opinion of the Board of Auditors (A/31/7/Add.7, chaps. I-III);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its report (A/31/140, para. 32);

3. *Requests* the Executive Director of the United Nations Fund for Population Activities to take such remedial action as may be required by the comments made by the Board of Auditors in its report (A/31/7/Add.7, chap. IV).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 81st plenary meeting, on 29 November 1976, the General Assembly adopted draft resolutions A to J submitted by the Fifth Committee in its report (A/31/351, para. 8). For the final text, see resolutions 31/22 A to J.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of 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/31/7 and Corr.1-3 | United Nations: financial report and accounts for the biennium 1974-1975 ended 31 December 1975 and report of the Board of Auditors (3 vols.) | <i>Official Records of the General Assembly, Thirty-first Session Supplement No. 7 and corrigenda</i> |
| A/31/7/Add.1 | United Nations Development Programme: financial report and accounts for the year ended 31 December 1975 and report of the Board of Auditors | <i>Ibid., Supplement No. 7A</i> |
| A/31/7/Add.2 | United Nations Children's Fund: financial report and accounts for the year 1975 and reports of the Board of Auditors | <i>Ibid., Supplement No. 7B</i> |
| A/31/7/Add.3 and Corr.1 | United Nations Relief and Works Agency for Palestine Refugees in the Near East: accounts for the year ended 31 December 1975 and report of the Board of Auditors | <i>Ibid., Supplement No. 7C and corrigendum</i> |
| A/31/7/Add.4 | United Nations Institute for Training and Research: financial report and accounts for the year ended 31 December 1975 and report of the Board of Auditors | <i>Ibid., Supplement No. 7D</i> |
| A/31/7/Add.5 | Voluntary funds administered by the United Nations High Commissioner for Refugees: accounts for the year ended 31 December 1975 and report of the Board of Auditors | <i>Ibid., Supplement No. 7E</i> |
| A/31/7/Add.6 and Corr.1 | Fund of the United Nations Environment Programme; financial report and accounts for the year ended 31 December 1975 and report of the Board of Auditors | <i>Ibid., Supplement No. 7F and corrigendum</i> |
| A/31/7/Add.7 | United Nations Fund for Population Activities: financial report and accounts for the year ended 31 December 1975 and report of the Board of Auditors | <i>Ibid., Supplement No. 7G</i> |
| A/31/140 and Add.1 | Report of the Advisory Committee on Administrative and Budgetary Questions | Mimeographed |
| A/C.5/31/L.20 | Draft report of the Fifth Committee | For the text of this document as amended by the Fifth Committee at its 36th meeting, see A/31/351 |



Agenda item 92:* Programme budget for the biennium 1976-1977**

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| A/31/341 | Implications of draft resolution C submitted by the Special Political Committee in document A/31/333 (agenda item 53): report of the Fifth Committee | 4 |
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| A/31/363 | Implications of draft resolutions IV and V and draft decision I submitted by the Second Committee in document A/31/338/Add.2 (agenda item 12): report of the Fifth Committee | 7 |
| A/31/366 | Implications of draft resolutions IX and XV submitted by the Fourth Committee in document A/31/362 (agenda item 25): report of the Fifth Committee | 8 |
| A/31/396 | Implications of the draft resolution contained in document A/31/L.4 (agenda item 30): report of the Fifth Committee | 9 |
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| A/31/421 | Implications of the draft resolution submitted by the First Committee in document A/31/371 (agenda item 34): report of the Fifth Committee | 13 |
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** This question, or that of the proposed biennial programme budget, was previously discussed by the General Assembly at the following sessions: twenty-eighth session (agenda item 79), twenty-ninth session (item 73) and thirtieth session (items 95 and 96).

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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 |
| ECLA | Economic Commission for Latin America |
| ECWA | Economic Commission for Western Asia |
| ESCAP | Economic and Social Commission for Asia and the Pacific |
| UNCTAD | United Nations Conference on Trade and Development |
| UNDP | United Nations Development Programme |
| UNEP | United Nations Environment Programme |
| UNICEF | United Nations Children's Fund |
| UNIDO | United Nations Industrial Development Organization |

Administrative and financial implications of proposals made during the session

DOCUMENT A/31/319

Implications of the draft resolution submitted by the First Committee in document A/31/285 (Agenda items 31 and 32)

Report of the Fifth Committee

[Original: English]
[4 November 1976]

1. At its 23rd meeting, on 4 November 1976, 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.5/31/36) on the administrative and financial implications of the

draft resolution submitted by the First Committee in its report (A/31/285, para. 14).

2. By operative paragraphs 1 and 9 of the draft resolution, the General Assembly would endorse the report of the Committee on the Peaceful Uses of Outer

Space¹ and also the United Nations programme on space applications for 1977, as referred to in paragraph 46 of that report. By operative paragraph 13 the Assembly would request the Secretary-General, in the light of paragraph 73 of the Committee's report, to consider strengthening the Outer Space Affairs Division of the Secretariat.

3. In his statement, the Secretary-General set forth in detail the activities planned for 1977 for the United Nations programme on space applications and estimated their total cost at \$100,000, an amount which could be met within available resources. As regards the possible strengthening of the Outer Space Affairs Division, the Secretary-General stated that he had continued to keep the situation under review but had not found it possible to strengthen the Division by redeployment from within

¹ Official Records of the General Assembly, Thirty-first Session, Supplement No. 20.

existing resources, and would continue to keep the situation under review, particularly in the context of the preparation of the programme budget for the biennium 1978-1979. Therefore, no additional appropriations for the biennium 1976-1977 were sought to implement the proposed resolution.

4. In an oral report to the Fifth Committee, the Chairman of the Advisory Committee stated that the adoption of the draft resolution in question would not give rise to additional appropriations for the programme budget for the biennium 1976-1977.

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, no additional appropriations would be required for the programme budget for the biennium 1976-1977.

DOCUMENT A/31/321

Implications of the draft resolution contained in document A/31/L.11

(Agenda item 52)

Report of the Fifth Committee

[Original: English]
[5 November 1976]

1. At its 24th meeting, on 5 November 1976, 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.5/31/42) on the administrative and financial implications of the draft resolution contained in document A/31/L.11, regarding the programme of work of the Special Committee against *Apartheid*.

2. In his statement, the Secretary-General estimated that the programme of work for 1977 of the Special Committee against *Apartheid* would require a total expenditure of \$156,100; having regard to the amount of \$99,100 available for 1977 within existing provisions, the adoption of the draft resolution would require an additional appropriation of \$57,000 under section 3A of the programme budget for the biennium 1976-1977.

3. In an oral statement, the Chairman of the Advisory Committee said that the main cost elements in the Secretary-General's statement arose in respect of missions to Governments of Member States and to the headquarters of specialized agencies (\$35,200) and of the holding of a world conference for action against *apartheid* (82,300). The latter amount had been arrived at on the assumption that the conference would be held in New York; as indicated, however, in paragraph 12 of the Secretary-General's statement, the conference would, in fact, be held elsewhere and the Advisory Committee was of the opinion that General Assembly resolution 2609 (XXIV) of 16 December 1969 should be fully complied with in that respect. As regards conference-servicing costs estimated at ap-

proximately \$25,000, the Secretary-General's representative had indicated that that amount should be provisionally deleted, to be considered at a later date in a consolidated statement of revised conference-servicing costs for 1977. Therefore, the Advisory Committee suggested that the additional requirements to be recommended at the current stage in respect of draft resolution A/31/L.11 amounted to \$32,000.

Decision of the Committee

4. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution A/31/L.11, an additional appropriation of \$32,000 would be required under section 3A of the programme budget for the biennium 1976-1977, and that conference-servicing requirements, provisionally estimated by the Secretary-General at approximately \$25,000, would be considered by the Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

* * *

5. One representative indicated that, had the decision been put to the vote, he would have voted against it. Another representative, while supporting the programme of work of the Special Committee against *Apartheid*, regretted that the Secretary-General had not found it possible to absorb the requirements within existing resources. Another representative reserved his position with respect to the provision for representation of the Special Committee at a certain meeting.

DOCUMENT A/31/321/ADD.1

Implications of the draft resolution contained in document A/31/L.10/Rev.1

(Agenda item 52)

Report of the Fifth Committee

[Original: English]
[8 November 1976]

1. At its 25th meeting, on 8 November 1976, 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.5/31/43) on the administrative and financial implications of the draft resolution contained in document A/31/L.10/Rev.1, regarding *apartheid* in sports.

2. In his statement, the Secretary-General informed the Committee that the implementation of the provision of operative paragraph 2 of the draft resolution, under which the General Assembly would decide to establish an *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports, would result in additional requirements of up to \$28,900 in conference-servicing costs. However, the Secretary-General was not requesting additional funds at the current stage but would, towards the close of the session, advise the General Assembly to what extent those costs could be absorbed within existing resources.

3. In an oral statement, the Chairman of the Advisory Committee said that the Committee had noted that no additional funds were requested at the current stage, and that conference-servicing requirements of approximately \$28,000 would be considered by the General Assembly at a later date in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

Decision of the Committee

4. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution A/31/L.10/Rev.1, no additional appropriation would be required at the current stage, and that conference-servicing requirements provisionally estimated at \$28,000 would be considered by the Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

DOCUMENT A/31/341

Implications of draft resolution C submitted by the Special Political Committee in document A/31/333

(Agenda item 53)

Report of the Fifth Committee

[Original: English]
[22 November 1976]

1. At its 34th meeting, on 22 November 1976, 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.5/31/53) on the administrative and financial implications of draft resolution C submitted by the Special Political Committee in its report (A/31/333, para. 17), regarding the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

2. In his statement, the Secretary-General informed the Committee that the draft resolution, by which the General Assembly would, *inter alia*, request the Working Group to continue its efforts for the financing of the Agency for a further period of one year and request the Secretary-General to provide the necessary services and assistance to the Working Group, would result in additional requirements of up to \$13,575 in conference-servicing costs.

3. A representative of the Secretary-General orally informed the Fifth Committee that, since the meetings

of the Working Group would be held as allowed by the 1977 calendar of conferences, the related conference-servicing costs would be absorbed within available resources.

4. In an oral statement, the Chairman of the Advisory Committee said that, while the Secretary-General's statement that conference-servicing costs could be absorbed constituted a departure from the procedure previously agreed to regarding conference-servicing requirements, the Committee took note of that statement and agreed therefore that the draft resolution had no financial implications.

Decision of the Committee

5. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution C of the Special Political Committee, no additional appropriation would be required.

DOCUMENT A/31/344**Implications of the draft resolution submitted by the Sixth Committee in document A/31/292****(Agenda item 107)****Report of the Fifth Committee***[Original: English]
[23 November 1976]*

1. At its 34th meeting, on 22 November 1976, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the statement of administrative and financial implications (A/C.5/31/44 and Corr.1) by the Secretary-General relating to the draft resolution submitted by the Sixth Committee in its report concerning the Conference of plenipotentiaries on succession of States in respect of treaties (A/31/292, para. 10). The Fifth Committee also had before it the related report of the Advisory Committee (A/31/8/Add.8).

2. In his statement, the Secretary-General estimated the total costs for the proposed conference, on the basis that it would be held at Geneva, at \$911,600, of which \$761,900 would comprise conference-servicing costs and \$149,700 other requirements. As regards the former, the statement indicated that it was not possible to determine at the current stage the extent to which the cost of conference-servicing staff could be absorbed from within existing resources; that determination would be made at a later date in a consolidated statement to be prepared towards the close of the current session of the General Assembly. Therefore, no appropriation was being requested at the current stage in respect of conference-servicing costs; nevertheless an additional appropriation under section 20 of the programme budget for the biennium 1976-1977 was being requested to cover requirements other than for conference servicing, in an amount of \$149,700.

3. The Chairman of the Advisory Committee, introducing the report of the Committee, recalled that at the thirtieth session of the General Assembly the costs for the conference had been estimated at \$476,000.² The difference between that figure and the current estimate was due to the extra cost attributable to the change of base, for costing purposes, from New York to Geneva (\$58,000), the provision of summary records (\$144,000), the addition of a sixth language (\$202,000), and the presence of an expert and of representatives of liberation movements (\$32,000). As regards the first factor, the Advisory Committee recalled that the use of Geneva as the base for costing was

² *Ibid.*, Thirtieth Session, Annexes, agenda item 96, document A/10494, para. 8.

based on paragraph 5 of General Assembly resolution 3350 (XXIX) of 18 December 1974 on the inclusion of Vienna in the pattern of conferences, and on the related comments of the Advisory Committee on that item.³

4. In the view of the Advisory Committee, the number of conference-servicing staff estimated by the Secretary-General could be somewhat reduced, with a consequential reduction in costs of \$125,000. A reduction of \$57,000 was also recommended by the Advisory Committee in respect of reproduction, editing and printing of documentation. Finally, a further reduction of \$5,000 was recommended in respect of travel and subsistence of staff and of representatives of liberation movements, particularly since it was not certain that all the representatives for whom provision had been made would actually travel to the Conference.

5. In summary, the recommendations of the Advisory Committee, rounded off to the nearest \$1,000, would reduce the amount foreseen for conference-servicing costs from \$761,900 to \$600,000 and that for other requirements from \$149,700 to \$125,000.

6. A summary of statements and observations made by delegations during the consideration of this matter by the Fifth Committee is contained in the summary record of the meeting (A/C.5/31/SR.34).

Decision of the Committee

7. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution of the Sixth Committee, an amount of \$125,000 would be required under section 20 of the programme budget for the biennium 1976-1977, and that conference-servicing costs not exceeding \$600,000 would be considered by the General Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977, it being understood that the Secretary-General would recapitulate the estimated conference costs of all the decisions taken during the year and indicate how much could be absorbed from within existing resources.

³ Document A/9795/Add.2 of 4 November 1974, para. 43.

DOCUMENT A/31/346**Implications of the draft resolution contained in document A/31/L.20****(Agenda item 27)****Report of the Fifth Committee***[Original: English]
[23 November 1976]*

1. At its 35th meeting, on 23 November 1976, 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.5/31/55) on the administrative and financial implications of the draft resolution contained in document A/31/L.20.

2. In his statement, the Secretary-General indicated that, should the draft resolution be adopted, an additional appropriation of \$60,000 would be required under section 1B of the programme budget for the biennium 1976-1977. Furthermore, an additional amount of \$14,200 for staff assessment would be required under section 25, offset by an increase in the same amount under income section 1.

3. The statement also indicated that adoption of the draft resolution would entail conference-servicing costs estimated at \$263,800. However, the Secretary-General would not request additional appropriations at the current stage in respect of those costs but would, towards the close of the session, advise the General Assembly to what extent they could be absorbed within existing resources.

4. In an oral statement, the Chairman of the Advisory Committee said that the Advisory Committee concurred with the estimates submitted by the Secretary-General.

5. A summary of the statements made by delegations during the consideration of this matter is contained in the relevant summary record of the meeting (A/C.5/31/SR.35).

Decision of the Committee

6. The Fifth Committee decided by 71 votes to 4, with 20 abstentions, to inform the General Assembly that, should it adopt draft resolution A/31/L.20, an amount of \$60,000 would be required under section 1B of the programme budget for the biennium 1976-1977; that, an additional amount of \$14,000 for staff assessment would be required under section 25, offset by an increase in the same amount under income section 1; and that conference-servicing costs not exceeding \$263,800 would be considered by the General Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

DOCUMENT A/31/350

Implications of the draft resolution submitted by the Sixth Committee in document A/31/347

(Agenda item 110)

Report of the Fifth Committee

*[Original: English]
[24 November 1976]*

1. At its 36th meeting, on 24 November 1976, 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.5/31/56) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in its report (A/31/347, para. 7).

2. Under the terms of the draft resolution, the General Assembly would:

(a) 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 in accordance with paragraphs 1 and 2 of General Assembly resolution 3499 (XXX);

(b) Request the Secretary-General to render all assistance to the Special Committee, including the preparation of summary records of its meetings;

(c) Request the Special Committee to submit a report on its work to the General Assembly at its thirty-second session.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$234,100 on a full-cost basis, covering the conference-servicing costs in respect of the Special Committee. The statement further indicated that as regards possible additional budgetary requirements, he would make a report to the Fifth Committee, at a later date, after evaluating the over-all pattern of conferences for 1977 in relation to existing resources, in a consolidated statement to be prepared towards the close of the current session of the General Assembly.

4. In an oral statement, the Chairman of the Advisory Committee said that, although the Secretary-General had informed him of some changes in conference requirements, that is, an increase in in-session typing from 79 work-days to 111 work-days and a decrease in the number of typists for summary records from 25 to 22, those changes would not lead to any significant change in budgetary requirements in view of the fact that the Special Committee would meet at Headquarters during a period when the requirements for conference servicing would not be at their peak. Therefore, in the view of the Advisory Committee, it would be possible to absorb the estimated costs of \$234,000 within existing resources.

5. One delegation stated that it would support the financial implications of the draft resolution, as it supported the draft resolution itself.

Decision of the Committee

6. The Fifth Committee decided, by 60 votes to 7, to inform the General Assembly that, should it adopt the draft resolution of the Sixth Committee, conference-servicing costs not exceeding \$234,000 would be considered by the General Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977, it being understood that the Secretary-General would recapitulate the estimated conference costs of all the decisions taken during the year and indicative how much could be absorbed from within existing resources.

DOCUMENT A/31/363

**Implications of draft resolutions IV and V and draft decision I submitted
by the Second Committee in document A/31/338/Add.2**

(Agenda item 12)

Report of the Fifth Committee

[Original: English]
[20 December 1976]

1. At its 53rd and 56th meetings, on 16 and 19 December 1976, 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.5/31/82, A/C.5/31/89 and A/C.5/31/88) on the administrative and financial implications of draft resolutions IV and V and draft decision I respectively, submitted by the Second Committee in its report (A/31/338/Add.2, paras. 50 and 51).

A. DRAFT RESOLUTION IV

2. Under the terms of operative paragraph 5 of draft resolution IV, the General Assembly would request the Secretary-General and the Interagency Task Force, with regard to the exchange of technological information, to continue their work in accordance with paragraph 6 of Assembly resolution 3507 (XXX) of 15 December 1975, including the preparation and publication of the pilot directory of United Nations information services⁴ and to submit further conclusions and recommendations on the establishment of a network for the exchange of technological information to the Assembly at its thirty-second session.

3. In his statement (A/C.5/31/82), the Secretary-General estimated that, should the General Assembly adopt draft resolution IV, an additional appropriation in the amount of \$17,600 for the convening of meetings of the Task Force during 1977 would be required under section 5A of the programme budget for the biennium 1976-1977.

4. In an oral statement, the Chairman of the Advisory Committee said that the Advisory Committee recommended that the \$17,600 be absorbed within the resources already approved for the Department of Economic and Social Affairs.

Decision of the Committee

5. At its 53rd meeting, the Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution IV of the Second Committee, no additional appropriation would be required under section 5A of the programme budget for the biennium 1976-1977.

B. DRAFT RESOLUTION V

6. Under the terms of operative paragraph 1 of draft resolution V, the General Assembly would endorse Economic and Social Council resolutions 2028 (LXI) and 2035 (LXI) which relate to the convening of and the preparatory period for the United Nations Conference on Science and Technology for Development.

7. By paragraph 2, the General Assembly would decide to convene the Conference during 1979, in time for the General Assembly to take action at its thirty-

fourth session in the light of the results of the Conference.

8. By paragraph 4, the Secretary-General would be requested to appoint a Secretary-General of the Conference at the earliest possible time, the appointment to be made at the level of Under-Secretary-General.

9. By paragraph 5, the General Assembly would decide that the Committee on Science and Technology for Development should act as the Preparatory Committee for the Conference, open to the participation of all States, and that the Preparatory Committee should hold its first session early in 1977 and submit its report to the General Assembly at its thirty-second session through the Economic and Social Council.

10. By paragraph 8, the General Assembly would decide to take a final decision on the question of the site of the Conference at its thirty-second session.

11. In his statement (A/C.5/31/89), the Secretary-General estimated the financial implications of the draft resolution for 1977 at \$1,289,400. Of that amount, \$212,900 would be for conference-servicing costs.

12. The extent to which the costs of conference-servicing staff might be absorbed from within resources already allocated would be shown in the consolidated statement of conference costs and any appropriation required for the Conference would be included in that paper. Accordingly, the Secretary-General indicated that an appropriation was being requested currently to cover only the balance of the requirements in a total amount of \$1,076,500, broken down by section as follows:

| | <i>US dollars</i> |
|--|-------------------|
| Section 4. Policy-making organs (economic and social activities) | 597 300 |
| Section 7. ESCAP | 122 300 |
| Section 8. ECLA | 114 600 |
| Section 9. ECA | 127 500 |
| Section 10. ECWA | 114 800 |

13. In paragraph 36 of his statement, the Secretary-General also declared that any additional financial requirements for the Conference for 1977 would be dealt with under the provisions for unforeseen and extraordinary expenditures and submitted to the Advisory Committee at its spring session. Should requirements on the other hand be less than currently envisaged, the Advisory Committee would be informed accordingly.

14. The Chairman of the Advisory Committee, introducing the report of that Committee (A/31/8/Add.21) at the 56th meeting of the Fifth Committee, stated that, in the Advisory Committee's opinion, a request of the magnitude and complexity of the one in the Secretary-General's statement called for particularly careful scrutiny. Such scrutiny could not be given in advance of the finalization of the programme of work for 1977 at the January 1977 session of the Committee.

⁴ See document E/5839 of 14 June 1976, para. 76 (a).

on Science and Technology for Development. In the circumstances, and bearing in mind the Secretary-General's own reservations in paragraph 36 of his statement (see para. 13 above), the Advisory Committee concluded that it would confine its examination at the current stage to the requirements for the first five months of 1977 and that it would return to the question at the beginning of its spring 1977 session under the provisions of General Assembly resolution 3540 (XXX) of 17 December 1975 on unforeseen and extraordinary expenses for the biennium 1976-1977. On that understanding, the Advisory Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt the draft resolution of the Second Committee, an additional appropriation of \$363,000 gross (\$323,000 net) would be required at the current stage under sections 4, 7 to 10 and 25—the amount under section 25 being offset by a corresponding increase under income section 1—in the programme budget for the biennium 1976-1977, and that the Assembly should authorize the Secretary-General to enter into commitments, with the prior concurrence of the Advisory Committee, initially under the terms of resolution 3540 (XXX) on unforeseen and extraordinary expenses for the biennium 1976-1977, for such additional requirements as might arise in 1977. The amount of \$363,000 gross would exclude conference-servicing costs (\$212,900), which would be reviewed in the light of available resources and would be covered in the consolidated statement of conference costs.

Decision of the Committee

15. At its 56th meeting, on 19 December 1976, the Fifth Committee decided, by 63 votes to 9, to inform the General Assembly that, should it adopt draft resolution V of the Second Committee, net additional appropriations in the amount of \$323,000 would be required in the programme budget for 1976-1977, broken down by section as follows:

| | <i>US dollars</i> |
|--|-------------------|
| Section 4. Policy-making organs (economic and social activities) | 232 000 |
| Section 7. ESCAP | 23 000 |

| | <i>US dollars</i> |
|--|-------------------|
| Section 8. ECLA | 22 000 |
| Section 9. ECA | 24 000 |
| Section 10. ECWA | 22 000 |
| Section 25. Staff assessment | 40 000 |
| TOTAL (gross) | 363 000 |
| Income section 1. Income from staff assessment | 40 000 |
| TOTAL (net) | 323 000 |

C. DRAFT DECISION I

16. Under the terms of draft decision I, the Second Committee recommended that the General Assembly, recalling Economic and Social Council resolution 1982 (LX) of 19 April 1976 entitled "Participation in the United Nations Water Conference", should decide to include Arabic as an official language of the United Nations Water Conference.

17. In his statement (A/C.5/31/88), the Secretary-General indicated that the full cost of the proposal in draft decision I would amount to \$59,900, but that no appropriation would be requested pending the issuance of the consolidated statement of conference costs.

18. In an oral statement, the Chairman of the Advisory Committee noted that the costs connected with draft decision I would be included in the consolidated statement on the cost of conference servicing to be submitted by the Secretary-General.

Decision of the Committee

19. At its 53rd meeting, the Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft decision I of the Second Committee, conference-servicing costs not exceeding \$59,900 would be considered by the General Assembly in the context of its consideration of the total requirements for the revised calendar of conferences in 1977.

DOCUMENT A/31/366

Implications of draft resolutions IX and XV submitted by the Fourth Committee in document A/31/362

(Agenda item 25)

Report of the Fifth Committee

[Original: English]
[30 November 1976]

1. At its 39th meeting, on 30 November 1976, 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.5/31/52 and A/C.5/31/59) on the administrative and financial implications of draft resolutions IX and XV submitted by the Fourth Committee in its report (A/31/362, para. 71).

A. DRAFT RESOLUTION IX

2. In his statement (A/C.5/31/52) on the implications of draft resolution IX, concerning the question of the Secretary-General indicated that imple-

menting the provisions of operative paragraph 8 of the draft resolution, by which the General Assembly would, among other things, 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 to the Territory as soon as possible a visiting mission, would result in additional requirements of \$34,000.

3. In an oral statement, the Chairman of the Advisory Committee said that the General Assembly had appropriated \$701,600 for the programme of work of the Special Committee for the biennium 1976-1977, of which \$358,100 was for 1976. The Advisory Com-

mittee had been informed by a representative of the Secretary-General that obligations and expenditures incurred in respect of the Special Committee's activities in 1976 amounted to \$126,300, leaving an amount of \$231,800 which the Secretary-General intended to surrender, indicating that in his progress report. Since an amount of \$343,500 remained for 1977, and the programme of work of the Special Committee was determined annually, the requirements arising from the adoption of the draft resolution should be met from the resources already appropriated by the General Assembly for the Special Committee for 1977. Should requirements to implement the programme of work of the Special Committee in 1977 exceed the amount approved, the Secretary-General would so advise the Assembly at its thirty-second session in his performance report on the programme budget. Therefore, the Advisory Committee recommended that no additional funds be appropriated at the current stage.

Decision of the Committee

4. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution IX of the Fourth Committee, no additional appropriation would be required.

B. DRAFT RESOLUTION XV

5. In his statement (A/C.5/31/59) on the implications of draft resolution XV, concerning the question of French Somaliland, the Secretary-General informed the Committee that implementing the provisions of operative paragraph 14 of the draft resolution, by which the General Assembly would provide for the sending of representatives to observe the referendum and all subsequent stages of the independence process, would involve additional requirements amounting to \$127,200.

6. In an oral statement, the Chairman of the Advisory Committee said that, after having inquired into

the various assumptions on which the Secretary-General based his estimate, the Advisory Committee had concluded that the provision for Secretariat staff on the various visits could be reduced. Accordingly, the Advisory Committee invited the Secretary-General to review his requirements with regard to Secretariat staff to ensure that provision was made for optimum requirements to render the various visits effective. In particular, the Advisory Committee felt that the number of Secretariat staff members—20 in all—to observe the elections could be reduced. Therefore, the Advisory Committee considered that an amount of \$80,000 should be recommended for approval in respect of the draft resolution.

7. One delegation recalled the position it had taken on the matter during the proceedings in the Fourth Committee, and indicated that it would abstain in the vote on the financial implications of the draft resolution. In the opinion of that delegation the number of observers, the duration of their visits and, in some cases, the reason itself for the visits were questionable or unacceptable.

8. In response to a question by another delegation, the representative of the Secretary-General said that the Organization, in at least four recent cases, had paid travel and subsistence expenses for the representatives of the Secretary-General who had been invited to attend independence celebrations.

Decision of the Committee

9. The Fifth Committee decided, by 74 votes to none, with 10 abstentions, to inform the General Assembly that, should it adopt draft resolution XV of the Fourth Committee, an additional appropriation of \$80,000 would be required under section 2D of the programme budget for the biennium 1976-1977.

DOCUMENT A/31/396*

Implications of the draft resolution contained in document A/31/L.4

(Agenda item 30)

Report of the Fifth Committee

*[Original: English]
[9 December 1976]*

1. At its 44th meeting, on 8 December 1976, 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.5/31/50) on the administrative and financial implications of the draft resolution contained in document A/31/L.4.

2. Under the terms of the draft resolution, the General Assembly would:

(a) Approve the convening of the sixth session of the Third United Nations Conference on the Law of the Sea in New York for the period from 23 May to 8 July 1977 with a possible extension to 15 July should the Conference so decide;

(b) Authorize the Secretary-General to make available, as appropriate, the necessary facilities for private

consultations between sessions among Governments and delegations;

(c) Further authorize the Secretary-General to continue to make the necessary arrangements originally provided under paragraph 9 of General Assembly resolution 3067 (XXVIII) of 16 November 1973 for the efficient and continuous servicing of the Conference in 1977 and of subsequent activities as may be decided upon by the Conference, as well as to take appropriate measures to ensure stability and continuity for the secretariat personnel recruited for the Conference;

(d) Recall that it noted, in paragraph 4 of its resolution 3334 (XXIX) of 17 December 1974, the decision of the Conference to accept the invitation of the Government of Venezuela to meet at Caracas at an appropriate date for the purpose of signing the Final Act and related instruments adopted by the Conference,

* Incorporating document A/31/396/Corr.1 of 10 December 1976.

and authorized the Secretary-General to make the necessary arrangements to that end.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$4,093,400, comprising \$2,565,100 for direct conference-servicing costs and \$1,528,300 for other costs. Regarding the former amount, he indicated, in paragraph 15 of his statement, that those costs would be reviewed at the end of the current session of the General Assembly and an indication furnished of how much could be absorbed from within available resources in the light of the over-all pattern of conferences for 1977 and how much would be required in net additional appropriations. The statement also indicated that, in the case of the Conference on the Law of the Sea, the estimates would take into account the actual level of servicing which had been required at the fourth and the fifth sessions.

4. Therefore, an additional appropriation was requested at the current stage to cover costs, other than for direct conference servicing, in an amount of \$1,528,300, consisting of \$1,041,700 for the maintenance of the secretariat of the Conference, \$87,600 for travel and subsistence of staff to service meetings of UNICEF and of the Committee on Natural Resources, as those bodies would have to meet at Geneva instead of in New York, and \$399,000 for other costs for the sixth session.

5. The Chairman of the Advisory Committee, introducing the report of that Committee (A/31/8/Add.11), stated that, although manpower requirements were based on the pattern of meetings indicated in paragraph 4 of document A/C.5/31/50, the Advisory Committee understood that that pattern had not been followed at recent sessions of the Conference and that recruitment of conference-servicing staff for those sessions had reflected actual requirements. It trusted that the same approach would be followed at the sixth session as well.

6. The Chairman of the Advisory Committee also advised that, should the Conference find it necessary to extend the sixth session by one week, the related additional costs should be considered under General Assembly resolution 3540 (XXX) of 17 December 1975 on unforeseen and extraordinary expenses for the biennium 1976-1977.

7. The Advisory Committee had no objection to the maintenance in 1977 of the secretariat of the Conference at its current strength, including reclassification of 2 posts from P-2/1 to P-3, and of 1 post from G-4 to G-5, as proposed in paragraph 13 (b) of the Secretary-General's statement. In response to the suggestion made by the Secretary-General, in paragraph 12 of his statement, that the secretariat of the Conference be budgeted for a period of two years rather than one year, as had been the case so far, and that the necessary provision for 1978 be included in the programme budget for the biennium 1978-1979, the Advisory Committee stated that the intent of the Secretary-General's suggestion was not clear, since the approach suggested would have no impact on the stability and continuity of the secretariat of the Conference; the Advisory Committee felt that the latter could best be achieved by appropriate action by the Secretary-General under the Staff Rules and Staff Regulations of the United Nations.

8. As regards the amount of \$399,000 included in "other costs", in view of the actual experience of print-

ing summary records at the fourth and fifth sessions, for which an amount of \$225,000 was estimated for the sixth session, and also in view of possible economies in other areas, the Advisory Committee recommended that the estimate should be reduced by \$100,000 to \$299,000.

9. With regard to the amount of \$87,600 relating to the travel and subsistence of substantive staff to travel from New York to Geneva to service meetings of UNICEF and the Committee on Natural Resources, the Advisory Committee pointed out that savings to offset that would occur due to the cancellation of travel to New York by Geneva-based officials, and recommended a reduction by \$5,600 to \$82,000, subject to the decisions of the Committee on Conferences on the venue of the meetings concerned.

10. In summary, the recommendations of the Advisory Committee would reduce the amount foreseen for conference-servicing costs from \$2,565,000 to \$2,500,000, and the additional appropriations needed at the current stage from \$1,440,700 to \$1,341,000 under section 2 and from \$87,600 to \$82,000, under section 4.

11. Finally, as regards the financial assessment of non-member States participating in the Conference, which had been raised in paragraphs 17 to 19 of the Secretary-General's statement, the Advisory Committee was of the opinion that the provisions of regulation 5.9 of the Financial Regulations of the United Nations, as amended by General Assembly resolution 3371 B (XXX) of 30 October 1975, applied to the Third Conference on the Law of the Sea for, if the Assembly had wished to make exceptions to the regulation, it would have so specified in resolution 3371 B (XXX).

12. One delegation stated that any additional cost for the Conference for 1977 which had not been budgeted for in the programme budget for the biennium 1976-1977 should be absorbed by reapportionment of the existing resources, and expressed its regret that the Secretary-General had not tried to do so, nor had the Advisory Committee drawn the attention of the Secretary-General to that point. In the opinion of that delegation, the Secretary-General's statement assumed that the secretariat would play a central role in the implementation of the Final Act when adopted, whereas it was for the General Assembly and the Conference itself to decide the kind of role that the secretariat should play in that regard.

13. In response to a question by one delegation, the Director of the Budget Division stated that paragraph 3 of draft resolution A/31/L.4 was understood as requesting the Secretary-General specifically to provide the necessary facilities for private consultations, as an exception, therefore, to the general rules governing informal consultations recommended by the Committee on Conferences in paragraph 82 and in recommendation 3 of paragraph 118 of its report to the General Assembly.⁵

14. In response to another question regarding the continuity and stability of the secretariat of the Conference, the Special Representative of the Secretary-General to the United Nations Conference on the Law of the Sea indicated that recommendations would be made in order to ensure a two-year duration of the contracts of personnel in that secretariat.

⁵ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 32.*

15. Replying to a question raised by another delegation concerning consultants, the Special Representative of the Secretary-General to the Conference stated that it had been necessary over the years to make provision for consultants and that, as long as there was a possibility that the Conference would require special expertise, especially at the final stages of the Conference, it would be necessary to request resources for that purpose.

Decision of the Committee

16. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution A/31/L.4, additional appropriations in the amount of \$1,341,000 under section 2 and \$82,000 under section 4 of the programme budget for the biennium 1976-1977 would be required. Furthermore, an additional amount of \$200,000 would be re-

quired under section 25 (Staff assessment), offset by an increase in the same amount under income section 1. Conference-servicing costs not exceeding \$2,500,000 would be considered by the General Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

Recommendation of the Fifth Committee

17. The Fifth Committee decided, without objection, to recommend to the General Assembly that the provisions of regulation 5.9 of the Financial Regulations of the United Nations, as amended by the General Assembly in resolution 3371 B (XXX) of 30 October 1975, be applied to the Third United Nations Conference on the Law of the Sea with regard to the financial assessment of non-member States participating in the Conference.

DOCUMENT A/31/402

**Implications of draft resolutions I and III submitted by the Sixth Committee
in document A/31/390**

(Agenda item 108)

Report of the Fifth Committee

[Original: English]
[14 December 1976]

A. DRAFT RESOLUTION I

1. At its 50th meeting, on 14 December 1976, 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.5/31/84) on the administrative and financial implications of draft resolution I submitted by the Sixth Committee in its report (A/31/390, para. 49).

2. Under the terms of the draft resolution, the General Assembly would request the Secretary-General to arrange for the widest possible distribution of the Arbitration Rules of the United Nations Commission on International Trade Law.⁶

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$8,400, which would cover the printing costs of the Arbitration Rules. The distribution of the booklet would be carried out by the Distribution Section of the Department of Conference Services and through information centres, and the cost absorbed within available resources.

4. Therefore, an additional appropriation of \$8,400 was being requested under section 20 of the programme budget for the biennium 1976-1977.

5. The Chairman of the Advisory Committee stated that, in the Advisory Committee's opinion, the amount of \$8,400 requested by the Secretary-General should be absorbed from within existing resources and, consequently, no appropriation would be required for the biennium 1976-1977.

Decision of the Committee

6. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution I of the Sixth Committee, no additional appropriation would be required for the programme budget for the biennium 1976-1977.

B. DRAFT RESOLUTION III

7. At its 50 meeting, the Fifth Committee also considered a statement by the Secretary-General (A/C.5/31/83) on the administrative and financial implications of draft resolution III submitted by the Sixth Committee in its report (A/31/390, para. 49).

8. Under the terms of the draft resolution, the General Assembly would:

(a) Decide that an international conference of plenipotentiaries should be convened in 1978 in New York, or at any other suitable place for which the Secretary-General might receive an invitation;

(b) Request the Secretary-General to arrange for the preparation of summary records of the proceedings of the plenary meetings of the conference and of meetings of committees of the whole which the conference might wish to establish;

(c) Further request the Secretary-General to invite representatives of national liberation movements recognized in its region by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974.

9. In his statement, the Secretary-General estimated the financial implications of the draft resolution at

⁶ *Ibid.*, Supplement No. 17, chap. V, sect. C.

\$646,400, which would cover the conference-servicing costs in respect of the proposed United Nations conference on the carriage of goods by sea. It was indicated that, since the conference was scheduled to be held in 1978, no additional requirements were needed for the biennium 1976-1977.

10. The Chairman of the Advisory Committee orally stated that the draft resolution would not require any additional appropriations for the biennium 1976-1977, and that the appropriations required for servicing the proposed conference would be considered

in the context of the programme budget for the biennium 1978-1979.

Decision of the Committee

11. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution III of the Sixth Committee, no additional appropriation would be required for the programme budget for the biennium 1976-1977. Conference-servicing costs with regard to an international conference of plenipotentiaries would be considered in the context of the programme budget for the biennium 1978-1979.

DOCUMENT A/31/404

Implications of draft resolution II submitted by the Third Committee in document A/31/273 (Agenda item 69)

Report of the Fifth Committee

*[Original: English]
[10 December 1976]*

1. At its 45th meeting, on 9 December 1976, the Fifth Committee, in accordance with rule 153 of the rules of procedure of the General Assembly, considered the question of the administrative and financial implications of draft resolution II submitted by the Third Committee in its report (A/31/273, para. 17).

2. Under the terms of that draft resolution, the General Assembly would welcome again the offer of the Government of Ghana to act as host to the World Conference to Combat Racism and Racial Discrimination, would decide to make exception to its resolution 2609 (XXIV) of 16 December 1969 on the pattern of conferences, and would agree that half of the additional cost involved in holding the Conference in Ghana should be defrayed from the regular budget of the United Nations.

3. Paragraph 10 of resolution 2609 (XXIV) states that:

“... United Nations bodies may hold sessions away from their established headquarters when a Government issuing an invitation for a session to be held within its territory has agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional costs directly or indirectly involved;”.

4. For its consideration of the question, the Committee had before it a statement of financial implications by the Secretary-General (A/C.5/31/61) in which he indicated that paragraph 10 of resolution 2609 (XXIV) had in practice been interpreted to mean that the host Government would provide all local services connected with the conference as well as pay for the additional costs incurred by the United Nations as a result of the decision to hold the conference away from the established headquarters of the organization in question. The Secretary-General assumed, therefore, that all local services connected with the Conference would be provided by the Government of Ghana without cost to the United Nations and that the exception to General Assembly resolution 2609 (XXIV) provided for by the

costs which would be incurred by the United Nations. Consequently, he estimated that the adoption of the proposed resolution would require that an amount currently estimated at \$222,600 (or \$255,500 should Arabic language services be provided) be defrayed from the regular budget of the United Nations for the biennium 1978-1979, an equal amount being contributed by the Government of Ghana. In the meantime, the Secretary-General requested an appropriation of \$3,800 under section 18 of the programme budget for the biennium 1976-1977 to cover half of the cost of two planning visits which it was proposed should be undertaken in 1976 and 1977.

5. The Chairman of the Advisory Committee introduced the report of that Committee (A/31/8/Add.13).

6. In its report, the Advisory Committee, after noting the Secretary-General's interpretation of paragraph 10 of resolution 2609 (XXIV), stated that the representatives of the Secretary-General had not been in a position to confirm to the Advisory Committee that a firm agreement had been reached with the Government of Ghana on the definition and extent of the “additional costs” to be shared. Furthermore, in view of the fact that decisions regarding the basic nature and character of the Conference had not yet been reached or even discussed by a preparatory committee which had not yet met, the Advisory Committee considered that the elements put forward by the Secretary-General in the annex to his statement were tentative. Consequently, the Advisory Committee was not in a position to make a reasonable assessment of the estimates in the Secretary-General's statement. The Advisory Committee, therefore, recommended that the appropriation requested by the Secretary-General should be met from available resources and that no additional appropriation would be required for the programme budget for 1976-1977.

7. One representative requested that note be taken of the fact that his delegation and several others wished to request that Arabic be included among the languages

of the Conference and that they would be prepared to take action in that regard if necessary.

8. Comments made and reservations stated by delegations during the consideration of this question are contained in the relevant summary record of the meeting (A/C.5/31/SR.45).

Decision of the Committee

9. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution II of the Third Committee, no additional appropriation would be required for the programme budget for the biennium 1976-1977.

DOCUMENT A/31/421

Implications of the draft resolution submitted by the First Committee in document A/31/371 (Agenda item 34)

Report of the Fifth Committee

*[Original: English]
[13 December 1976]*

1. At its 47th meeting, on 13 December 1976, 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.5/31/64) on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/31/371, para. 8). It also had before it the related report of the Advisory Committee (A/31/8/Add.14, paras. 5-8).

2. In his statement, the Secretary-General estimated that the cost of printing a report, as requested, in six languages (Arabic, Chinese, English, French, Russian and Spanish) would amount to \$12,000. It was further estimated that an amount of \$62,400 would be required under section 2C of the programme budget for the biennium 1976-1977 to provide for the travel and subsistence of 12 experts and the fees, travel and subsistence of consultants to analyse the comments of Member States on that report.

3. In its report, the Advisory Committee noted that the report submitted in 1976 by the Group of Experts on the Reduction of Military Budgets⁷ was prepared by 10 experts. It therefore recommended that the travel and subsistence of experts be calculated on the basis of the same number as in 1976, thereby resulting in a reduction of \$8,100 in the amount requested by the Secretary-General. The Advisory Committee further

stated that, since the report called for under operative paragraph 4 of the draft resolution was to be an analysis of government comments on the previous report and not a study of a new subject, it was not convinced that there was a need to engage consultants to help prepare the report; accordingly, the Committee recommended that the provision for consultants (\$7,400) be deleted. Inasmuch as the expert group was scheduled to meet at Geneva at a time when several staff members of the Department of Political and Security Council Affairs would be there in connexion with the Conference of the Committee on Disarmament and other meetings, the Advisory Committee recommended that the number of substantive staff sent for the meeting of the expert group be reduced to one, with a consequential saving of \$3,200 in travel and subsistence. Thus, the total reduction recommended by the Advisory Committee amounted to \$19,000 (to the nearest \$1,000).

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 First Committee, an additional appropriation of \$56,000 would be required under section 2C of the programme budget for the biennium 1976-1977, and that conference-servicing costs not exceeding \$143,000 would be dealt with in the context of its consideration of the total requirements for the revised calendar of conferences for 1977.

⁷ See document A/31/222 of 22 October 1976.

DOCUMENT A/31/422

Implications of the draft resolution submitted by the First Committee in document A/31/376 (Agenda item 39)

Report of the Fifth Committee

*[Original: English]
[13 December 1976]*

1. At its 47th meeting, on 13 December 1976, 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.5/31/63) on the administrative and financial implications of the

draft resolution submitted by the First Committee in its report (A/31/376, para. 8).

2. Under the terms of the draft resolution, the General Assembly would:

(a) Request the *Ad Hoc* Committee on the Indian Ocean and the littoral and hinterland States of the Indian Ocean to continue their consultations with a view to formulating a programme of action leading to the convening of a conference on the Indian Ocean;

(b) Request the *Ad Hoc* Committee to continue its work and consultations in accordance with its mandate and to submit to the General Assembly at its thirty-second session a report on its work;

(c) Request the Secretary-General to continue to render all necessary assistance to the *Ad Hoc* Committee, including the provision of summary records.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$34,300 on a full-cost basis covering the conference-servicing costs in respect of the *Ad Hoc* Committee on the Indian Ocean. The statement further indicated that those 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 1977 and how much would be required in net additional appropriations for the biennium 1976-1977.

4. The Chairman of the Advisory Committee, introducing the report of that Committee (A/31/8/Add.14, paras. 2-4), stated that the Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt the draft resolution, documentation and conference services would need to be provided at a cost not exceeding \$34,000, 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, conference-servicing costs not exceeding \$34,000 would be considered by the Assembly in the context of its consideration of the total requirements for the revised calendar of conferences for 1977.

DOCUMENT A/31/423

Implications of draft resolution B submitted by the First Committee in document A/31/386

(Agenda item 49)

Report of the Fifth Committee

[Original: English]
[13 December 1976]

1. At its 47th meeting, on 13 December 1976, 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.5/31/68) on the administrative and financial implications of draft resolution B submitted by the First Committee in its report (A/31/386, para. 16).

2. Under the terms of the draft resolution, the General Assembly would:

(a) Decide to convene a special session of the General Assembly devoted to disarmament, to be held in New York in May/June 1978;

(b) Further decide to establish a preparatory committee for the special session of the General Assembly devoted to disarmament, composed of 54 Member States appointed by the President of the Assembly on the basis of equitable geographical distribution, with the mandate of examining all relevant questions relating to the special session, including its agenda, and to submit to the Assembly at its thirty-second session appropriate recommendations thereon;

(c) Request the Secretary-General to transmit the replies of Member States to the preparatory committee and to render it all necessary assistance, including the provision of essential background information, relevant documents and summary records;

(d) Request the preparatory committee to meet for a short organizational session not longer than one week, before 31 March 1977, *inter alia* to set the dates for its substantive sessions.

3. In his statement, the Secretary-General estimated the requirements for 1977 at \$90,000 for consultants

and \$202,800 in conference-servicing costs for the preparatory committee for the special session of the General Assembly devoted to disarmament. As regards the latter amount, he indicated that those 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 stating how much could be absorbed from within existing resources in the light of the over-all pattern of conferences for 1977, and how much would be required in net additional appropriations for the biennium 1976-1977. Therefore, only the amount of \$90,000 was being requested at the current stage.

4. As regards the special session of the General Assembly devoted to disarmament, the Secretary-General provided estimates of conference-servicing costs for one week for plenary meetings and for meetings of a Main Committee, as indicative of orders of magnitude. He added that a statement of financial implications for the proposed special session would be submitted to the Assembly at its thirty-second session, taking into consideration the recommendations and observations of the preparatory committee.

5. The Chairman of the Advisory Committee, introducing the report of that Committee (A/31/8/Add.14, paras. 25-30), stated that, in the Committee's opinion, the provision of essential background information, for which the Secretary-General requested \$90,000 for consultants, would appear to relate to work more in the nature of compilation than of original research, and that the Committee was not convinced that it would require much expertise that was not already available within the Secretariat. The Advisory Committee ac-

cordingly recommended that the estimate for consultants be reduced from \$90,000 to \$30,000.

6. The delegation of Mexico, supported by another delegation, stated that, regarding the provision of essential background information, it was necessary, in its view, to obtain the requisite expertise that was not available within the Secretariat from outside the Organization. Consequently, it proposed that an additional amount of \$90,000 for that purpose, as had been requested by the Secretary-General, be appropriated.

7. Some delegations expressed their regret that such background information could not be provided from within the Organization, and that the Secretary-General had not tried to absorb the costs relating to activities in disarmament affairs and others by redistributing already appropriated resources.

Decisions of the Committee

8. The Fifth Committee adopted, by 47 votes to 9, with 27 abstentions, the proposal by Mexico that an additional amount of \$90,000 be provided for consultant services.

9. The Committee then decided, without objection, to inform the General Assembly that, should it adopt draft resolution B of the First Committee, an additional appropriation of \$90,000 under section 2C of the programme budget for the biennium 1976-1977 would be required. Conference-servicing costs not exceeding \$203,000 would be considered by the Assembly in the context of its consideration of the total requirements for the revised calendar of conferences for 1977. Appropriations with regard to the special session of the General Assembly would be considered in the context of the proposed programme budget for 1978-1979.

DOCUMENT A/31/424

Implications of the draft resolution submitted by the First Committee in document A/31/377

(Agenda item 40)

Report of the Fifth Committee

*[Original: English]
[13 December 1976]*

1. At its 47th meeting, on 13 December 1976, 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.5/31/67) on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/31/377, para. 8).

2. Under the terms of the draft resolution, the General Assembly would request the *Ad Hoc* Committee on the World Disarmament Conference to maintain close contact with the representatives of the States possessing nuclear weapons in order to remain currently informed of their respective attitudes, as well as to consider any relevant comments and observations which might be made to it, and, for this purpose, to meet briefly and submit a report to the General Assembly at its thirty-second session, in accordance with its established procedure.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$51,200 on a full-cost basis, covering the conference-servicing costs in respect of the *Ad Hoc* Committee. The statement further indicated that those 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 overall pattern of conferences for 1977 and how much would be required in net additional appropriations for the biennium 1976-1977.

4. The Chairman of the Advisory Committee, introducing the report of the Committee (A/31/8/Add.14, paras. 23 and 24), stated that the Advisory Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt the draft resolution of the First Committee, documentation and conference services would need to be provided at a cost not exceeding \$51,000, 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, conference-servicing costs not exceeding \$51,000 would be considered by the Assembly in the context of its consideration of the total requirements for the revised calendar of conferences for 1977.

DOCUMENT A/31/425

Implications of the draft resolution submitted by the First Committee in document A/31/384

(Agenda item 47)

Report of the Fifth Committee

*[Original: English]
[13 December 1976]*

1. At its 47th meeting, on 13 December 1976, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/31/66)

on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/31/384, para. 7).

2. Under the terms of operative paragraphs 1 and 2

of the draft resolution, the General Assembly would call upon all nuclear-weapon States, in accordance with General Assembly resolution 3478 (XXX), to proceed as soon as possible with negotiations on the conclusion of a treaty on the complete and general prohibition of nuclear weapon tests, with the participation of non-nuclear-weapon States, and would further request the Secretary-General to render such assistance as might be necessary for the negotiations.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$78,300 on a full-cost basis, covering the conference-servicing costs in respect of the negotiations on the conclusion of a treaty on the complete and general prohibition of nuclear weapon tests. The statement further indicated that those 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 confer-

ences for 1977 and how much would be required in net additional appropriations for the biennium 1976-1977.

4. The Chairman of the Advisory Committee, introducing the report of the Committee (A/31/8/Add.14, paras. 21 and 22), stated that the Advisory Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt the draft resolution, documentation and conference services would need to be provided at a cost not exceeding \$78,000, 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, conference-servicing costs not exceeding \$78,000 would be considered by the Assembly in the context of its consideration of the total requirements for the revised calendar of conferences for 1977.

DOCUMENT A/31/426

Implications of the draft resolution submitted by the First Committee in document A/31/387

(Agenda item 50)

Report of the Fifth Committee

[Original: English]
[13 December 1976]

1. At its 47th meeting, on 13 December 1976, 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.5/31/65) on the administrative and financial implications of the draft resolution submitted by the First Committee in its report (A/31/387, para. 8).

2. Under the terms of the draft resolution, the General Assembly, after having considered the report of the *Ad Hoc* Committee on the Review of the Role of the United Nations in the Field of Disarmament,⁸ would endorse a set of agreed proposals, made by the *Ad Hoc* Committee as a step towards the strengthening of the role of the United Nations in the field of disarmament, with regard to the following subjects:

(a) Improved methods of work of the First Committee in disarmament matters;

(b) Relationship between the General Assembly and other United Nations bodies in the field of disarmament;

(c) Role of the United Nations Disarmament Commission;

(d) Role of the United Nations in providing assistance on request in multilateral and regional disarmament negotiations;

(e) Relationship between the General Assembly and the Conference of the Committee on Disarmament;

(f) Increased use of in-depth studies of the arms race, disarmament and related matters;

(g) Improvement of existing United Nations facilities for the collection, compilation and dissemination of information on disarmament issues, in order to keep all Governments, as well as world public opinion, properly informed on progress achieved in the field of disarmament;

(h) Assistance by the Secretariat, on request, to States parties to multilateral disarmament agreements in their duty to ensure the effective functioning of such agreements, including appropriate reviews;

(i) Strengthening of the resources of the Secretariat.

3. In paragraph 12 of his statement, the Secretary-General estimated the financial implications of the draft resolution at \$183,200, comprising \$55,000 for the cost of processing one issue of the *Disarmament Yearbook* and \$128,200 for 8 additional posts as follows:

(a) United Nations *Disarmament Yearbook*: 1 P-5 post, 1 G-5 post and 1 G-4/1 post;

(b) Committee and Conference Services Section: 1 P-4 post, 1 P-2 post and 1 G-4/1 post;

(c) Transformation of the Disarmament Affairs Division into the United Nations Centre for Disarmament: 1 post of Assistant Secretary-General and 1 G-5 post.

4. As regards the United Nations disarmament periodical, the Secretary-General indicated that, in a note which he had submitted to the *Ad Hoc* Committee,⁹ he had given alternative estimates of processing a disarmament periodical, and had proposed creating 3 new posts (1 P-4, 1 P-2/1 and 1 G-4/1). He also indicated

⁸ Official Records of the General Assembly, Thirty-first Session, Supplement No. 36.

⁹ Document A/AC.181/4 of 24 August 1976.

that the publication of a disarmament periodical would be considered by the General Assembly at a later date, as recommended by the *Ad Hoc* Committee. Therefore no additional requirements would arise in that respect at the current stage.

5. The Chairman of the Advisory Committee, introducing the report of the Committee (A/31/8/Add.14, paras. 9-20), stated that, in examining the Secretary-General's request, the Advisory Committee had been mindful of the views expressed in the *Ad Hoc* Committee on the costs of the Committee's agreed proposals and also had taken into account the increase in manpower resources for the Disarmament Affairs Division approved by the General Assembly at its thirtieth session.

6. The Advisory Committee recommended that the provision for processing the *Yearbook*, estimated at \$55,000 in the Secretary-General's statement, be reduced by \$10,000 to \$45,000, in the expectation that translators on the regular staff would be used to the maximum extent possible.

7. As regards the strengthening of the Committee and Conference Services Section, the Advisory Committee, recalling that the General Assembly at its thirtieth session had approved a strengthening of that section by 4 posts, stated that in its view the extra workload of the section, above the level foreseen at the thirtieth session of the Assembly, did not warrant the addition of the 3 posts requested, and recommended that only 1 new post, at P-4 level, be approved.

8. Regarding the transformation of the Disarmament Affairs Division into the United Nations Centre for Disarmament, the Advisory Committee made several observations in paragraphs 14 to 17 of its report. In particular, should the General Assembly approve the recommendation that the Centre be headed by an Assistant Secretary-General, the United Nations would have 2 officials of that rank dealing with disarmament affairs, the other one being the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament. It therefore recommended that the incumbent of the post of Assistant Secretary-General serve both as head of the Centre and as the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament.

9. The Advisory Committee, with respect to the publication of a disarmament periodical, also recommended that the possibility of having two issues a year, instead of the three or four issues considered by the Secretary-General, should be studied.

10. In summary, the recommendations made by the Advisory Committee would reduce the net additional appropriations under section 2C of the programme-budget for the biennium 1976-1977 from \$183,200 to \$145,000, comprising \$45,000 for the *Yearbook* and \$100,000 for 6 additional posts (1 Assistant Secretary-General, 1 P-5, 1 P-4, 2 G-5 and 1 G-4). In addition, the requirements under section 2A would be reduced by \$59,000 due to savings in salaries and common staff costs for the post of the Special Representative of the Secretary-General and 1 General Service post.

11. Most of the delegations that made statements on the question indicated that they supported the strengthening of the role of the United Nations in the field of disarmament. In the view of a number of them, that strengthening should be accompanied by a concomitant increase in resources, as had been proposed

by the Secretary-General in his statement. Other delegations, however, while supporting the strengthening of the role of the United Nations in that field, were of the opinion that such strengthening could be achieved with the more modest resources proposed by the Advisory Committee in its report. As regards the additional post for an Assistant Secretary-General proposed by the Secretary-General in paragraph 11 of his statement, most delegations stated that, in their view, the establishment of the post—which was not opposed by the Advisory Committee—should be approved. Other delegations expressed the view that the post should be established by reclassifying the existing D-2 post in the staffing table of the Disarmament Affairs Division to the level of Assistant Secretary-General.

12. Some delegations voiced support for the recommendation of the Advisory Committee, contained in the last sentence of paragraph 17 of its report, that the incumbent of the post of Assistant Secretary-General should serve both as the head of the Centre and as the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament. Other delegations, however, stated that, in their view, provision for the Secretary-General's Special Representative to that Conference should be maintained even if the post of Assistant Secretary-General for the Centre for Disarmament were established.

13. The delegation of Mexico formally proposed that the Committee recommend an additional post at the Assistant Secretary-General level, as indicated in paragraph 11 of the Secretary-General's statement. The delegation of New Zealand formally proposed that the post of Assistant Secretary-General for the Centre for Disarmament be established by reclassifying the existing D-2 post in the staffing table of the Disarmament Affairs Division to the level of Assistant Secretary-General.

Decisions of the Committee

14. The Fifth Committee decided, without objection, to approve the recommendations contained in paragraphs 12 and 13 of the report of the Advisory Committee (A/31/8/Add.14).

15. Following a request by Mexico that its proposal (see para. 13 above) be given precedence over that of New Zealand (*ibid.*), the Committee decided by 51 votes to 7, with 29 abstentions, to accord priority to the Mexican proposal.

16. The Committee then adopted, by 60 votes to 4, with 27 abstentions, the Mexican proposal that a new post of Assistant Secretary-General be established for the head of the Centre for Disarmament.

17. Thereafter, the Committee rejected, by 31 votes to 28, with 33 abstentions, the proposal contained in the last sentence of paragraph 17 of the report of the Advisory Committee (A/31/8/Add.14), that the incumbent of the post of Assistant Secretary-General serve both as head of the Centre and as the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament.

18. Finally, the Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution of the First Committee, an additional appropriation of \$145,000 would be required under section 2C of the programme budget for the biennium 1976-1977 and an additional amount of \$10,000 would be required under section 25 (staff assessment), the latter to be offset by an equivalent amount under income section 1.

DOCUMENT A/31/439

**Implications of the draft resolution submitted by the Sixth Committee in document A/31/370
(Agenda item 106)**

Report of the Fifth Committee

[Original: English]
[14 December 1976]

1. At its 50th meeting, on 14 December 1976, 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.5/31/76) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in its report (A/31/370, para. 251).

2. In his statement, the Secretary-General informed the Committee that operative paragraph 7 of the draft resolution, under which the General Assembly would support the request of the International Law Commission to the Secretary-General to prepare and publish as soon as possible a new and revised edition of the handbook entitled *The Work of the International Law Commission*,¹⁰ would result in no additional appropriation for the English edition in the current biennium, that additional requirements of up to \$24,500 would be required in the programme budget for the biennium 1978-1979 for the French, Russian and Spanish editions.

3. In an oral statement, the Chairman of the

¹⁰ United Nations publication, Sales No. E.72.I.17.

Advisory Committee indicated that the Committee had taken note that no additional funds were requested for the 1976-1977 biennium for the publication of the handbook, but that additional appropriations would be required for the biennium 1978-1979 and would be considered in the context of the proposals put forward in the programme budget for that biennium.

4. A formal proposal was made by the representative of Egypt that the handbook be published in Arabic. The representative of the Office of Financial Services informed the Committee that that proposal would entail additional requirements of up to \$17,700 in 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 Sixth Committee, no additional appropriation would be required for the programme budget for the biennium 1976-1977. Requirements for 1978 would be considered in the context of the proposed programme budget for the biennium 1978-1979.

DOCUMENT A/31/440

**Implications of the draft resolution submitted by the Sixth Committee in document A/31/429
(Agenda item 113)**

Report of the Fifth Committee

[Original: English]
[14 December 1976]

1. At its 50th meeting, on 14 December 1976, 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.5/31/86) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in its report (A/31/429, para. 10), on the subject of measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms.

2. In his statement, the Secretary-General informed the Committee that the implementation of the draft resolution—under the terms of which the General Assembly, *inter alia*, would request the Secretary-General to provide the *Ad Hoc* Committee on International Terrorism, established under Assembly resolution 3034 (XXVII) of 18 December 1972, with the necessary facilities and services in order to continue its work and, more specifically, to consider the observations and concrete proposals put forward by States which had not yet submitted their views—would result in additional requirements of up to \$151,800 in conference-servicing costs. However, the Secretary-General

was not requesting additional funds at the current stage, but would, towards the close of the session, advise the General Assembly to what extent the costs could be absorbed within existing resources.

3. In an oral statement, the Chairman of the Advisory Committee indicated that the Committee had noted that no additional funds were requested at the current stage, and that conference-servicing requirements of approximately \$151,800, including resources already approved, would be considered by the General Assembly at a later date in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

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, conference-servicing requirements not exceeding \$152,000 would be considered by the Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

DOCUMENT A/31/441**Implications of the draft resolution submitted by the Sixth Committee in document A/31/430
(Agenda item 123)****Report of the Fifth Committee**

[Original: English]
[14 December 1976]

1. At its 50th meeting, on 14 December 1976, 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.5/31/87) on the administrative and financial implications of the draft resolution submitted by the Sixth Committee in its report (A/31/430, para. 11).

2. Under the terms of the draft resolution, the General Assembly, *inter alia*, would:

(a) Decide to establish an *ad hoc* committee on the drafting of an international convention against the taking of hostages, composed of 35 Member States;

(b) Request the *ad hoc* committee to draft at the earliest possible date an international convention against the taking of hostages;

(c) Request the Secretary-General to afford the *ad hoc* committee any assistance and provide it with all facilities it might require for the performance of its work, as well as to ensure that summary records on the meetings of the committee would be drawn up and submitted;

(d) Request the *ad hoc* committee to present its report and to make every effort to submit a draft convention to the General Assembly for consideration at its thirty-second session;

(e) Request the Secretary-General to communicate the report to Member States.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$229,700 to cover conference-servicing costs in respect of the *ad hoc* committee. The Secretary-General further stated that, as regards possible additional budgetary requirements, he would report to the Fifth Committee at a later date, after the over-all pattern of conferences for 1977 had been evaluated in relation to existing resources, on the actual level of appropriations he considered would be required for the meeting.

4. In an oral statement, the Chairman of the Advisory Committee indicated that that Committee had noted that no additional funds were requested at the current stage, and that conference-servicing requirements of approximately \$229,700 would be considered by the General Assembly at a later date in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

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 Sixth Committee, conference-servicing requirements not exceeding \$229,700 would be considered by the Assembly in the context of its consideration of the total requirements of the revised calendar of conferences for 1977.

DOCUMENT A/31/442/REV.1**Implications of the draft resolutions contained in documents A/31/L.29 and A/31/L.31
(Agenda item 25)****Report of the Fifth Committee**

[Original: English]
[17 December 1976]

A. DRAFT RESOLUTION A/31/L.29

1. At its 50th meeting, on 14 December 1976, 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.5/31/74) concerning the administrative and financial implications of a draft resolution (A/31/L.29) regarding 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.

2. In his statement, the Secretary-General estimated that the programme of work of the Special Committee would require a total expenditure of \$450,000; bearing in mind the fact that \$343,500 was available for 1977

within existing provisions in the programme budget for the biennium 1976-1977 and the possibility that not all of the activities described in the programme of work would be carried out, the adoption of draft resolution A/31/L.29 would not result in additional appropriations at the current stage. Should the implementation of the approved programme of work of the Special Committee require funds additional to those already provided, the Secretary-General would so report to the General Assembly at its thirty-second session in his performance report on the programme budget.

3. In an oral statement, the Chairman of the Advisory Committee stated that, when the Advisory Committee considered the statement submitted by the Secretary-General, it bore in mind the fact that the Special Committee's programme of work was often

subject to change in the light of decisions taken by it during the year. Given that uncertainty, the Advisory Committee agreed with the Secretary-General that the adoption of draft resolution A/31/L.29 would not call for additional appropriations at the current stage.

Decision of the Committee

4. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution A/31/L.29, no additional appropriations would be required at the current stage, on the understanding that, should the programme of work of the Special Committee result in additional financial requirements, the Secretary-General would report to the General Assembly at its thirty-second session in his performance report on the programme budget.

B. DRAFT RESOLUTION A/31/L.31

5. At its 53rd meeting, on 16 December 1976, 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.5/31/96) on the administrative and financial implications of a draft resolution (A/31/L.31) regarding the convening in 1977 of an international conference in support of the peoples of Zimbabwe and Namibia. Under the terms of operative paragraph 2 of the draft resolution, the General Assembly would welcome the preparedness of the Government of Mozambique to hold the conference at Maputo.

6. In his statement, the Secretary-General estimated that the cost of convening such a conference at Headquarters would amount to \$115,500; however, conference and other servicing requirements entailing expenditures estimated at \$33,900 could be absorbed within existing resources and thereby reduce the requested appropriation to \$81,600.

7. The statement also pointed out that, as no agreement had been received from the Government of Mozambique to defray the actual additional costs directly or indirectly involved, the conditions set out in paragraph 10 of General Assembly resolution 2609 (XXIV) of 16 December 1969 did not obtain. On the other hand, it was clear from that resolution that the financial liability of the Organization should, in every case, be limited to the cost of holding the meeting at "the established headquarters" of a body. If the Organization had wished to depart from that principle, a specific provision to that effect would have had to be contained in the related resolution. In the absence of that provision, it should be assumed that the costs chargeable to the Organization would be limited to those that would be incurred if the conference were held at Headquarters.

8. The Secretary-General indicated, for information purposes, that the cost of the conference, if it were held at Maputo, would amount to \$328,100.

9. In an oral statement, the Chairman of the Advisory Committee noted the assumptions made by the Secretary-General in his statement and indicated that the Fifth Committee might wish to advise the General Assembly accordingly.

Decision of the Committee

10. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution contained in document A/31/L.31, an additional appropriation of \$82,000 would be required under section 3 of the programme budget for the biennium 1976-1977. An additional amount of \$8,000 would be required under section 25, offset by an equivalent amount under income section 1.

DOCUMENT A/31/445

**Implications of the draft resolution submitted by the Special Political Committee
in document A/31/419**

(Agenda item 54)

Report of the Fifth Committee

*[Original: English]
[14 December 1976]*

1. At its 50th meeting, on 14 December 1976, 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.5/31/85) on the administrative and financial implications of the draft resolution submitted by the Special Political Committee in its report (A/31/419, para. 7).

2. Under the terms of the draft resolution, the General Assembly would:

(a) Request the Special Committee on Peace-keeping Operations and its Working Group to renew efforts and to intensify negotiations for an early completion of agreed guidelines for peace-keeping operations in conformity with the Charter of the United

Nations, before the thirty-second session of the General Assembly;

(b) Request the Special Committee to report to the General Assembly at its thirty-second session.

3. In his statement, the Secretary-General estimated the financial implications of the draft resolution at \$67,000 on a full-cost basis covering the conference-servicing costs for the Special Committee on Peace-keeping Operations and its Working Group. In paragraph 7 of his statement, the Secretary-General indicated that, since those meetings had been included in the regular pattern of conferences over the years, the necessary provision was already included in the programme budget for the biennium 1976-1977. There-

fore, no additional appropriations were requested for the draft resolution.

4. The Chairman of the Advisory Committee orally stated that the adoption of the draft resolution would require no additional appropriation for the biennium 1976-1977.

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 Special Political Committee, no additional appropriation would be required for the programme budget for the biennium 1976-1977.

DOCUMENT A/31/446

Implications of draft resolutions C and D submitted by the Special Political Committee in document A/31/399

(Agenda item 55)

Report of the Fifth Committee

*[Original: English]
[14 December 1976]*

1. At its 50th meeting, on 14 December 1976, 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.5/31/79 and A/C.5/31/80) on the administrative and financial implications of draft resolutions C and D submitted by the Special Political Committee in its report (A/31/399, para. 23).

A. DRAFT RESOLUTION C

2. Under the terms 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. 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 the draft resolution;

(b) To continue to make available additional staff as might 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 and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(d) To report to the General Assembly at its thirty-second session on the tasks entrusted to him.

3. In his statement (A/C.5/31/79), the Secretary-General indicated that it was his understanding that the Special Committee would implement, in 1977, a programme of work similar to that carried out in 1976, including field missions, and that, as a result, the adop-

tion of the draft resolution would require an appropriation of \$81,950 in the programme budget for the biennium 1976-1977 under section 18, to cover the general costs of the work programme of the Special Committee, and \$6,100 under section 25 to cover staff assessment, 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—under section 23—after the Secretary-General had taken into account the available permanent and temporary resources of the Organization.

4. The Chairman of the Advisory Committee, in an oral statement, said that the Advisory Committee recommended acceptance of the estimates submitted by the Secretary-General (A/C.5/31/79).

Decision of the Committee

5. The Fifth Committee decided, by 52 votes to 2, with 17 abstentions, to inform the General Assembly that, should it adopt draft resolution C, an additional appropriation in the amount of \$81,950 would be required under section 18 of the programme budget for the biennium 1976-1977. In addition, an amount of \$6,100 would be required for staff assessment under section 25, offset by a corresponding amount under income section 1. The Fifth Committee also decided to inform the General Assembly that adoption of the draft resolution would give rise to conference-servicing costs not exceeding \$160,450, which would be considered by the General Assembly in the context of the total requirements for conference services in 1977.

B. DRAFT RESOLUTION D

6. Under the terms of draft resolution D, 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 operative paragraph 4 of the draft resolution, namely, the statements made by the representative of the Syrian Arab Republic before the Special Political Committee to the effect that his Government reserved all rights to full compensation in regard to all damages resulting from the Israeli deliberate destruction of Quneitra, including those not covered by the United Nations expert's report on the destruction of Quneitra

(A/31/218, annex III) or not falling within the scope of his assignment. It would also request the Secretary-General to continue to provide the Special Committee with all the facilities required for the completion of the tasks referred to in the present paragraph.

7. In his statement (A/C.5/31/80), the Secretary-General indicated that the adoption of draft resolution D would require an appropriation of \$23,500 under section 18 of the programme budget for the biennium 1976-1977.

8. In an oral statement, the Chairman of the Ad-

visory Committee said that the Advisory Committee recommended acceptance of the estimates submitted by the Secretary-General.

Decision of the Committee

9. The Fifth Committee decided, by 52 votes to 1, with 18 abstentions, to inform the General Assembly that, should it adopt draft resolution D, an additional appropriation in the amount of \$23,500 would be required under section 18 of the programme budget for the biennium 1976-1977.

DOCUMENT A/31/454

Implications of draft resolutions I, II, III, IV, V, VI and VIII submitted by the Fourth Committee in document A/31/437

(Agenda item 85)

Report of the Fifth Committee

[Original: English]
[16 December 1976]

1. At its 53rd meeting, on 16 December 1976, 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.5/31/81) on the administrative and financial implications of draft resolutions I, II, III, IV, V, VI and VIII submitted by the Fourth Committee in its report (A/31/437, para. 18).¹¹

A. DRAFT RESOLUTION I (SITUATION IN NAMIBIA RESULTING FROM THE ILLEGAL OCCUPATION OF THE TERRITORY BY SOUTH AFRICA)

2. Under the terms of operative paragraphs 6 and 7 of the draft resolution, the General Assembly would decide 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 (SWAPO) in New York and continue to defray the expenses of a representative of SWAPO, whenever the United Nations Council for Namibia so requires.

3. In his statement (A/C.5/31/81, paras. 2 to 6), the Secretary-General estimated that an additional appropriation of \$15,300 would be required for the office of SWAPO in New York; he indicated that provision for a representative of SWAPO to travel with the Council when necessary was included within the resources requested for the programme of work of the Council.

4. In its related report (A/31/8/Add.18, para. 2) the Advisory Committee indicated that it had no objections to the Secretary-General's request.

B. DRAFT RESOLUTION II (PROGRAMME OF WORK OF THE UNITED NATIONS COUNCIL FOR NAMIBIA)

5. Under the terms of the draft resolution the General Assembly would, *inter alia*:

¹¹ In his statement of implications, the Secretary-General pointed out that, as regards draft resolution IV, the estimated requirement of \$47,600 was included in the first performance report on the programme budget for the biennium 1976-1977 (A/C.5/31/37 and Corr.1), and that draft resolution VIII would have no financial implications for the biennium 1976-1977.

(a) Approve the report of the United Nations Council for Namibia, including the recommendations contained therein,¹² and decide to make adequate financial provision for their implementation;

(b) Request the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to strengthen the units which service the Council in accordance with its requirements;

(c) Request the Council to authorize the United Nations Commissioner for Namibia to appoint a resident representative of the Commissioner in Botswana.

6. In his statement (A/C.5/31/81, paras. 7 to 14) the Secretary-General estimated that the costs related to the programme of work, as outlined in paragraph 5 above, would be as follows:

| | |
|--|---|
| (a) Missions | \$177,800 |
| (b) Strengthening of the units servicing the Council | To be included as and when required in the proposed programme budget for the biennium 1978-1979 |
| (c) Office in Botswana | \$106,700 |

7. In its report (A/31/8/Add.18, paras. 3-5), the Advisory Committee indicated that it believed there was room for economies in the estimates related to the various missions and therefore recommended that the Secretary-General's request be reduced from \$177,800 to \$150,000.

8. As for the \$106,700 requested for establishing the office of a resident representative of the Commissioner in Botswana, the Advisory Committee stated that it believed savings were possible and therefore recommended that the Secretary-General's estimates be reduced by \$11,700 to \$95,000.

C. DRAFT RESOLUTION III (INTENSIFICATION AND CO-ORDINATION OF UNITED NATIONS ACTION IN SUPPORT OF NAMIBIA)

9. Under the terms of operative paragraph 6 of the draft resolution, the General Assembly would authorize

¹² *Official Records of the General Assembly, Thirty-first Session, Supplement No. 24, vol. I, paras. 272 and 273.*

the United Nations Council for Namibia to hold hearings and continue to seek information regarding the exploitation and purchase of Namibian uranium.

10. In his statement (A/C.5/31/81, paras. 15 and 16), the Secretary-General indicated that an amount of \$11,200 would be required for the travel and subsistence of 10 witnesses who would be invited to testify before the Council.

11. In its report (A/31/8/Add.18, para. 6) the Advisory Committee concurred with that request.

D. DRAFT RESOLUTION V (DISSEMINATION OF INFORMATION ON NAMIBIA)

12. Under the terms of the draft resolution, the General Assembly would, *inter alia*:

(a) Request the United Nations Council for Namibia to send a mission to the headquarters of the specialized agencies and non-governmental organizations to discuss the question of dissemination of information and assistance to Namibians;

(b) Request the Secretary-General to direct the Office of Public Information of the Secretariat, in co-operation with the United Nations Council for Namibia:

- (i) To acquire and distribute appropriate films on Namibia, including the new film on Namibia which was shown at Headquarters on Namibia Day, 26 August 1976;
- (ii) To prepare, in consultation with SWAPO, a film on the contemporary situation inside Namibia and the struggle of the Namibian people for genuine national independence;
- (iii) To continue publicity through television, radio and other media;
- (iv) To continue to give publicity to the United Nations Council for Namibia and SWAPO on television in the United States of America and other major Western countries, in order to mobilize support in those countries for the genuine national independence of Namibia.

13. In his statement (A/C.5/31/81, paras. 23-30), the Secretary-General estimated that the cost of missions to the headquarters of specialized agencies and non-governmental organizations would amount to \$7,600 and that the resources required by the Office of Public Information would amount to \$85,550.

14. In its report (A/31/8/Add.18, para. 9), the Advisory Committee indicated that savings could be realized with reference to the preparation, acquisition, and distribution of films on Namibia and therefore recommended that the Secretary-General's estimate be reduced by \$13,150 to \$80,000.

E. DRAFT RESOLUTION VI (UNITED NATIONS FUND FOR NAMIBIA)

15. Under the terms of operative paragraph 3 of the draft resolution, the General Assembly would decide to allocate to the United Nations Fund for Namibia the sum of \$US 300,000 from the regular budget of the United Nations for 1977.

16. The Advisory Committee, in its report (A/31/8/Add.18, para. 10), noted that the adoption of the draft resolution would result in an additional appropriation of \$300,000 in the programme budget for the biennium 1976-1977.

SUMMARY

17. In summary, the Secretary-General indicated that, should the General Assembly adopt all the draft resolutions of the Fourth Committee mentioned above, an additional appropriation of \$542,250 would be required for the programme budget for the biennium 1976-1977, of which \$83,000 would be under section 21 (Office of Public Information) and \$459,250 under section 3C (United Nations Council for Namibia and Office of the United Nations Commissioner for Namibia).

18. The recommendations made by the Advisory Committee would entail a reduction of \$52,650, of which \$13,150 would pertain to section 21 and \$39,500 to section 3C; accordingly, an additional appropriation of \$70,000 under section 21 and \$420,000 under section 3C would be required.

* * *

Decision of the Committee

19. The Fifth Committee decided, without objection, to inform the General Assembly that should it adopt the draft resolutions of the Fourth Committee, an additional appropriation of \$490,000 (\$420,000 under section 3C and \$70,000 under section 21) would be required for the programme budget for the biennium 1976-1977.

DOCUMENT A/31/456

Implications of draft resolution II submitted by the Second Committee in document A/31/413

(Agenda item 64)

Report of the Fifth Committee

[Original: English]
[18 December 1976]

1. At its 53rd meeting, on 16 December 1976, 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.5/31/73) on the administrative and financial implications of draft resolution II submitted by the Second Committee in its report (A/31/413, para. 12).

2. Under the terms of the draft resolution, the General Assembly would request the Secretary-General, in formulating his draft programme budget for the biennium 1978-1979, to include provision for the financing from the regular budget of a substantial portion of those core programme administrative activities currently financed from the trust fund established

in pursuance of General Assembly resolution 3243 (XXIX), as an initial step in the process of ensuring a sound financial basis for the Office of the United Nations Disaster Relief Co-ordinator and to enable the Assembly to reach a final decision on that matter on the basis of the fullest possible information.

3. In his statement, the Secretary-General indicated that should the draft resolution be adopted, he proposed to include in the proposed programme budget for 1978-1979 between one quarter and one half of the Professional and General Service posts approved for 1976 for which a continuing need was demonstrated in 1978-1979, plus a similar proportion of 1976 expenditures of a recurrent nature incurred for items other than salaries.

4. The Chairman of the Advisory Committee introduced the report of the Committee (A/31/8/Add.17) in which it was noted that the adoption of the draft resolution by the General Assembly would carry no financial implications for the biennium 1976-1977. As regards the programme budget for the biennium 1978-1979, however, the Committee noted that financial implications of between \$690,000 and \$1,380,000 (at 1977 rates) might arise pursuant to

operative paragraph 5 of the draft resolution of the Second Committee. He further stated that the report of the Advisory Committee contained a number of remarks and observations particularly relating to the need for the General Assembly to ensure that decisions affecting the budget and the medium-term plan were consistent and that the draft resolution should be interpreted in the context of policy guidelines that the General Assembly had set up for the preparation of the 1978-1979 programme budget. In conclusion, the Advisory Committee drew to the attention of the General Assembly the growing practice whereby matters which were within the competence of the Fifth Committee were considered and decided on in other Main Committees and other bodies.

5. Comments made by representatives during the consideration of the question are contained in the relevant summary record of the meeting (A/C.5/31/SR.53).

Decision of the Committee

6. The Fifth Committee decided to inform the General Assembly that, should it adopt draft resolution II of the Second Committee, there would be no financial implications for the biennium 1976-1977.

DOCUMENT A/31/459

Implications of draft resolution II submitted by the Second Committee in document A/31/451 (Agenda item 57)

Report of the Fifth Committee

*[Original: English]
[18 December 1976]*

1. At its 55th meeting, on 17 December 1976, 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.5/31/90) on the administrative and financial implications of draft resolution II submitted by the Second Committee in its report (A/31/451, para. 13).

2. Under the terms of operative paragraph 1 of that draft resolution, the General Assembly would extend the mandate of the Committee to Draw up a Constitution for the United Nations Industrial Development Organization as a Specialized Agency.

3. In his statement, the Secretary-General proposed that the fifth session of that Committee should be held in the first half of 1977 in Vienna, and assumed that the Committee would meet for four weeks and that 30 meetings per week would be serviced in five languages (Chinese, English, French, Russian, Spanish), some meetings being held concurrently. It was assumed further that 30 to 40 other meetings would be serviced in either two or three languages, some meetings being held concurrently, and that no summary records would be established.

4. On the basis of the above assumptions, the total cost of the fifth session of the Committee was estimated at \$419,600, consisting of \$6,800 for travel of substantive staff members from Headquarters, \$204,000 for interpretation, \$131,900 for in-session documentation, \$17,600 for post-session documentation, \$4,300 for

information coverage, \$32,000 for conference supervisory staff, \$20,000 for overtime and \$3,000 for hospitality.

5. Under the terms of operative paragraph 4 of the draft resolution, the General Assembly would request the Secretary-General to make the arrangements necessary for convening the conference of plenipotentiaries during the second half of 1977 at United Nations Headquarters.

6. In his statement, the Secretary-General indicated that, in the absence of indications as to the timing and the duration of the conference of plenipotentiaries, a question on which the Committee to Draw Up a Constitution for UNIDO would have to make a recommendation, his estimate was based on the assumptions that the conference would convene for one week, that there would be two meetings a day, that required services would be provided in five languages, and that there would be no pre-session or post-session documentation, but some 50 pages of in-session documentation.

7. On the basis of the above assumptions, the total cost of the conference of plenipotentiaries was estimated at \$45,600, consisting of \$20,700 for interpretation and documentation, \$12,100 for general services, \$5,300 for public information services and \$7,500 for the travel of substantive staff from Vienna.

8. In conclusion, the Secretary-General indicated that the total estimated requirements relating to draft resolution II amounted to \$465,200 of which \$63,100,

it was anticipated, could be absorbed from existing resources. A net additional appropriation in the amount of \$402,100 was accordingly requested.

9. The Chairman of the Advisory Committee, in an oral report, stated that, since the convening of the conference of plenipotentiaries would depend on the progress achieved at the fifth session of the Committee to Draw Up a Constitution for UNIDO, the request for \$45,600 for that purpose should be deferred. Concerning the Secretary-General's estimate of \$419,600 for the fifth session of the Committee to Draw Up a Constitution for UNIDO, the Advisory Committee was of the opinion that some savings could be made in the estimates for public information, in-session and post-session documentation and conference supervisory staff components. In total, the Advisory Committee con-

sidered an appropriation of \$250,000 under section 12 adequate to service the fifth session of the Committee. Furthermore, the Chairman of the Advisory Committee stated that, should additional requirements arise out of servicing the fifth session of the Committee, the Secretary-General should report on those in the context of his performance report on the programme budget for the biennium 1976-1977.

Decision of the Committee

10. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft resolution II of the Second Committee, an additional appropriation in the amount of \$250,000 would be required under section 12 of the programme budget for the biennium 1976-1977.

DOCUMENT A/31/460

Implications of draft decisions I and III submitted by the Second Committee in document A/31/335/Add.1

(Agenda item 66)

Report of the Fifth Committee

[Original: English]
[19 December 1976]

1. At its 53rd and 55th meetings, on 16 and 17 December 1976, 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.5/31/91 and A/C.5/31/92) on the administrative and financial implications of draft decisions I and III submitted by the Second Committee in its report (A/31/335/Add.1, para. 27).

A. DRAFT DECISION I

2. Under the terms of draft decision I, the General Assembly would decide to take note of the report of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System¹³ and to extend the mandate of the Committee with a view to enabling it to submit final recommendations, in accordance with General Assembly resolution 3362 (S-VII) of 16 September 1975, to the Assembly at its thirty-second session through the Economic and Social Council at its sixty-third session.

3. In his statement (A/C.5/31/91), the Secretary-General estimated that, should the General Assembly adopt draft decision I, an appropriation of \$8,500 would be required in the programme budget for 1976-1977 under section 1. The Secretary-General further indicated that conference-servicing costs of the *Ad Hoc* Committee would be \$147,900 or \$182,600, depending upon whether the sixth session of the Committee required servicing for one or two weeks. The extent to which the costs would be absorbed from within resources already allocated to the Department of Conference Services would be shown in the consolidated statement of conference-servicing costs, and any appropriation required for the *Ad Hoc* Committee would be included in that paper.

4. The Secretary-General also stated that, should further developments arising from the work of the *Ad Hoc* Committee impose additional financial requirements in 1977 under the regular budget, he would seek the concurrence of the Advisory Committee to enter into the necessary commitments under the provisions of General Assembly resolution 3540 (XXX) on unforeseen and extraordinary expenditures for the biennium 1976-1977.

5. In an oral statement, the Chairman of the Advisory Committee said that the Advisory Committee recommended that the \$8,500 be absorbed within the resources already approved for section 1. He further stated that conference-servicing requirements would be analysed in the context of the consolidated statement of conference-servicing costs.

Decision of the Committee

6. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft decision I of the Second Committee, no additional appropriation would be required for the biennium 1976-1977.

B. DRAFT DECISION III

7. Under the terms of draft decision III, the General Assembly would decide to take note, *inter alia*, of the preliminary study by the Secretary-General on the possibility of establishing an international energy institute within the framework of the United Nations system.¹⁴

8. In his statement (A/C.5/31/92) on the administrative and financial implications of the draft decision, the Secretary-General indicated that, under paragraphs 6 and 7 of the study, he proposed to establish

¹³ *Ibid.*, Supplements Nos. 34, 34A and 34B.

¹⁴ Document A/31/262 of 11 November 1976.

an *ad hoc* working group which would prepare, with the support of the Secretariat, a report regarding the desirability of establishing an international energy institute within the United Nations system, for presentation to the General Assembly at its thirty-second session through the Economic and Social Council at its sixty-third session. The *ad hoc* working group would be composed of up to nine specialists nominated by Governments on a wide geographical basis, who would serve in their individual capacities. The group would convene in early 1977 in New York and it was envisaged that the Centre for Natural Resources, Energy and Transport of the Department of Economic and Social Affairs would serve as its secretariat. The Secretary-General stated that the total financial implications of draft decision III would amount to \$56,000. Of that amount, \$26,000 would be for conference-servicing costs. The extent of those costs which might be absorbed from within resources already allocated to the Department of Conference Services would be shown in the consolidated statement of conference-servicing costs and any appropriation required for that purpose would be

included in that paper. Accordingly, the Secretary-General indicated that, at the current stage, an appropriation amounting to \$30,000 to cover only the balance of the requirements was being requested under section 5A of the programme budget for 1976-1977.

9. In an oral statement, the Chairman of the Advisory Committee stated that the Committee had been informed by the Secretary-General that the amount for which an additional appropriation was required could be reduced by \$20,000 to \$10,000. The Chairman also stated that the Advisory Committee recommended that the \$10,000 be absorbed within the resources already approved for section 5A.

Decision of the Committee

10. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt draft decision III of the Second Committee, no additional appropriation would be required for the biennium 1976-1977.

DOCUMENT A/31/463

Implications of the draft resolution submitted by the Second Committee in document A/31/416 (Agenda item 68)

Report of the Fifth Committee

[Original: English]
[20 December 1976]

1. At its 56th meeting, on 19 December 1976, 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.5/31/93) on the administrative and financial implications of the draft resolution submitted by the Second Committee in its report (A/31/416, para. 11).

2. Under the terms of the draft resolution, the General Assembly, *inter alia*, would request the Administrator of the United Nations Development Programme, in view of the importance of the United Nations Conference on Technical Co-operation among Developing Countries, to act as the Secretary-General of the Conference; would request the Secretary-General to invite representatives of organizations that have received a standing invitation from the General Assembly to participate in the session and the work of all international conferences convened under its auspices in the capacity of observers, in accordance with Assembly resolution 3237 (XXIX) of 22 November 1974, and representatives of the national liberation movements recognized in its region by the Organization of African Unity, in the capacity of observers, in accordance with Assembly resolution 3280 (XXIX) of 10 December 1974; would request the Secretary-General to ensure that the necessary arrangements were made for the effective participation in the Conference of the representatives referred to above, including the requisite financial provisions for their travel expenses and *per diem*; would decide to establish a small secretariat to assist the Secretary-General of the Conference in discharging his functions, composed of the Special Unit for Technical Co-operation among Developing Countries for substantive pur-

poses and of the concerned services of the secretariat of the Economic and Social Council for organizational preparations, taking fully into account the need to maintain close interrelationship between those two aspects of the preparatory work for the Conference; would request the Secretary-General to convene the first session of the Preparatory Committee in January 1977; would decide that requisite funds for the preparation of the Conference in 1977 over and above those already approved by UNDP for the preparations for, and organization of, the Conference, including those which may be necessary to strengthen existing services, should be provided under the regular budget of the United Nations and that the Preparatory Committee should prepare detailed recommendations to the General Assembly at its thirty-second session on the total budget of the Conference to be financed by the regular budget of the United Nations; would decide to include Arabic among the languages of the Conference; and would request the Secretary-General of the United Nations and the Secretary-General of the Conference to mobilize the assistance of the Office of Public Information of the Secretariat and the Division of Information of UNDP, as well as of the services concerned of the organizations of the United Nations system, to undertake a programme of public information activities designed to ensure world-wide awareness of an interest in the Conference and its objectives.

3. In his statement, the Secretary-General requested an appropriation for 1977 of \$556,100, over and above amounts that had already been appropriated by UNDP and those requested for appropriation as a part of the revised estimates arising from the decisions of the Eco-

nomic and Social Council at its sixtieth and sixty-first sessions, see (A/C.5/32/23 and Corr.1 and A/31/8/Add.15). The Secretary-General indicated that his request was to cover costs related to the staff of the Secretary-General of the Conference (\$315,800), staff resources for the preparation of documentation (\$167,600), a preparatory panel of consultants (\$72,700) and a strengthening of the secretariat of the Economic and Social Council (\$10,000). The Secretary-General stated further that time had not permitted the necessary detailed review of the programme of public information activities designed to ensure world-wide awareness of and interest in the Conference and its objectives. Consequently, the Secretary-General indicated that he would request an appropriation for information support programme at a later stage, preceded by a request for an advance under the provisions of General Assembly resolution 3540 (XXX) on unforeseen and extraordinary expenses for the biennium 1976-1977.

4. At the same meeting, the Chairman of the Advisory Committee introduced the report of the Committee (A/31/8/Add.22). The Advisory Committee noted that, by operative paragraph 8 of the draft resolution, the Preparatory Committee should prepare detailed recommendations to the General Assembly at its thirty-second session on the total budget of the Conference to be financed by the regular budget of the United Nations. The Committee further noted its understanding that, at the current stage, only a provisional agenda existed for the Conference and that the agenda would be finalized by the Preparatory Committee. Under the circumstances, the Advisory Committee regarded the Secretary-General's estimates as tentative and felt it was not in a position to make detailed recommenda-

tions on the total resources which would be required in 1977. The Advisory Committee therefore recommended that, on the assumption that by the time of its spring 1977 session the Preparatory Committee would have met and further information would be available, the Secretary-General should be requested to resubmit to the Advisory Committee at its spring 1977 session his estimates concerning the Conference. To cover the period from now until the Committee's spring session, the Advisory Committee recommended that the General Assembly appropriate, at the current stage, under section 4, an amount of \$352,000 which represented only the amount that would be needed to enable the Secretary-General to enter into the necessary commitments to commence work connected with the Conference.

5. During the debate on the item, the representative of Argentina introduced and subsequently withdrew a proposal that an amount of \$67,500 should be added to the amount recommended by the Advisory Committee. A summary of the statements made by representatives during the consideration of the question is contained in the relevant summary record of the meeting (A/C.5/31/SR.56).

Decision of the Committee

6. The Fifth Committee decided, without objection, to inform the General Assembly that, should it adopt the draft resolution recommended by the Second Committee (A/31/416, para. 11), an additional appropriation of \$352,000 under section 4 would be required, and that the Secretary-General was authorized to commit funds for additional requirements for 1977 under the standing procedure for unforeseen and extraordinary expenses.

DOCUMENT A/31/469

Establishment of the United Nations Industrial Development Fund

Report of the Fifth Committee

*[Original: English]
[22 December 1976]*

1. At its 61st meeting, on 21 December, the Fifth Committee considered the note by the Secretary-General on the establishment of the United Nations Industrial Development Fund (A/C.5/31/57), to which were annexed a draft resolution recommended by the Industrial Development Board on the establishment of the Fund, and the text of the general procedures governing the operation of the Fund.

2. The draft resolution recommended by the Industrial Development Board¹⁵ provided, in section III, paragraph 1, that:

"Without prejudice to section IV below, the Industrial Development Board in establishing the rules for the functioning and administration as well as supplementary terms of reference of the United Nations Industrial Development Fund, shall be guided by the provisions of the present resolution. The Board shall also provide general policy guidance with a view to

ensuring that the resources of the Fund are employed with maximum efficiency and effectiveness in pursuance of the purposes of the Fund."

3. In his note, the Secretary-General recalled the different interpretations and views held by delegations of States members of the Board as to whether the Secretary-General or the Board should promulgate the financial rules for the Fund, and the assumption by the Board that the General Assembly would first deal with that question before it took action on the consensus draft resolution on the establishment of the Fund. The Secretary-General further noted the provisions of financial regulation 10.1 of the Financial Regulations and Rules of the United Nations, which stated that the Secretary-General should establish financial rules and procedures, and he pointed out that, under Articles 97 and 98 of the Charter of the United Nations, the Secretary-General had normally promulgated the financial rules and procedures required to implement the financial regulations established by the General Assembly. Accordingly, the Secretary-General suggested that the objectives of the

¹⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 16*, part one, para. 64.

Board might be accomplished without making any specific reference in the draft resolution to rules for the functioning and administration of the Fund and that the paragraph referred to should be amended to read as follows:

[Same text as section III, paragraph 1, of the annex to draft resolution I in paragraph 9 below.]

4. If the paragraph were so amended, the Secretary-General indicated that he would, in due course, promulgate the necessary financial rules for the Fund. In paragraph 14 of his note, the Secretary-General indicated his understanding that the purpose of the Fund, as stated in section I of the draft resolution, and the guiding principles and functions, as set forth in section II, related to activities beyond the scope of the programmes authorized by the General Assembly under the regular budget and that, while the Fund was intended to enhance and supplement such programmes, the resources of the Fund should not be used to finance posts or activities which should appropriately be justified under the regular budget.

5. With regard to the general procedures governing the operations of the Fund, as adopted by the Industrial Development Board,¹⁶ the Secretary-General indicated that, after consultation with the Executive Director of UNIDO, he found the proposed draft acceptable with two minor exceptions. Those concerned the substitution of the word "subaccounts" for the words "trust funds" appearing in article 5, and redrafting of article 6, paragraph 13, to achieve a clearer explanation of the process of reimbursement for support services. The text of those two articles, revised to include the modifications recommended by the Secretary-General would be as follows:

[Same text as articles 5 and 6, paragraph 13, in the annex to draft resolution II in paragraph 9 below.]

6. In an oral report, the Chairman of the Advisory Committee stated that the Committee concurred with the three changes recommended by the Secretary-General to the text submitted by the Board. Drawing attention to the Secretary-General's understanding, as set out in paragraph 14 of his note, the Chairman further indicated that the Advisory Committee trusted that that understanding would be accepted.

Decisions of the Committee

7. In the course of the Committee's consideration of the item, the representative of the Union of Soviet Socialist Republics orally proposed an amendment to the revised text of article 6, paragraph 13, of the general procedures, as recommended by the Secretary-General, so that the last sentence would read: "Reimbursement for such services shall be from the resources of the Fund". The Fifth Committee rejected the amendment by a vote of 40 to 12, with 18 abstentions.

8. The Fifth Committee decided without objection:

(a) To adopt the amendments recommended by the Secretary-General to section III, paragraph 1, of the draft resolution, as well as to article 5 and article 6, paragraph 13, of the general procedures;

(b) To recommend the adoption by the General Assembly of the draft resolution recommended by the Industrial Development Board, as amended (see para. 9 below, draft resolution I);

(c) To recommend the adoption by the General Assembly of the general procedures governing the operation of the United Nations Industrial Development Fund recommended by the Industrial Development Board, as amended (*ibid.*, draft resolution II);

(d) To recommend that the General Assembly should concur with the understanding of the Secretary-General regarding the purpose of the Fund, as set out in paragraph 14 of his note (A/C.5/31/57) (see para. 10 below).

Recommendations of the Fifth Committee

9. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTIONS

DRAFT RESOLUTION I

Establishment of the United Nations Industrial Development Fund

The General Assembly,

Recalling its resolution 3086 (XXVIII) of 6 December 1973, in which it requested the Secretary-General to prepare a report on the question of the establishment of a United Nations industrial development fund,

Recalling also its resolution 3307 (XXIX) of 14 December 1974, in which it requested the Second General Conference of the United Nations Industrial Development Organization to consider the establishment of an industrial development fund to be financed on the basis of voluntary contributions, including the basic guidelines for its functioning,

Taking into consideration the provisions on the United Nations industrial development fund contained in paragraphs 72 and 73 of section V entitled "Institutional arrangements" of the Lima Declaration and Plan of Action on Industrial Development and Co-operation,¹⁷ which were endorsed by the General Assembly at its seventh special session in resolution 3362 (S-VII) of 16 September 1975,

Recalling further its resolution 3402 (XXX) of 28 November 1975, in which it requested the Industrial Development Board to report on the matter to the General Assembly at its thirty-first session,

Decides to establish a United Nations Industrial Development Fund, to be managed by the United Nations Industrial Development Organization in accordance with the provisions set forth in the annex to the present resolution.

ANNEX

Provisions concerning the management of the United Nations Industrial Development Fund

I. PURPOSE

The purpose of the United Nations Industrial Development Fund (hereinafter referred to as the Fund) is to increase the resources of the United Nations Industrial Development Organization and enhance its ability to meet, promptly and flexibly, the needs of the developing countries. It shall supplement the assistance provided by means of the resources of the United Nations and the United Nations Development Programme directed towards the achievement of accelerated and

¹⁶ *Ibid.*, part two, paras. 33 and 34.

¹⁷ See document A/10112 of 13 June 1975, chap. IV.

self-sustained growth of the developing countries in the industrial field.

II. GUIDING PRINCIPLES AND FUNCTIONS

1. The Fund shall be used in conformity with the purposes and principles of the Charter of the United Nations, and with General Assembly resolution 2152 (XXI) of 17 November 1966, establishing the United Nations Industrial Development Organization.

2. The Lima Declaration and Plan of Action on Industrial Development and Co-operation shall serve as the fundamental guidelines for the preparation of programmes financed by the Fund. In particular, the Fund should enable the United Nations Industrial Development Organization:

(a) To participate in the implementation of the Declaration and Programme of Action on the Establishment of a New International Economic Order, adopted by the General Assembly at its sixth special session,¹⁸ in so far as they relate to industrial development;

(b) To implement relevant provisions of General Assembly resolution 3362 (S-VII) of 16 September 1975, adopted at the seventh special session;

(c) To implement the recommendations of the *Ad Hoc* Committee on a Long-Range Strategy for the United Nations Industrial Development Organization;

(d) To implement field projects, particularly those of non-traditional nature;

(e) To intensify its activities in the development and transfer of technology;

(f) To intensify its programmes aimed at establishing and/or increasing co-operation among developing countries and between developing and developed countries;

(g) To strengthen its promotional activities;

(h) To strengthen its industrial information systems;

(i) To take concerted action and special measures to assist the least developed countries.

III. ROLE OF THE INDUSTRIAL DEVELOPMENT BOARD AND THE EXECUTIVE DIRECTOR OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

1. The Industrial Development Board (hereinafter referred to as the Board) shall establish the terms of reference for the functioning and administration of the Fund and shall provide general policy guidance with a view to ensuring that the resources of the Fund are employed with maximum efficiency and effectiveness in pursuance of the purposes of the Fund.¹⁹

2. The Executive Director of the United Nations Industrial Development Organization shall, taking into account the need for appropriate co-ordination with the United Nations Development Programme, prepare and submit annually to the Board the programme of the Fund, with details of the projects and other activities to be undertaken. At the same time, he shall submit a plan incorporating estimates of resources and expenses for the following two years, including provision for programme support costs and administrative costs of the Fund and for transfers to and from reserves.

3. The Board shall approve the programme of the Fund and shall exercise effective control over its constituent activities, apportioning the resources available, taking into account the estimates of the Executive Director, for such activities. The Board shall authorize the necessary allocation of funds to cover the following main categories:

(a) Expenditure on programme activities;

(b) Contingency margin for expenditure on projects to meet emergency needs;

(c) Allocations, if any, to other units of the United Nations, the specialized agencies and the International Atomic Energy Agency.

4. The Board shall approve projects within the resources as apportioned for programme activities of the Fund and shall allocate funds for such projects accordingly. The Board may delegate this authority to the Executive Director, within limits and in such categories as it may establish.

IV. FINANCIAL ARRANGEMENTS

1. The Fund shall be financed by voluntary contributions, which may be accepted from Governments, intergovernmental and non-governmental organizations and other non-governmental sources, in currencies chosen by contributors, for purposes consistent with those of the Fund. The available resources placed under the authority of the United Nations Industrial Development Organization from voluntary contributions will be integrated and become part of the Fund. Voluntary contributions by Governments may be made, at their option:

(a) By pledges on an annual basis or for a number of years;

(b) In accordance with regulations 7.2 and 7.3 of the Financial Regulations of the United Nations;

(c) By both of these methods.

Other contributions may be accepted in accordance with regulations 7.2 and 7.3 of the Financial Regulations of the United Nations.

2. The voluntary contributions shall be governed by the Financial Regulations of the United Nations except for such modification as may be approved by the General Assembly on the recommendation of the Board.

3. The Fund shall be administered in accordance with the Financial Rules of the United Nations Industrial Development Fund.

DRAFT RESOLUTION II

General procedures governing the operations of the United Nations Industrial Development Fund

The General Assembly

Adopts the general procedures governing the operations of the United Nations Industrial Development Fund set forth in the annex to the present resolution.

ANNEX

General procedures governing the operations of the United Nations Industrial Development Fund

I. INTRODUCTION

The United Nations Industrial Development Fund was established by the General Assembly under resolution 31/— of — December 1976.²⁰ The present general procedures are formulated in pursuance of section III, paragraph 1, of the annex to that resolution, which provides that the Industrial Development Board shall formulate such general policy guidance as is necessary to govern the operations of the Fund.

Article 1. Definitions

For the purposes of these general procedures, the following definitions shall apply:

(a) "Fund" means the United Nations Industrial Development Fund;

(b) "Board" means the Industrial Development Board of the United Nations Industrial Development Organization;

(c) "Government" means the Government of a State which is a Member State of the United Nations or member of a specialized agency of the United Nations or of the International Atomic Energy Agency which participates in the Fund as a donor or a recipient or both;

(d) "The Secretary-General" means the Secretary-General of the United Nations or a member of the staff to whom he has delegated his authority or responsibility;

¹⁸ Resolutions 3201 (S-VI) and 3202 (S-VI).

¹⁹ See draft resolution II below, annex.

²⁰ See draft resolution I above, adopted by the General Assembly on 22 December 1976 as resolution 31/202.

(e) "The Executive Director" means the Executive Director of the United Nations Industrial Development Organization or a member of the staff to whom he has delegated his authority or responsibility;

(f) "The Controller" means the Controller of the United Nations or his authorized delegate;

(g) "Contribution" means any voluntary contribution to the Fund irrespective of source;

(h) "Donor" means any Government or other organization or individual who makes a contribution to the Fund;

(i) "Project document" means the formal document describing the purpose and plan of activities and the financial provisions of a Fund project on the basis of which that project is approved;

(j) "Financial resources" means funds available to the Fund from all sources, including but not limited to contributions, except counterpart contributions from recipient Governments;

(k) "Counterpart contributions" means the amounts contributed to projects by recipient Governments for the cost of specific services and facilities as set out in project documents;

(l) "Financial Rules" means the Financial Rules of the United Nations Industrial Development Fund;

(m) "Allocation" means the authority from the Executive Director to incur commitments and make expenditures under those Rules for purposes specified in the allocation;

(n) "Commitment" means the legal obligation to make a future expenditure from the resources of the Fund;

(o) "Expenditure" means the disbursement of funds of the Fund by the Executive Director directly in full or partial liquidation of a commitment.

II. RESOURCES OF THE FUND

Article 2. Financial resources

The financial resources of the Fund shall be derived from voluntary contributions and other sources as defined in the Financial Rules.

Article 3. Pledges

1. Governments may pledge contributions to the Fund at any time.

2. Contributions may be pledged either on an annual basis or for a number of years. Whenever possible, Governments are urged to pledge their contributions for a number of years. While Governments may pledge contributions to the Fund at any time, they are urged to do so on the occasion of the pledging conference.

3. At the request of the Board, the Secretary-General shall convene a pledging conference, at which Governments may announce their contributions to the Fund.

Article 4. Management of resources

The resources of the Fund shall be acquired, authorized, administered, used and disposed of in conformity with the Financial Rules.

Article 5. Subaccounts

Within the framework of the Fund, subaccounts may be established by the Executive Director for specified purposes consistent with the policies, aims, and activities of the Fund, in accordance with regulation 7.3 of the Financial Regulations of the United Nations. The purpose and limits of each subaccount shall be clearly defined. The Financial Rules shall apply to any subaccount established under the present article.

III. APPROVAL AND IMPLEMENTATION OF THE FUND PROGRAMME

Article 6. Responsibilities of the Board and of the Executive Director

1. The Board shall provide general policy guidance with a view to ensuring that the resources of the Fund are employed

with maximum efficiency and effectiveness in pursuance of the purposes of the Fund.

2. The Executive Director shall submit to the Board each year the programme of the Fund for the following year. This programme shall be developed subject to such guidance as may have been provided by the Board. The programme activities shall be submitted in sufficient detail and shall include estimates of expenditure according to types of activity.

3. In submitting his programme proposals, the Executive Director shall:

(a) Provide estimates of the anticipated resources of the Fund;

(b) Propose the sums to be transferred to or from reserves;

(c) Specify the amounts to be set aside for programme support and administrative costs;

(d) State the resources consequently estimated to be available to finance projects.

4. The formulation of the programme shall be so undertaken as to provide a margin of flexibility in the final choice of projects to be implemented in a given financial year.

5. The programme submission shall be accompanied by a plan containing estimates of future resources and their proposed apportionment. This plan shall cover two years, that of the programme and the following year.

6. The Board shall approve the programme and authorize the allocation of funds in the manner prescribed in section III, paragraph 3, of the annex to General Assembly resolution 31/2.²⁰

7. The Board shall exercise effective control over the constituent activities of the Fund. To this end, it shall ensure that systematic evaluations are undertaken of individual projects and of the programme of the Fund.

8. The secretariat of the United Nations Industrial Development Organization shall formulate on a continuous basis such projects as are necessary to accomplish the programme activities of the Fund approved by the Board within the limits of the resources available to the Fund.

9. Any Government seeking assistance from the Fund shall submit a request in writing to the Executive Director providing detailed information on the kind of assistance required, the objectives it hopes to achieve and the services and facilities which it expects to be able to contribute. Such Government shall provide a time-table and shall identify the governmental entities responsible for the project.

10. In respect of each project, the secretariat of the United Nations Industrial Development Organization shall prepare a project document for approval in accordance with section III, paragraph 4, of the annex to resolution 31/2.²⁰ The objectives which a project is designed to achieve shall be identified therein, as shall be the follow-up action expected to be taken consequent on the completion of the project. The establishment of a basis for such follow-up action may in appropriate cases be a suitable objective for a project.

11. The project document shall:

(a) Describe all financial, technical, managerial and other resources required for the successful implementation of the project;

(b) Include a work plan and any special arrangements applicable to the execution of the project;

(c) Contain a budget estimate showing the financial implications of the project in its entirety and including a statement, where applicable, of the counterpart contribution to be made by a recipient Government, as well as its amount, timing and form.

If the project is expected to be implemented during more than one financial year, separate estimates shall be prepared for each such period.

12. Following approval, project documents shall be signed by representatives of the recipient Government, where re-

quired, and of the Executive Director. The approved documents, including the budget estimates and work plans, shall be the basis of allocating funds for the activities concerned.

13. Programme support and administrative services for the implementation of projects of the programme of the Fund shall be provided by the various units of the secretariat of the United Nations Industrial Development Organization as appropriate. Reimbursement for such services from resources of the Fund shall be at the rate of reimbursement to executing agencies currently applied by the United Nations Development Programme.

14. The Executive Director shall submit annual and, where appropriate, special reports to the Board on the implementation of the programme of the Fund, in all its aspects and with emphasis on the concept of performance reporting.

Draft decision

10. The Fifth Committee also recommends that the General Assembly should concur with the understanding of the Secretary-General regarding the purpose of the United Nations Industrial Development Fund, as recorded in paragraph 14 of his note (A/C.5/31/57).

DOCUMENT A/31/470

Report of the Fifth Committee

[Original: English]
[22 December 1976]

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Introduction

1. By its resolution 3539 (XXX) of 17 December 1975, the General Assembly approved a total appropriation of \$745,813,800 under the various expenditure sections of the programme budget for the biennium 1976-1977 and estimates of income from various sources during the same period in a total amount of \$118,292,300 or a net assessment level of \$627,521,500.

2. Under agenda item 92, the Fifth Committee examined the report of the Secretary-General on the budget and programme performance of the United

Nations for the biennium 1976-1977 (A/C.5/31/37 and Corr.1 and Add.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.25 and Corr.1). In his report, the Secretary-General requested an additional appropriation of \$13,300,500 for the biennium as a whole, based on developments and expenditure trends during the first six months of the biennium, and projections in respect of the balance of the financial period. He also proposed a reduction of \$282,800 in the estimates of income.

3. In addition, proposed additional appropriations in a total amount of \$35,263,150 and revised estimates

of income totalling \$9,012,100 were examined by the Committee on the basis of a number of other reports of the Secretary-General and of the Advisory Committee.

4. The Fifth Committee recommends an increase of \$38,119,100 in the gross appropriation approved by the General Assembly in resolution 3539 (XXX) for a total of \$783,932,900 and an increase of \$8,595,000 in the total estimated income for a total of \$126,887,300.

5. The views expressed during the discussion of the special subjects under this agenda item are reflected in the summary records of the Committee which are indicated below, in the text dealing with each of those subjects.

Consideration of specific questions

A. EMOLUMENTS OF MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

6. The question of emoluments of members of the International Court of Justice was discussed by the Committee at its 10th, 12th, 13th and 14th meetings on 18, 20, 21 and 22 October.

7. For its consideration of the question, the Committee had before it the report of the Secretary-General (A/C.5/31/13) as well as the related report of the Advisory Committee (A/31/8/Add.3), to which was annexed the following draft resolution:

"The General Assembly,

"... [the preamble and operative paragraphs 1 and 2 are the same as the preamble and the corresponding paragraphs of draft resolution 1 in paragraph 107 below];

"3. Decides that the allowances and compensation provided for in Article 32, paragraphs 2 to 4, of the Statute of the International Court of Justice and the retirement pensions given to members of the Court shall be reviewed concurrently with the review of their annual salary, and that the system of interim adjustments shall not apply to them."

8. The report of the Advisory Committee was introduced by the Chairman of the Committee at the 10th meeting of the Fifth Committee.

9. At the 12th meeting, the representative of the Philippines orally proposed the following two amendments to the draft resolution:

(a) The addition of a third preambular paragraph reading:

"Taking into account the views expressed by members of the Fifth Committee";

(b) The insertion of the word "periodic" before the word "review" in operative paragraph 3.

10. The first of the amendments was withdrawn at the 13th meeting.

Decision of the Committee

11. At its 14th meeting, the Fifth Committee, by 61 votes to 16, with 5 abstentions, adopted the draft resolution (A/31/8/Add.3, annex) as orally amended (see para. 107 below, draft resolution I).

B. YEARBOOK OF THE UNITED NATIONS

12. The report of the Secretary-General on the *Yearbook of the United Nations* (A/C.5/31/12) was

considered by the Fifth Committee at its 10th to 13th and 18th meetings, together with the question of the United Nations information centres system from 18 to 21 and on 28 October.

13. The report of the Secretary-General, which was submitted in response to a decision taken by the General Assembly at its 2444th plenary meeting, on 17 December 1975,²¹ wherein the Secretary-General was requested to explore ways and means of ensuring a more timely publication of the *Yearbook* without impairing its quality and high standards, and to report to the Assembly at its thirty-first session, was introduced by the Assistant Secretary-General for Public Information at the 10th meeting of the Committee.

14. At the same meeting, the related report of the Advisory Committee (A/31/8/Add.1 and Corr.1) was introduced by the Chairman of the Committee in an oral statement before the Fifth Committee.

15. In order to achieve a timely issue of the *Yearbook*—that is, within an 18-month period—the Secretary-General requested additional staff resources for the *Yearbook* Unit within the Office of Public Information; the financial requirements would amount to \$108,500 in 1977 and \$136,500 in 1978, net of staff assessment (A/C.5/31/12, paras. 8, 9 and 17).

16. In paragraph 13 of its report, the Advisory Committee stated that acceptance of its recommendations in paragraphs 7 to 12 of that report would mean a reduction of \$31,200 in the Secretary-General's estimates of financial implications for both 1977 and 1978. An additional amount of \$77,300 would therefore be required for the biennium 1976-1977 as against the \$108,500 set forth in detail by the Secretary-General in paragraph 19 of his report.

17. At the 13th meeting, the representative of Pakistan proposed that, in taking a decision on this question, the Committee should also endorse the recommendations made by the Committee for Programme and Co-ordination in its report on the work of its sixteenth session, in which it stated the following:

*"In connexion with the United Nations Yearbook, the Committee recommended that the Secretary-General should give this important publication the high priority it deserved by reassigning adequate resources, by ensuring the timely submission of reports by different units and by streamlining production methods. The Committee considered that this important publication should be ready within a year after the end of the regular session of the General Assembly, without prejudice to its recognized quality and high standards of objectivity."*²²

18. At the 18th meeting, after a debate on the proposal, the representative of Pakistan decided to withdraw his proposal in view of the apparent contradiction between the 18-month target mentioned by the Secretary-General and the 12-month target recommended by CPC. His delegation did not wish to create an artificial controversy over a matter which for all practical purposes had been resolved. The Assistant Secretary-General for Public Information had stated his commitment to the timely publication of the *Yearbook*, and the delegation of Pakistan was confident that, after the current backlog was cleared, the Secretary-General

²¹ Official Records of the General Assembly, Thirtieth Session, Supplement No. 34, item 96, p. 144, para. n (ii).

²² Ibid., Thirty-first Session, Supplement No. 38, para. 51.

would make every reasonable effort to achieve a 12-month target without requesting additional funds.

19. At the same meeting, the Fifth Committee:

(a) Decided, without objection, to recommend that the General Assembly should take note of the report of the Secretary-General (A/C.5/31/12);

(b) Decided, by 69 votes to 9, with 1 abstention, to recommend that the General Assembly should concur with the comments and observations of the Advisory Committee in its report (A/31/8/Add.1 and Corr.1);

(c) Decided, by 68 votes to 12, with 4 abstentions, to recommend that the General Assembly should approve the recommendation of the Advisory Committee contained in paragraph 13 of its report.

20. The comments made by delegations in the course of the discussion of the question, as well as the explanations of vote, are reflected in the summary records of the Committee (A/C.5/31/SR.10-13 and 18).

Decision of the Committee

21. At its 18th meeting, the Fifth Committee decided to recommend that the General Assembly should:

(a) Take note of the report of the Secretary-General on the *Yearbook of the United Nations*;

(b) Concur with the comments and observations of the Advisory Committee in its report;

(c) Approve the recommendation of the Advisory Committee contained in paragraph 13 of its report. (See para. 107 below, draft resolution V, sect. I.)

C. UNITED NATIONS INFORMATION CENTRES SYSTEM

22. The question of the United Nations information centres system was considered by the Fifth Committee at its 10th to 13th meetings, from 18 to 21 October.

23. For its consideration of the question, the Committee had before it the report of the Secretary-General (A/C.5/31/14), containing the results of an over-all review of the information centres system which was initiated in 1973, as well as the related report of the Advisory Committee (A/31/8/Add.2).

24. The report of the Advisory Committee was introduced by the Chairman of that Committee in an oral statement before the Fifth Committee at its 10th meeting.

25. At the same meeting, the Assistant Secretary-General for Public Information introduced the report of the Secretary-General and, at the 13th meeting, orally replied to a number of questions raised during the consideration of the question.

26. The comments and observations made by delegations in the course of the discussion are reflected in the summary records of the Committee (A/C.5/31/SR.10-13).

Decision of the Committee

27. At its 13th 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 United Nations information centres system;

(b) Concur with the comments and observations made by the Advisory Committee in its report. (See para. 107 below, draft resolution V, sect. II.)

D. FUTURE TREND IN COMPUTER USAGE

28. The Committee discussed the report of the Secretary-General on electronic data processing and information systems in the United Nations (A/C.5/31/3), as well as the related report of the Advisory Committee (A/31/255), at its 15th, 21st, 23rd, 25th and 27th meetings, on 25 October and 2, 4, 8 and 10 November.

29. At the 15th meeting, the report of the Advisory Committee was orally introduced by the Chairman of that Committee.

30. In its report, the Advisory Committee concluded that there was need for greater discipline in the use of electronic data processing facilities at Headquarters (New York Computing Centre). Accordingly, it recommended the establishment within the Secretariat of an interdepartmental information systems board, which would conduct annual reviews of the information systems in each department and would meet on a regular basis to review, evaluate and approve requests submitted to the Electronic Data Processing and Information Systems Service (EDPIS) for new computer-based information systems, including those requests put forward as part of the medium-term plan. In this connexion, it recommended that the rental replacement of a computer requested by the Secretary-General should be delayed until after the board had been established and had carried out the necessary reviews. The funds requested by the Secretary-General for this purpose (\$332,200) would be released after the Advisory Committee was satisfied that the necessary safeguards were in place and functioning.

31. The Advisory Committee could not agree to the Secretary-General's request for funds for the purchase of additional interactive remote processing equipment in 1977. It noted that the Secretary-General had approached the question of such an acquisition on a piecemeal basis, and believed that the wider implications of the subject warranted the undertaking of co-ordinated feasibility studies of the needs of all programmes.

32. With regard to the electronic data processing programmes at Geneva and Vienna and in UNEP and the regional commissions, the Advisory Committee observed that the need for discipline and co-ordination, which it had emphasized with respect to the New York computing centre facilities, applied to all centres.

33. The comments and observations of delegations in the course of the discussion of the question, as well as the comments of the representative of the Secretary-General and his replies to queries, are reflected in the summary records of the Committee (A/C.5/31/SR.15, 21, 23, 25 and 27).

Decisions of the Committee

34. At its 27th meeting, the Fifth Committee, as recommended by the Advisory Committee, approved by 64 votes to 9, with 3 abstentions, additional appropriations for the programme budget for the biennium 1976-1977 of \$359,900 under section 22D (EDPIS), \$153,400 under section 22G (Administrative and Financial Services, Geneva) and \$24,900 under section 25 (staff assessment), as well as increases of \$24,900 under income section 1 and \$290,000 under income section 2.

35. At the same 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 electronic data processing and information systems in the United Nations and of the related report of the Advisory Committee;

(b) Take note of the views expressed by delegations in the Fifth Committee;

(c) Endorse the observations and recommendations made by the Advisory Committee in its report. (See para. 107 below, draft resolution V, sect. III.)

E. REVIEW OF ACTION TAKEN ON THE RECOMMENDATIONS OF THE ADMINISTRATIVE MANAGEMENT SERVICE

36. The Fifth Committee considered the report of the Secretary-General on the review of action taken on the recommendations of the Administrative Management Service (A/C.5/31/6) and the related report of the Advisory Committee (A/31/8/Add.5) at its 21st, 24th and 25th meetings on 2, 5 and 8 November. The Committee also had before it a report of the Secretary-General on the question of a merger of the Administrative Management Service and the Internal Audit Service (A/C.5/31/29).

37. At its 24th meeting, the Fifth Committee decided, without objection, to deal with the question of the future of the Administrative Management Service when it considered agenda item 96 concerning administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.

38. The report of the Advisory Committee was introduced by the Chairman of that Committee at the 21st meeting.

39. In an oral statement before the Committee at its 24th meeting, the Under-Secretary-General for Administration and Management commented on the role of the Administrative Management Service and replied to observations made during the discussion.

40. In paragraphs 12 to 19 of its report, the Advisory Committee, commenting on the report of the Secretary-General on the review of action taken on the recommendations of the Administrative Management Service, made a number of suggestions which it believed, if accepted, would help to make the Service more effective. In particular, it believed that staff at all levels of the Secretariat should be made aware that management and other improvement efforts have the full backing of the Secretary-General and that, once it had been decided by the Secretary-General that a recommendation of the Administrative Management Service was in the interest of the Organization, the recommendation should be implemented in full. The Advisory Committee suggested also that the Administrative Management Service should have the necessary degree of independence in the exercise of its functions, that it should have sufficient qualified staff to carry out its work and that its role should not be hampered by the establishment of departmental administrative management units.

41. The comments and observations made by delegations in the course of the debate on this question are reflected in the summary records of the Committee (A/C.5/31/SR.21, 24 and 25).

Decision of the Committee

42. At its 25th meeting, the Fifth Committee, on the understanding that the question of the future of the Administrative Management Service would be discussed under agenda item 96, decided without objection to recommend that the General Assembly should:

(a) Take note of the report of the Secretary-General on the review of action taken on the recommendations made by the Administrative Management Service and of the related report of the Advisory Committee;

(b) Concur with the observations and recommendations made by the Advisory Committee in paragraphs 12 to 19 of its report. (See para. 107 below, draft resolution V, sect. IV.)

F. USE OF EXPERTS AND CONSULTANTS IN THE UNITED NATIONS

43. The Committee considered the question of the use of experts and consultants in the United Nations at its 6th, 7th and 44th meetings, on 11 and 13 October and 8 December.

44. For its consideration of the question, the Committee had before it the report of the Secretary-General on the subject, (A/C.5/31/10) and Corr.1), submitted pursuant to a decision taken by the General Assembly at its 2444th plenary meeting, on 17 December 1975.²³

45. The Chairman of the Advisory Committee stated the views of the Advisory Committee on the report of the Secretary-General in an oral statement before the Fifth Committee at its 6th meeting.

46. The representative of the Secretary-General made an oral statement at the same meeting.

47. When the Fifth Committee resumed its discussion of the question at its 44th meeting, it had before it an addendum (A/C.5/31/10/Add.1 and Corr.1) to the report of the Secretary-General, containing statistical information, covering the period from 1 January to 30 June 1976, with respect to the new procedure instituted for the recruitment of consultants, experts and individual contractors.

48. At the 44th meeting, in reply to comments made and questions raised in the course of the debate, oral statements were made by the representative of the Secretary-General and the Chief of the Secretariat Recruitment Service.

49. At the same meeting, the representative of Poland orally submitted a draft resolution whereby the Committee would recommend to the General Assembly that it take note of the report of the Secretary-General and of the oral report of the Advisory Committee, reaffirm the decisions it had taken on that question in 1974 and 1975 and request the Secretary-General to report to the Assembly, through the Advisory Committee, on the implementation of those decisions.

50. The comments and observations made by delegations in the course of the discussion of the question are reflected in the summary records of the Fifth Committee (A/C.5/31/SR.6, 7 and 44).

Decision of the Committee

51. At its 44th meeting, the Fifth Committee adopted, without objection, the draft resolution sub-

²³ *Ibid.*, Thirtieth Session, Supplement No. 34, item 96, p. 145, para. (f) (iii).

mitted by Poland (see para. 107 below, draft resolution II).

G. ESTABLISHMENT OF A RATIONALE FOR THE ALLOCATION OF EXPENSES BETWEEN THE REGULAR BUDGET AND THE FUND OF THE UNITED NATIONS ENVIRONMENT PROGRAMME

52. At its 45th meeting, on 9 December, when the Committee considered the question of the establishment of a rationale for the allocation of expenses between the regular budget and the Fund of UNEP, it had before it the report of the Secretary-General and the Executive Director of UNEP on the subject (A/C.5/31/39 and Corr.1 and 2), as well as the related report of the Advisory Committee (A/31/8/Add.10).

53. The Chairman of the Advisory Committee introduced the Committee's report in an oral statement before the Committee.

54. In the conclusion of its report, the Advisory Committee stated that it did not recommend acceptance of the proposal of the Secretary-General and the Executive Director of UNEP that the General Assembly and the Governing Council of UNEP approve a 40:60 ratio as the theoretically appropriate ratio for the distribution of staff costs between the regular budget of the United Nations and the Fund of UNEP. At the same time, it was of the opinion that the current policy, under which no posts were to be added to the regular budget establishment of UNEP, need not be extended automatically beyond 1977. However, any proposals by the Secretary-General to increase the regular budget establishment during the biennium 1978-1979, or subsequently, should be accompanied by full justification in terms of functions and grading and should be consistent with the decisions taken or to be taken by the Assembly on the medium-term plan for the period 1978-1981²⁴ and subsequent medium-term plans.

Decision of the Committee

55. At its 45th meeting, after a short discussion, 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 establishment of a rationale for the allocation of expenses between the regular budget of the United Nations and the Fund of UNEP and of the related report of the Advisory Committee;

(b) Endorse the conclusions of the Advisory Committee contained in paragraph 16 of its report. (See para. 107 below, draft resolution V, sect. V.)

H. UNITED NATIONS ACCOMMODATION IN GENEVA, ADDIS ABABA, BANGKOK, SANTIAGO AND NAIROBI

56. The Committee considered the question at its 51st meeting, on 15 December, at which time it had before it the following reports:

(a) Report of the Secretary-General on United Nations accommodation in Addis Ababa, Bangkok and Santiago (A/C.5/31/41);

(b) Report of the Secretary-General on United Nations accommodation in Nairobi (A/C.5/31/45);

(c) Report of the Secretary-General on the extension of the Palais des Nations at Geneva (A/C.5/31/20);

(d) Report of the Advisory Committee (A/31/8/Add.16) on the three above-mentioned reports.

Decision of the Committee

57. At its 51st meeting, the Fifth Committee decided to recommend that the General Assembly should:

(a) Take note of the above-mentioned reports of the Secretary-General;

(b) Also take note of the related report of the Advisory Committee. (See para. 107 below, draft resolution V, sect. VI.)

I. REVISED ESTIMATES CONCERNING THE UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

58. The Committee considered the question at its 45th, 48th, 51st and 57th meetings on 9, 13, 15 and 20 December, at which time it had before it the report of the Secretary-General (A/C.5/31/49) on the revised estimates resulting from the decisions of the Trade and Development Board arising from UNCTAD at its fourth session and the related report of the Advisory Committee (A/31/8/Add.12).

59. In his report, the Secretary-General indicated that the financial implications of the decisions taken by the Trade and Development Board at the first part of its sixteenth session amounted to \$3,044,700. Of this amount, an appropriation of \$2,337,700 was requested for the biennium 1976-1977; the difference of \$707,000 related to conference services for UNCTAD, for which no appropriation was requested at the current stage.

60. In its report, the Advisory Committee recommended reductions totaling \$479,700 in the appropriation requested by the Secretary-General. With regard to the amount of \$707,000 relating to conference services for UNCTAD, the Advisory Committee suggested that the Fifth Committee might wish to request the Committee on Conferences to study the question of the provision of United Nations services to meetings of regional and other limited-access groups and, to the extent possible, recommend guidelines which could be applied in the future.

61. During the discussion of the question, the representative of Sri Lanka proposed that, in addition to the recommendations made by the Advisory Committee, the following posts, which had been requested by the Secretary-General in his report, be reinstated:

(a) One P-3 post and 1 General Service post for the advisory service on the transfer of technology;

(b) One additional P-3 post for the manufactures and semi-manufactures programme;

(c) One P-3 post and 1 P-2 post for the programme for economic co-operation among developing countries;

(d) One P-2 post and 1 General Service post for the special programme for least developed, land-locked and developing island countries.

With respect to the last-named programme the representative of Afghanistan made a similar proposal concerning the establishment of an additional P-2 post.

²⁴ Ibid., Thirty-first Session, Supplement No. 6A and corrigenda.

62. The financial implications of the additions proposed by Sri Lanka and Afghanistan to the recommendations of the Advisory Committee amounted to \$119,900 under section 11 of the programme budget for the biennium 1976-1977 and \$24,000 under section 25, offset by a corresponding amount under income section 1.

63. At its 51st meeting, the Committee adopted, by 66 votes to 17, with 7 abstentions, the proposals of Sri Lanka and Afghanistan to amend the recommendation of the Advisory Committee, as set out in paragraphs 61 and 62 above.

64. The Committee then adopted the recommendations of the Advisory Committee (A/31/8/Add.12, para. 21), as amended, by 72 votes to 11, with 6 abstentions.

65. As a result of the Committee's action, revised estimates, representing additional net appropriations totalling \$1,977,900, would be included in the programme budget for 1976-1977 as follows:

| | US dollars |
|--|------------|
| Section 11. United Nations Conference on Trade and Development | 1 847 900 |
| Section 22. Administration, management and general services | 130 000 |
| Section 25. Staff assessment | 334 000 |
| Income section 1. Income from staff assessment | 334 000 |

66. Also at the 51st meeting, the representative of the United Kingdom of Great Britain and Northern Ireland orally proposed that the Committee endorse the Advisory Committee's suggestion contained in the last sentence of paragraph 23 of its report, which read as follows:

"The Advisory Committee suggests that the Fifth Committee may wish to request the Committee on Conferences to study the question of the provision of United Nations services to meetings of regional and other limited-access groups and, to the extent possible, recommend guidelines which could be applied in the future."

67. At the same meeting, the representative of Sri Lanka proposed the following draft resolution (A/C.5/31/L.37):

"The General Assembly,

"...[the preamble and operative paragraphs 1 and 2 are the same as the corresponding paragraphs of draft resolution III in paragraph 107 below];

"3. Recommends that the provision of United Nations Conference on Trade and Development services for meetings of different kinds be further considered by the Trade and Development Board as necessary with a view to taking the appropriate decisions."

Sri Lanka subsequently withdrew operative paragraph 3 of its draft resolution.

68. At the 57th meeting, the oral proposal made by the United Kingdom was rejected by 45 votes to 26, with 20 abstentions.

69. At the same meeting, the Committee adopted the draft resolution submitted by Sri Lanka (A/C.5/31/L.37), as revised, by 86 votes to 9, with 5 abstentions.

70. Statements made by the representative of the Secretary-General in reply to queries raised and the comments and explanations of vote of delegations are reflected in the summary records of the Committee (A/C.5/31/SR.45, 48, 51 and 57).

Decision of the Committee

71. At its 57th meeting, the Fifth Committee adopted draft resolution A/C.5/31/L.37, as revised (see para. 107 below, draft resolution III).

J. REVISED ESTIMATES IN RESPECT OF THE UNITED NATIONS CENTRE ON TRANSNATIONAL CORPORATIONS

72. The Committee considered the question at its 58th and 59th meetings on 20 and 21 December. It had before it the report of the Secretary-General on the revised estimates under expenditure sections 4, 5B, 22 and 25 and income section 1 of the programme budget for the biennium 1976-1977, relating to the major programme on transnational corporations (A/C.5/31/25 and Corr.1). The related report of the Advisory Committee (A/31/8/Add.19) was also before the Committee.

73. In his report, the Secretary-General submitted revised estimates under expenditure sections 4, 5B, 22D, 22J and 25 of the programme budget for the biennium 1976-1977 in the amount of \$3,784,000 and, under income section 1, of \$281,700. The Advisory Committee, in its report, recommended a net additional appropriation of \$1,939,000.

74. At the 58th meeting, the representative of Greece, in connexion with the recommendations of the Advisory Committee, proposed the approval of 18 Professional and 13 General Service posts as follows: 1 D-2, 2 D-1, 3 P-5, 5 P-4, 4 P-3, 3 P-2/1, 3 G-5, 10 G-4/1. He also proposed that the Committee approve the Secretary-General's request (A/C.5/31/25 and Corr.1, para. 65) for the joint units of the United Nations Centre on Transnational Corporations in the regional commissions. Finally, he proposed that no appropriation be approved for library books and supplies for the Centre.

75. The effect of the Greek proposal would be an increase in the total net appropriations recommended by the Advisory Committee for the biennium 1976-1977 by \$639,000, as follows: in section 5B, \$479,000; in section 22J \$160,000; and in section 25, \$55,000, to be offset by an equivalent amount under income section 1.

76. At the 59th meeting, the representative of Canada introduced a draft decision (A/C.5/31/L.59) which read as follows:

"The General Assembly

"Decides that, before any commitment is made to commercially available software for the United Nations Centre on Transnational Corporations, the Secretary-General should test the Integrated Set of Information Systems as an alternative, and report thereon to the Advisory Committee on Administrative and Budgetary Questions."

77. The representative of Canada subsequently orally revised the draft decision as follows:

(a) The words "commitment is made to commercially available" were replaced by the words "decision is reached on";

(b) The word "test" was replaced by the words "give full consideration to suitable or alternative packages, including", and the words "as an alternative" after the word "Systems" were deleted.

78. The Committee adopted the draft decision (A/C.5/31/L.59), as orally revised, by consensus (see para. 107 below, draft resolution V, sect. VII).

79. The Committee then adopted the proposal of Greece, concerning the recommendations of the Advisory Committee, by a recorded vote of 63 to 18, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Austria, Bangladesh, Barbados, Benin, Bhutan, Brazil, Burma, Burundi, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, Egypt, Finland, Ghana, Greece, Guatemala, Guyana, India, Indonesia, Iraq, Ireland, Ivory Coast, Kenya, Kuwait, Liberia, Libyan Arab Republic, Mali, Mexico, Netherlands, New Zealand, Norway, Oman, Peru, Philippines, Portugal, Rwanda, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Turkey, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, France, German Democratic Republic, Germany, Federal Republic of, Hungary, Iran, Israel, Italy, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

Abstaining: China, Gabon, Japan, Romania, United States of America.

80. As a result of the adoption of the Greek proposal, the following revised estimates, totalling \$2,578,000 net, would be included in the programme budget for 1976-1977:

| | US dollars |
|---|------------|
| Section 4. Policy-making organs (economic and social activities) | 100 000 |
| Section 5B. United Nations Centre on Transnational Corporations | 1 750 000 |
| Section 22D. Electronic Data Processing and Information Systems Service | 383 000 |
| Section 22J. Office of General Services (New York) | 345 000 |
| Section 25. Staff assessment | 268 000 |

81. Comments and observations made during the discussion of this question are reflected in the summary records of the Committee (A/C.5/31/SR.58 and 59).

Decision of the Committee

82. The Fifth Committee decided to recommend to the General Assembly that, before any decision is reached on software for the United Nations Centre on Transnational Corporations, the Secretary-General should give full consideration to suitable alternative packages, including the Integrated Set of Information Systems, and report thereon to the Advisory Committee (see para. 107 below, draft resolution V, sect. VII).

K. ARABIC LANGUAGE SERVICES IN THE UNITED NATIONS

83. The question of Arabic language services in the United Nations was considered by the Fifth Com-

mittee at its 60th meeting, on 21 December, at which time it had before it a report of the Secretary-General (A/C.5/31/60 and Corr.1), as well as the related report of the Advisory Committee (A/31/8/Add.26).

84. The Chairman of the Advisory Committee introduced the Committee's report in an oral statement before the Fifth Committee.

85. In section IV of his report, the Secretary-General set out the proposed organizational arrangements for the Arabic language services.

86. The Advisory Committee stated in its report that it did not concur with the Secretary-General's request for \$108,000 for 1977 for rental and operating costs. It expressed the opinion that the Secretary-General should take steps towards co-ordinating efforts among the specialized agencies and the Organization in developing Arabic language services; the Committee understood that the experience to be gained from the organizational arrangements proposed by the Secretary-General would be reviewed at the end of the three-year period 1977-1979 and it trusted that a report thereon would be submitted by the Secretary-General to the General Assembly.

87. During the discussion of the question, it was proposed by some delegations that the Secretary-General should submit a report to the General Assembly at its thirty-second session on the success of, and on any difficulties which might be experienced with, his current proposals, and also any further ideas or proposals in relation to the positions stated by the Arab delegates who took part in the discussion in the Fifth Committee.

88. All other comments and observations made during the course of the discussion of the question are reflected in the summary record of the Committee (A/C.5/31/SR.60).

Decision of the Committee

89. The Fifth Committee decided, by consensus, to recommend that the General Assembly should:

(a) Take note of the report of the Secretary-General on Arabic language services in the United Nations and approve the organizational arrangements contained in section IV thereof;

(b) Concur with the observations and recommendations made by the Advisory Committee in its report. (See para. 107 below, draft resolution V, sect. VIII.)

L. EMOLUMENTS OF THE SECRETARY-GENERAL

90. At its 61st meeting, on 21 December, the Fifth Committee considered the question of the emoluments of the Secretary-General; it had before it the report of the Advisory Committee (A/31/8/Add.24).

91. The Advisory Committee, taking into account certain decisions of the General Assembly, recommended that the salary of the Secretary-General be increased to \$110,650 gross with effect from 1 January 1977. The Advisory Committee stated that, should its recommendations be approved by the Assembly, there would be a consequential increase in the maximum retirement allowance for the Secretary-General from \$38,800 to \$55,325 a year pursuant to Assembly resolution 2772 (XXVI) of 29 November 1971. It recommended that, with effect from 1 January 1977, pensions in payment to former Secretaries-General or their surviving spouses be adjusted proportionately

whenever the Assembly took a decision affecting the maximum retirement allowance for the Secretary-General.

Decisions of the Committee

92. The Fifth Committee decided, without objection, to recommend that the General Assembly should:

(a) Concur with the recommendations of the Advisory Committee concerning the emoluments of the Secretary-General contained in paragraphs 5, 6 and 7 of its report;

(b) Approve net additional appropriations of \$12,000 under section 1 of the programme budget for the biennium 1976-1977, and an increase of \$21,000 for staff assessment under section 25, offset by an equivalent amount under income section 1. (See para. 107, draft resolution V, sect. IX.)

93. The Fifth Committee also decided, without objection, upon the recommendation of the representative of Algeria, to recommend that the General Assembly should request the Secretary-General 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 Assembly (*ibid.*, sect. X).

M. STANDARDS OF ACCOMMODATION FOR OFFICIAL TRAVEL OF UNITED NATIONS STAFF BY AIR

94. At its 5th meeting, on 8 October, the Committee considered the annual report of the Secretary-General on the standards of accommodation for official travel of United Nations staff by air for the period from 1 July 1975 to 30 June 1976 (A/C.5/31/5), submitted in pursuance of paragraph 2 of General Assembly resolution 3198 (XXVIII) of 18 December 1973.

Decisions of the Committee

95. The Fifth Committee decided to recommend that the General Assembly should:

(a) Take note of the report of the Secretary-General;

(b) Decide that, in future, the Secretary-General should report on the implementation of General Assembly resolution 3198 (XXVIII) to the Advisory Committee and, should it consider it necessary, the Advisory Committee should bring to the attention of the Assembly any relevant part of the information provided by the Secretary-General. (See para. 107, draft resolution V, sect. XI.)

N. PERFORMANCE REPORT ON THE PROGRAMME BUDGET FOR THE BIENNIUM 1976-1977: INTERNATIONAL TRADE CENTRE

96. At its 61st meeting, on 21 December, the Fifth Committee took note of the note by the Secretary-General (A/C.5/31/51 and Corr.1) on the first performance report on the programme budget of the International Trade Centre for the biennium 1976-1977.

O. FIRST PERFORMANCE REPORT ON THE PROGRAMME BUDGET FOR THE BIENNIUM 1976-1977

97. In his first performance report (A/C.5/31/37 and Corr.1 and Add.1), the Secretary-General requested that the total appropriations approved by the

General Assembly for the current biennium in its resolution 3539 A (XXX) be increased by \$13,300,500 from a total of \$745,813,800 to \$759,114,300. Of the additional amount, \$7,987,300 was related to the net combined effects of inflation and variations in the rates of currency exchange, \$2,456,200 to decisions of policy-making organs since the original appropriations were approved and \$2,857,000 to the net effect of other changes proposed by the Secretary-General. Also proposed was a reduction in the estimates of income by \$282,800 from a total of \$118,292,300 to \$118,009,500. On that basis, the net revised requirements amounted to \$641,104,800.

98. In its related report (A/31/8/Add.25 and Corr.1), the Advisory Committee recommended that the additional appropriation proposed by the Secretary-General be reduced by \$2,130,900 from \$13,300,500 to \$11,169,600, but that his revised estimates of income be accepted. Of the additional appropriations, \$7,987,300 related to the effects of inflation and the rates of exchange, corresponding to the amount requested by the Secretary-General, and \$3,182,300 to the other factors dealt with in his report. Accordingly, the Advisory Committee proposed total revised appropriations in an amount of \$756,983,400 and revised estimates of income in an amount of \$118,009,500. That represented an increase in total net requirements of \$11,452,400, from \$627,521,500 to \$638,973,900.

Decision of the Committee

99. At its 61st meeting, on 21 December, the Fifth Committee, by a recorded vote of 46 to 12, with 12 abstentions, approved the revised appropriations and estimates of income recommended by the Advisory Committee (see para. 107 below, draft resolution IV). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bangladesh, Benin, Brazil, Burma, Ecuador, Egypt, Finland, Ghana, Grenada, Guyana, India, Indonesia, Iran, Ireland, Ivory Coast, Kenya, Libyan Arab Republic, Malaysia, Mali, Mexico, Netherlands, Nigeria, Pakistan, Panama, Peru, Portugal, Senegal, Spain, Sri Lanka, Sudan, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire.

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: Australia, Austria, Belgium, Canada, Denmark, France, Germany, Federal Republic of Italy, Japan, New Zealand, United Kingdom of Great Britain and Northern Ireland, United States of America.

P. POSTPONEMENT OF CONSIDERATION OF SOME SUBJECTS

100. At its 57th meeting, on 20 December, the Fifth Committee decided to postpone its consideration of the following subjects under agenda item 92 to the thirty-second session of the General Assembly:

(a) Comprehensive study of the question of honoraria payable to members of organs and subsidiary organs of the United Nations (A/C.5/31/2);

(b) Services provided by the United Nations to activities financed from extrabudgetary resources (A/C.5/31/33 and Corr.1);

(c) Organizational nomenclature in the Secretariat (A/C.5/31/8);

(d) General procedures and administrative arrangements governing the United Nations Habitat and Human Settlements Foundation (A/C.5/31/40);

(e) Revision of the Financial Regulations of the United Nations (A/C.5/31/58);

(f) Establishment of an information services unit in the Department of Economic and Social Affairs (A/C.5/31/69);

(g) Implications of extending United Nations Joint Staff Pension Fund coverage to certain former staff members for service with the United Nations Relief and Works Agency during the period 1950 through 1960 (A/C.5/31/71);

(h) Technological innovations in the production of the publications and documentation of the United Nations (A/C.5/31/77).

The Committee also took note of the statement of the Chairman of the Advisory Committee with reference to the report of the Secretary-General on proposed

changes in the level of certain posts in the top echelon of the Secretariat (A/C.5/31/95) that the proposals therein could not be considered at the thirty-first session, but that they should be included in the programme budget proposals of the Secretary-General for the biennium 1978-1979.

Q. REVISED APPROPRIATIONS

101. By its resolutions 3539 A and B (XXX) of 17 December 1975, the General Assembly initially approved appropriations for the biennium 1976-1977 in the amount of \$745,813,800 and estimates of income in the amount of \$118,292,300.

102. Recommendations of the Fifth Committee at its current session on revised estimates submitted by the Secretary-General, as well as on the financial implications of resolutions adopted by the General Assembly under items considered by other Main Committees, have involved additional appropriations in the amount of \$38,119,100 and additional estimates of income in the amount of \$8,595,000. The relevant documentation and the related amounts are listed below.

| Documentation | Amount proposed by the Secretary- General | Increase or (decrease) recommended by the Fifth Committee | Amount approved |
|--|--|---|--------------------|
| <i>United States dollars</i> | | | |
| EXPENDITURE SECTIONS | | | |
| I. Revised estimates | | | |
| (i) Electronic data processing and information systems in the United Nations (A/C.5/31/3, A/31/255, A/C.5/31/SR.27; General Assembly resolution 31/208, sect. III) | 520 800 | 17 400 ^a | 538 200 |
| (ii) Revised estimates under section 12 (UNIDO) (A/C.5/31/11 and Corr.1, A/31/8/Add.7, A/C.5/31/SR.35) | 2 945 100 ^b | (2 347 500) | 597 600 |
| (iii) Yearbook of the United Nations (A/C.5/31/12, A/31/8/Add.1 and Corr.1, A/C.5/31/SR.18; General Assembly resolution 31/208, sect. I) | 132 800 | (37 100) | 95 700 |
| (iv) Decisions of the Economic and Social Council at its sixtieth and sixty-first sessions (A/C.5/31/23 and Corr.1, A/31/8/Add.15, A/C.5/31/SR.52) | 1 037 000 | (146 500) | 890 500 |
| (v) United Nations Conference on Desertification (A/C.5/31/31, A/31/8/Add.9, A/C.5/31/SR.36) | 571 700 | (219 700) | 352 000 |
| (vi) Major programme on transnational corporations (A/C.5/31/25 and Corr.1, A/31/8/Add.19, A/C.5/31/SR.59; General Assembly resolution 31/208, sect. VII) .. | 3 784 000 | (938 000) | 2 846 000 |
| (vii) Budget and programme performance of the United Nations for the biennium 1976-1977 (A/C.5/31/37 and Corr.1 and Add.1, A/31/8/Add.25 and Corr.1, A/C.5/31/SR.61) | 13 300 500 | (2 130 900) | 11 169 600 |
| (viii) Decisions of the Trade and Development Board arising from UNCTAD at its fourth session (A/C.5/31/49, A/31/8/Add.12, A/C.5/31/SR.51; General Assembly resolution 31/206) | 2 727 700 | (415 800) | 2 311 900 |

| <i>Documentation</i> | <i>Amount proposed by the Secretary- General</i> | <i>Increase or (decrease) recommended by the Fifth Committee</i> | <i>Amount approved</i> |
|---|--|--|----------------------------|
| <i>United States dollars</i> | | | |
| (ix) Arabic language services in the United Nations (A/C.5/31/60 and Corr.1, A/31/8/Add.26, A/C.5/31/SR.60; General Assembly resolution 31/208, sect. VIII) | 1 377 500 | (108 000) | 1 269 500 |
| (x) Expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters (A/C.5/31/22 and Corr.1, A/31/8/Add.23, A/C.5/31/SR.61, General Assembly resolution 31/195) | 3 800 000 | (1 200 000) | 2 600 000 |
| (xi) Emoluments of the Secretary-General (A/31/8/Add.24, A/C.5/31/SR.61; General Assembly resolution 31/208, sect. IX) | 33 000 | — | 33 000 |
| TOTAL, I | 30 230 100 | (7 526 100) | 22 704 000 |
| II. Financial implications | | | |
| (i) Report of the International Civil Service Commission (A/C.5/31/26, A/31/8/Add.6, General Assembly resolution 31/141) | 9 143 000 | (443 000) | 8 700 000 |
| (ii) Programme of work of the Special Committee against <i>Apartheid</i> (A/C.5/31/42, A/31/321; General Assembly resolution 31/6 G) | 57 000 | (25 000) | 32 000 |
| (iii) United Nations Conference on Succession of States in respect of Treaties (A/C.5/31/44 and Corr.1, A/31/8/Add.8, A/31/344; General Assembly resolution 31/18) | 149 700 | (24 700) | 125 000 |
| (iv) Establishment of classification systems for posts in the Professional category in the Secretariat and for General Service posts at Geneva (A/C.5/31/47, A/31/8/Add.20, A/C.5/31/SR.60; General Assembly resolution 31/193 B) | 323 600 | — | 323 600 |
| (v) Third United Nations Conference on the Law of the Sea (A/C.5/31/50, A/31/8/Add.11, A/31/396; General Assembly resolution 31/63) | 1 728 300 ^c | (105 300) | 1 623 000 |
| (vi) Question of Timor (A/C.5/31/52, A/31/366, paras. 2-4; General Assembly resolution 31/53) | 34 000 | (34 000) | — |
| (vii) Question of Palestine (A/C.5/31/55, A/31/346; General Assembly resolution 31/20) | 74 000 | — | 74 000 |
| (viii) Question of French Somaliland (A/C.5/31/59, A/31/366, paras. 5-9; General Assembly resolution 31/59) | 127 200 | (47 200) | 80 000 |
| (ix) Membership of the Committee on Contributions (A/C.5/31/62, A/31/427; General Assembly resolution 31/96) | 8 600 | (8 600) | — |
| (x) Reduction of military budgets (A/C.5/31/64, A/31/8/Add.14, A/31/421; General Assembly resolution 31/87) | 74 400 | (18 400) | 56 000 |
| (xi) Strengthening of the role of the United Nations in the field of disarmament (A/C.5/31/65, A/31/8/Add.14, paras. 9-20; A/31/426; General Assembly resolution 31/90) | 216 000 | (61 000) | 155 000 |
| (xii) Convening of a special session of the General Assembly devoted to disarmament (A/C.5/31/68, A/31/8/Add.14, paras. 25-30; A/31/423; General Assembly resolution 31/189 B) | 90 000 | — | 90 000 |

| <i>Documentation</i> | <i>Amount proposed by the Secretary- General</i> | <i>Increase or (decrease) recommended by the Fifth Committee</i> | <i>Amount approved</i> |
|--|--|--|----------------------------|
| <i>United States dollars</i> | | | |
| (xiii) World Conference to Combat Racism and Racial Discrimination (A/C.5/31/61, A/31/8/Add.13, A/31/404; General Assembly resolution 31/78) | 3 800 | (3 800) | — |
| (xiv) Commission on the Status of Women (A/C.5/31/70, A/C.5/31/SR.53) | 57 800 | (57 800) | — |
| (xv) Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/C.5/31/79, A/31/446, paras. 2-5; General Assembly resolution 31/106 C) | 88 000 | — | 88 000 |
| A/C.5/31/80, A/31/446, paras. 6-9; General Assembly resolution 31/106 D) | 23 500 | — | 23 500 |
| (xvi) Establishment of a network for the exchange of technological information (A/C.5/31/82, A/31/363, paras. 2-5; General Assembly resolution 31/183) | 17 600 | (17 600) | — |
| (xvii) Arbitration Rules of the United Nations Commission on International Trade Law (A/C.5/31/84, A/31/402, paras. 1-6; General Assembly resolution 31/98) ... | 8 400 | (8 400) | — |
| (xviii) Question of Namibia (A/C.5/31/81, A/31/8/Add.18, A/31/454; General Assembly resolutions 31/146-31/151 and 31/153) | 542 250 | (52 250) | 490 000 |
| (xix) United Nations Conference on Science and Technology for Development (A/C.5/31/89, A/31/8/Add.21, A/31/363, paras. 6-15; General Assembly resolution 31/184) | 1 275 500 | (912 500) | 363 000 |
| (xx) <i>Ad Hoc</i> Committee on the Restructuring of the Economic and Social Sectors of the United Nations System (A/C.5/31/91, A/31/460, paras. 2-6) | 10 300 | (10 300) | — |
| (xxi) International Energy Institute (A/C.5/31/92, A/31/460, paras. 7-10) | 30 000 | (30 000) | — |
| (xxii) United Nations Conference on Technical Co-operation among Developing Countries (A/C.5/31/93, A/31/8/Add.22, A/31/463; General Assembly resolution 31/179) | 671 000 | (319 000) | 352 000 |
| (xxiii) Committee on the Drafting of a Constitution for UNIDO (A/C.5/31/90, A/31/459; General Assembly resolution 31/161) | 402 100 | (152 100) | 250 000 |
| (xxiv) Consolidated statement of administrative and financial implications in respect of conference-servicing costs (A/C.5/31/94 and Add.1, A/C.5/31/SR.61) | 3 087 500 | (587 500) | 2 500 000 |
| (xxv) International Conference in Support of the Peoples of Zimbabwe and Namibia (A/C.5/31/96, A/31/442/Rev.1, paras. 5-10; General Assembly resolution 31/145) | 90 000 | — | 90 000 |
| TOTAL, II | 18 333 550 | (2 918 450) | 15 415 100 |
| GRAND TOTAL | 48 563 650 | (10 444 550) | 38 119 100 |

INCOME SECTIONS

I. *Revised estimates*

| | | | |
|--|--------|----------------------|---------|
| (i) Electronic data processing and information systems in the United Nations (A/C.5/31/3, A/31/255, A/C.5/31/SR.27; General Assembly resolution 31/208, sect. III) | 79 300 | 235 600 ^a | 314 900 |
|--|--------|----------------------|---------|

| Documentation | Amount proposed by the Secretary- General | Increase or (decrease) recommended by the Fifth Committee | Amount approved |
|---|--|---|--------------------|
| <i>United States dollars</i> | | | |
| (ii) <i>Yearbook of the United Nations</i> (A/C.5/31/12, A/31/8/Add.1 and Corr.1, A/C.5/31/SR.18; General Assembly resolution 31/208, sect. I) | 24 300 | (5 900) | 18 400 |
| (iii) Decisions of the Economic and Social Council at its sixtieth and sixty-first sessions (A/C.5/31/23 and Corr.1, A/31/8/Add.15, A/C.5/31/SR.52) | 100 500 | (7 500) | 93 000 |
| (iv) Major programme on transnational corporations (A/C.5/31/25 and Corr.1, A/31/8/Add.19, A/C.5/31/SR.59; General Assembly resolution 31/208, sect. VII) | 281 700 | (13 700) | 268 000 |
| (v) Budget and programme performance of the United Nations for the Biennium 1976-1977 (A/C.5/31/37 and Corr.1 and Add.1, A/31/8/Add.25 and Corr.1, A/C.5/31/SR.61) | (282 800) | — | (282 800) |
| (vi) Decisions of the Trade and Development Board arising from UNCTAD at its fourth session (A/C.5/31/49, A/31/8/Add.12, A/C.5/31/SR.51; General Assembly resolution 31/206) | 390 000 | (56 000) | 334 000 |
| (vii) Arabic language services in the United Nations (A/C.5/31/60 and Corr.1, A/31/8/Add.26, A/C.5/31/SR.60; General Assembly resolution 31/208, sect. VIII) | 255 500 | — | 255 500 |
| (viii) Emoluments of the Secretary-General (A/31/8/Add.24, A/C.5/31/SR.61; General Assembly resolution 31/208, sect. IX) | 21 000 | — | 21 000 |
| TOTAL, I | 869 500 | 152 500 | 1 022 000 |
| II. Financial implications | | | |
| (i) Report of the International Civil Service Commission (A/C.5/31/26, A/31/8/Add.6, A/C.5/31/SR.38; General Assembly resolution 31/141) | 7 240 000 | — | 7 240 000 |
| (ii) Establishment of classification systems for posts in the Professional category in the Secretariat and for General Service posts at Geneva (A/C.5/31/47, A/31/8/Add.20, A/C.5/31/SR.60; General Assembly resolution 31/193 B) | 55 000 | — | 55 000 |
| (iii) Third United Nations Conference on the Law of the Sea (A/C.5/31/50, A/31/8/Add.11, A/31/396; General Assembly resolution 31/63) | 200 000 | — | 200 000 |
| (iv) Strengthening of the role of the United Nations in the field of disarmament (A/C.5/31/65, A/31/8/Add.14, paras. 9-20; A/31/426; General Assembly resolution 31/90) | 32 800 | (22 800) | 10 000 |
| (v) Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/C.5/31/79, A/31/446, paras. 2-5; General Assembly resolution 31/106 C) | 6 000 | — | 6 000 |
| (vi) United Nations Conference on Science and Technology for Development (A/C.5/31/89, A/31/8/Add.21, A/31/363, paras. 6-15; General Assembly resolution 31/184) | 199 000 | (159 000) | 40 000 |

| <i>Documentation</i> | <i>Amount proposed by the Secretary- General</i> | <i>Increase or (decrease) recommended by the Fifth Committee</i> | <i>Amount approved</i> |
|--|--|--|----------------------------|
| <i>United States dollars</i> | | | |
| (vii) <i>Ad Hoc</i> Committee on the Restructuring of the Economic and Social Sectors of the United Nations System (A/C.5/31/91, A/31/460, paras. 2-6) | 1 800 | (1 800) | — |
| (viii) United Nations Conference on Technical Co-operation among Developing Countries (A/C.5/31/93, A/31/8/Add.22, A/31/463; General Assembly resolution 31/179) | 105 000 | (105 000) | — |
| (ix) Question of Palestine (A/C.5/31/55, A/31/346; General Assembly resolution 31/20) | 14 000 | — | 14 000 |
| (x) International Conference in Support of the Peoples of Zimbabwe and Namibia (A/C.5/31/96, A/31/442/Rev.1, paras. 5-10; General Assembly resolution 31/145) | 8 000 | — | 8 000 |
| TOTAL, II | 7 859 800 | (286 800) | 7 573 000 |
| GRAND TOTAL | 8 729 300 | (134 300) | 8 595 000 |

^a An additional increase in income in the amount of \$240,000 was also approved.

^b This amount is the difference between the appropriation of \$45,157,000 and revised estimates of \$48,102,100.

^c Including an increase in staff assessment in the amount of \$200,000.

^d See foot-note ^a.

103. The revised requirements under the various sections of the programme budget for the biennium 1976-1977 are as follows:

| <i>Section</i> | <i>Approved under General Assembly resolution 3539 A (XXX)</i> | <i>Increase or (decrease) approved at the current session</i> | <i>Total</i> |
|---|--|---|-------------------|
| <i>United States dollars</i> | | | |
| EXPENDITURE SECTIONS | | | |
| 1. <i>Over-all policy making, direction and co-ordination</i> | 20 674 800 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | 449 400 | |
| (ii) Report of the International Civil Service Commission | | 36 600 | |
| (iii) Decisions of the Economic and Social Council at its sixtieth and sixty-first sessions | | 340 000 | |
| (iv) Question of Palestine | | 60 000 | |
| (v) Arabic language services in the United Nations | | (383 900) | |
| (vi) Emoluments of the Secretary-General | | 12 000 | |
| TOTAL | 20 674 800 | 514 100 | 21 188 900 |
| 2. <i>Political and Security Council Affairs; peace-keeping activities</i> | 41 730 600 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | 2 774 600 | |
| (ii) Report of the International Civil Service Commission | | 89 200 | |
| (iii) Third United Nations Conference on the Law of the Sea | | 1 341 000 | |

| Section | Approved under General Assembly resolution 3539 A (XXX) | Increase or (decrease) approved at the current session | Total |
|--|---|--|------------|
| <i>United States dollars</i> | | | |
| (iv) Question of French Somaliland | | 80 000 | |
| (v) Reduction of military budgets | | 56 000 | |
| (vi) Strengthening of the role of the United Nations in the field of disarmament | | 145 000 | |
| (vii) Convening of a special session of the General Assembly devoted to disarmament | | 90 000 | |
| (viii) Consolidated statement of conference-servicing costs | | 780 000 | |
| TOTAL | 41 730 600 | 5 355 800 | 47 086 400 |
| 3. <i>Political affairs, trusteeship and decolonization activities</i> | 8 057 000 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | (458 600) | |
| (ii) Report of the International Civil Service Commission | | 27 600 | |
| (iii) Programme of work of the Special Committee against <i>Apartheid</i> | | 32 000 | |
| (iv) Question of Namibia | | 420 000 | |
| (v) International Conference in Support of the Peoples of Zimbabwe and Namibia | | 82 000 | |
| TOTAL | 8 057 000 | 103 000 | 8 160 000 |
| 4. <i>Policy-making organs (economic and social activities)</i> | 1 816 200 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | 145 900 | |
| (ii) Decisions of the Economic and Social Council at its sixtieth and sixty-first sessions | | 274 000 | |
| (iii) Major programme on transnational corporations | | 100 000 | |
| (iv) United Nations Conference on Desertification | | 352 000 | |
| (v) Third United Nations Conference on the Law of the Sea | | 82 000 | |
| (iv) United Nations Conference on Science and Technology for Development | | 232 000 | |
| (vii) United Nations Conference on Technical Co-operation among Developing Countries | | 352 000 | |
| (viii) Consolidated statement of conference-servicing costs | | 110 000 | |
| TOTAL | 1 816 200 | 1 647 900 | 3 464 100 |
| 5A. <i>Department of Economic and Social Affairs</i> | 41 728 100 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | (389 000) | |
| (ii) Report of the International Civil Service Commission | | 172 400 | |

| <i>Section</i> | <i>Approved under General Assembly resolution 3539 A (XXX)</i> | <i>Increase or (decrease) approved at the current session</i> | <i>Total</i> |
|---|--|---|-------------------|
| <i>United States dollars</i> | | | |
| (iii) Decisions of the Economic and Social Council at its sixtieth and sixty-first sessions | | 3 000 | |
| TOTAL | 41 728 100 | (213 600) | 41 514 500 |
| 5B. United Nations Centre on Transnational Corporations | 1 215 500 | | |
| (i) Major programme on transnational corporations | | 1 750 000 | |
| (ii) Report of the International Civil Service Commission | | 5 300 | |
| (iii) Consolidated statement of conference-servicing costs | | 23 000 | |
| TOTAL | 1 215 500 | 1 778 300 | 2 993 800 |
| 6. Economic Commission for Europe | 14 855 800 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | 291 800 | |
| (ii) Report of the International Civil Service Commission | | 54 500 | |
| TOTAL | 14 855 800 | 346 300 | 15 202 100 |
| 7. Economic and Social Commission for Asia and the Pacific | 15 478 900 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | (273 300) | |
| (ii) Report of the International Civil Service Commission | | 9 900 | |
| (iii) Conference on Science and Technology for Development | | 23 000 | |
| TOTAL | 15 478 900 | (240 400) | 15 238 500 |
| 8. Economic Commission for Latin America | 17 979 300 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | 306 200 | |
| (ii) Report of the International Civil Service Commission | | 28 700 | |
| (iii) Conference on Science and Technology for Development | | 22 000 | |
| TOTAL | 17 979 300 | 356 900 | 18 336 200 |
| 9. Economic Commission for Africa | 18 243 000 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | 693 400 | |
| (ii) Report of the International Civil Service Commission | | 15 100 | |
| (iii) Conference on Science and Technology for Development | | 24 000 | |
| TOTAL | 18 243 000 | 732 500 | 18 975 500 |

| Section | Approved under General Assembly resolution 3539 A (XXX) | Increase or (decrease) approved at the current session | Total |
|---|---|--|------------|
| <i>United States dollars</i> | | | |
| (iii) Decisions of the Economic and Social Council at its sixtieth and sixty-first ses- sions | | 33 500 | |
| TOTAL | 4 317 100 | 44 800 | 4 361 900 |
| 15. <i>Regular programme of technical assistance</i> | 20 092 900 | — | 20 092 900 |
| 16. <i>Office of the United Nations High Commis- sioner for Refugees</i> | 15 509 100 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | 386 000 | |
| (ii) Report of the International Civil Service Commission | | 50 300 | |
| TOTAL | 15 509 100 | 436 300 | 15 945 400 |
| 17. <i>Office of the United Nations Disaster Relief Co-ordinator</i> | 1 563 000 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | (16 200) | |
| (ii) Report of the International Civil Service Commission | | 4 200 | |
| TOTAL | 1 563 000 | (12 000) | 1 551 000 |
| 18. <i>Human rights</i> | 5 943 600 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | 203 400 | |
| (ii) Report of the International Civil Service Commission | | 22 500 | |
| (iii) Decisions of the Economic and Social Council at its sixtieth and sixty-first ses- sions | | 147 000 | |
| (iv) Report of the Special Committee to In- vestigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories | | 82 000 23 500 | |
| TOTAL | 5 943 600 | 478 400 | 6 422 000 |
| 19. <i>International Court of Justice</i> | 5 229 100 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | (54 000) | |
| (ii) Report of the International Civil Service Commission | | 4 600 | |
| TOTAL | 5 229 100 | (49 400) | 5 179 700 |
| 20. <i>Legal activities</i> | 7 866 500 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | 17 000 | |
| (ii) Report of the International Civil Service Commission | | 22 500 | |

| Section | United States dollars | | |
|--|---|--|--------------------|
| | Approved under General Assembly resolution 3539 A (XXX) | Increase or (decrease) approved at the current session | Total |
| (iii) United Nations Conference on Succession of States in Respect of Treaties | | 125 000 | |
| TOTAL | 7 866 500 | 164 500 | 8 031 000 |
| 21. <i>Office of Public Information</i> | 30 619 400 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | (613 600) | |
| (ii) Report of the International Civil Service Commission | | 88 000 | |
| (iii) <i>Yearbook of the United Nations</i> | | 77 300 | |
| (iv) Question of Namibia | | 70 000 | |
| TOTAL | 30 619 400 | (378 300) | 30 241 100 |
| 22. <i>Administration, management and general services</i> | 128 534 400 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | 5 732 500 | |
| (ii) Report of the International Civil Service Commission | | 157 500 | |
| (iii) Electronic data processing and informa- tion systems in the United Nations | | 513 300 | |
| (iv) Major programme on transnational cor- porations | | 728 000 | |
| (v) Decisions of the Trade and Development Board | | 130 000 | |
| (vi) Arabic language services in the United Nations | | 98 800 | |
| (vii) Establishment of classification systems for posts | | 268 600 | |
| (viii) Consolidated statement of conference- servicing costs | | 31 000 | |
| (ix) Expansion of conference-servicing and delegate facilities | | 35 000 | |
| TOTAL | 128 534 400 | 7 694 700 | 136 229 100 |
| 23. <i>Conference and library services</i> | 107 247 700 | | |
| (i) First performance report on the pro- gramme budget for the biennium 1976- 1977 | | (1 443 800) | |
| (ii) Report of the International Civil Service Commission | | 437 600 | |
| (iii) Arabic language services in the United Nations | | 1 299 100 | |
| (iv) Consolidated statement of conference- servicing costs | | 994 000 | |
| TOTAL | 107 247 700 | 1 286 900 | 108 534 600 |
| 24. <i>United Nations bond issue</i> | 17 297 000 | | |
| First performance report on the pro- gramme budget for the biennium 1976- 1977 | | (98 000) | |
| TOTAL | 17 297 000 | (98 000) | 17 199 000 |

| <i>Section</i> | <i>Approved under General Assembly resolution 3539 A (XXX)</i> | <i>Increase or (decrease) approved at the current session</i> | <i>Total</i> |
|--|--|---|--------------------|
| <i>United States dollars</i> | | | |
| 25. <i>Staff assessment</i> | 99 973 100 | | |
| (i) Report of the International Civil Service Commission | | 7 250 000 | |
| (ii) Electronic data processing and information systems in the United Nations | | 24 900 | |
| (iii) <i>Yearbook of the United Nations</i> | | 18 400 | |
| (iv) Decisions of the Economic and Social Council at its sixtieth and sixty-first sessions | | 93 000 | |
| (v) Major programme on transnational corporations | | 268 000 | |
| (vi) Decisions of the Trade and Development Board | | 334 000 | |
| (vii) Arabic language services in the United Nations | | 255 500 | |
| (viii) Third United Nations Conference on the Law of the Sea | | 200 000 | |
| (ix) Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories | | 6 000 | |
| (x) Question of Palestine | | 14 000 | |
| (xi) Strengthening of the role of the United Nations in the field of disarmament | | 10 000 | |
| (xii) International Conference in Support of the Peoples of Zimbabwe and Namibia | | 8 000 | |
| (xiii) Establishment of classification systems for posts | | 55 000 | |
| (xiv) United Nations Conference on Science and Technology for Development | | 40 000 | |
| (xv) Emoluments of the Secretary-General | | 21 000 | |
| TOTAL | 99 973 100 | 8 597 800 | 108 570 900 |
| 26. <i>Construction, alteration, improvement and major maintenance of premises</i> | 13 717 500 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | 1 764 700 | |
| (ii) Expansion of conference-servicing and delegate facilities | | 2 565 000 | |
| TOTAL | 13 717 500 | 4 329 700 | 18 047 200 |
| GRAND TOTAL | 745 813 800 | 38 119 100 | 783 932 900 |
| INCOME SECTION | | | |
| 1. <i>Income from staff assessment</i> | 101 552 000 | 8 597 800* | 110 149 800 |
| 2. <i>General income</i> | 9 953 000 | | |
| (i) First performance report on the programme budget for the biennium 1976-1977 | | (54 500) | |
| (ii) Electronic data processing and information systems in the United Nations | | 290 000 | |
| TOTAL | 9 953 000 | 235 500 | 10 188 500 |
| 3. <i>Revenue-producing activities</i> | 6 787 300 | | |
| (i) First performance report of the programme budget for the biennium 1976-1977 | | (228 300) | |

| Section | Approved under General Assembly resolution 3539 A (XXX) | Increase or (decrease) approved at the current session | Total |
|---|---|--|-------------|
| (ii) Report of the International Civil Service Commission | | (10 000) | |
| TOTAL | 6 787 300 | (238 300) | 6 549 000 |
| GRAND TOTAL | 118 292 300 | 8 595 000 | 126 887 300 |

* See items listed under expenditure section 25.

Decisions of the Committee

104. At its 62nd meeting, on 22 December, the Fifth Committee considered the revised estimates of the programme budget for the biennium 1976-1977. The results of the voting were as follows:

| Section | Recommended amount | In favour | Against | Abstentions |
|---|-----------------------|----------------------------|---------|-------------|
| EXPENDITURE SECTIONS | | | | |
| | US dollars | | | |
| 1. Over-all policy-making, direction and co-ordination | 514 100 | 70 | 10 | 1 |
| 2. Political and Security Council affairs; peace-keeping activities | 5 355 800 | 70 | 9 | 1 |
| 3. Political affairs, trusteeship and decolonization | 103 000 | 71 | 10 | 1 |
| 4. Policy-making organs (economic and social activities) | 1 647 900 | 70 | 10 | 1 |
| 5A. Department of Economic and Social Affairs | (213 600) | 82 | 0 | 0 |
| 5B. United Nations Centre on Transnational Corporations | 1 778 300 | 59 | 10 | 13 |
| 6. Economic Commission for Europe | 346 300 | 74 | 9 | 0 |
| 7. Economic and Social Commission for Asia and the Pacific | (240 400) | Approved without objection | | |
| 8. Economic Commission for Latin America | 356 900 | 71 | 9 | 1 |
| 9. Economic Commission for Africa | 732 500 | 70 | 10 | 0 |
| 10. Economic Commission for Western Asia | 1 151 400 | 70 | 9 | 0 |
| 11. United Nations Conference on Trade and Development | 3 237 400 | 64 | 10 | 8 |
| 12. United Nations Industrial Development Organization | 930 100 | 72 | 9 | 0 |
| 13A. United Nations Environment Programme | (31 000) | Approved without objection | | |
| 13B. Habitat: United Nations Conference on Human Settlements | (45 000) | Approved without objection | | |
| 14. International narcotics control | 44 800 | 73 | 10 | 0 |
| 15. Regular Programme of Technical Assistance | — | | | |
| 16. Office of the United Nations High Commissioner for Refugees | 436 300 | 73 | 10 | 0 |
| 17. Office of the United Nations Disaster Relief Co-ordinator | (12 000) | Approved without objection | | |
| 18. Human rights | 478 400 | 72 | 11 | 0 |
| 19. International Court of Justice | (49 400) | Approved without objection | | |
| 20. Legal activities | 164 500 | 73 | 10 | 0 |
| 21. Public information | (378 300) | Approved without objection | | |
| 22. Administration, management and general services | 7 694 700 | 70 | 10 | 3 |

| Section | Recommended amount | In favour | Against | Abstentions |
|---|--------------------|----------------------------|-----------|-----------------|
| | <i>US dollars</i> | | | |
| 23. Conference and library services | 1 286 900 | 74 | 10 | 0 |
| 24. United Nations Bond Issue | (98 000) | 68 | 12 | 3 |
| 25. Staff assessment | 8 597 800 | 73 | 11 | 0 |
| 26. Construction, alteration, improvement and major maintenance of premises | 4 329 700 | 73 | 10 | 1 |
| TOTAL | 38 119 100 | 71 | 10 | 2 |
| | | | | (recorded vote) |
| INCOME SECTIONS | | | | |
| 1. Income from staff assessment | 8 597 800 | Approved without objection | | |
| 2. General income | 235 500 | Approved without objection | | |
| 3. Revenue-producing activities | (238 300) | Approved without objection | | |
| TOTAL | 8 595 000 | Approved without objection | | |

The voting on the total for the expenditure sections was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Burma, Burundi, Canada, Chad, Colombia, Congo, Costa Rica, Cuba, Denmark, Egypt, Finland, France, Germany, Federal Republic of, Ghana, Greece, Grenada, Guyana, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Liberia, Libyan Arab Republic, Malaysia, Mexico, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Portugal, Rwanda, Senegal, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, 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: Barbados, United States of America.

105. At the same meeting, the Committee voted on the various parts of the draft resolution relating to the programme budget for the biennium 1976-1977, which appears in paragraph 107 below as draft resolution IV. The results of the voting were as follows:

(a) Part A was adopted by a recorded vote of 71 to 10, with 1 abstention. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Burma, Burundi, Canada, Chad, Colombia, Congo, Costa Rica, Cuba, Denmark, Egypt, Finland, France, Germany, Federal Republic of, Ghana, Greece, Grenada, Guyana, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Liberia, Libyan Arab Republic, Malaysia, Mexico, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Portugal, Rwanda, Senegal, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, 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: United States of America.

(b) Part B was adopted by 83 votes no none;

(c) Part C was adopted by 72 votes to 10;

(d) The draft resolution as a whole was adopted by 72 votes to 10, with 1 abstention (see para. 107 below, draft resolution IV).

Established posts

106. The decisions of the Fifth Committee at the current session involved the approval of additional established posts in 1977 as follows:

| Programme | Category and level | | | | | | | | | | | |
|--|---------------------------|-----------------------------|-----|-----|-----|-----|-----|-------|---------------------|-----|--------------|-------|
| | I. Professional and above | | | | | | | | II. General Service | | | |
| | Under-Secretary-General | Assistant Secretary-General | D-2 | D-1 | P-5 | P-4 | P-3 | P-2/1 | Total | G-5 | Other levels | Total |
| Expenditure Section | | | | | | | | | | | | |
| 2. Department of Political and Security Council Affairs | — | 1 | — | — | 1 | 1 | — | — | 3 | 2 | 1 | 3 |
| 3. Department of Political Affairs, Trusteeship and Decolonization | — | — | — | — | (1) | — | — | (1) | (2) | — | — | — |

| Programme | Category and level | | | | | | | | | | | |
|--|---------------------------|-----------------------------|----------|----------|------------------|-----------|------------------|-----------|-----------|---------------------|-------------------|-----------|
| | I. Professional and above | | | | | | | | | II. General Service | | |
| | Under-Secretary-General | Assistant Secretary-General | D-2 | D-1 | P-5 | P-4 | P-3 | P-2/1 | Total | G-5 | Other levels | Total |
| <i>Expenditure Section</i> | | | | | | | | | | | | |
| 5B. United Nations Centre on Transnational Corporations .. | — | — | 1 | 2 | 3 | 5 | 4 | 3 | 18 | 3 | 10 | 13 |
| 10. Economic Commission for Western Asia .. | — | — | — | — | — | — | (1) ^a | — | (1) | — | — | — |
| 11. United Nations Conference on Trade and Development .. | — | — | — | — | 5 | 4 | 4 | 3 | 16 | — | 7 | 7 |
| 12. United Nations Industrial Development Organization .. | — | — | (1) | 1 | 4 | 6 | (7) | 9 | 12 | — | (10) | (10) |
| 21. Information centres .. | — | — | — | — | — | — | 1 ^a | — | 1 | — | — | — |
| 22. Electronic Data Processing and Information Systems Service | — | — | — | — | 1 | 1 | 1 | — | 3 | — | — | — |
| Administrative and Financial Services (Geneva) .. | — | — | — | — | — | — | 1 | — | 1 | — | 1 | 1 |
| Office of General Services (New York) .. | — | — | — | — | — | — | — | — | — | — | (10) | (10) |
| 23. Department of Conference Services (New York) .. | — | — | — | — | (1) ^a | 4 | 7 | — | 10 | — | 8 | 8 |
| Conference Services (Geneva) | — | — | — | — | 1 ^a | 6 | 11 | — | 18 | — | 1 | 1 |
| Library and documentation services (New York) .. | — | — | — | — | — | — | — | — | — | — | 1(1) ^b | — |
| TOTAL | — | 1 | — | 3 | 13 | 27 | 21 | 14 | 79 | 5 | 8 | 13 |

^a Transfers.

^b Manual worker category.

* * *

Recommendations of the Fifth Committee

107. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Emoluments of the members of the International Court of Justice

The General Assembly,

Recalling its decision in resolution 3537 B (XXX) of 17 December 1975 to fix the annual salary of the members of the International Court of Justice at \$US 50,000 with effect from 1 January 1976,

Having considered the report of the Secretary-General (A/C.5/31/13) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.3),

1. *Decides* that the annual salaries of members of the International Court of Justice shall next be reviewed at its thirty-fifth session and thereafter normally every five years;

2. *Decides further*, with effect from 1 January 1977, that in between such periodic reviews the members of the International Court of Justice may also receive, in addition to their annual salary, as defined in Article 32, paragraphs 1 and 5, of the Statute of the Court, an interim cost-of-living supplement, which shall not

be deemed to form part of the said salary and the amount of which shall be governed by the provisions set out in paragraph 17 of the report of the Advisory Committee;

3. *Decides* that the allowances and compensation provided for in Article 32, paragraphs 2 to 4, of the Statute of the International Court of Justice and the retirement pensions given to members of the Court shall be reviewed concurrently with the periodic review of their annual salary, and that the system of interim adjustments shall not apply to them.

DRAFT RESOLUTION II

Use of experts and consultants in the United Nations The General Assembly

1. *Takes note* of the report of the Secretary-General on the use of experts and consultants in the United Nations (A/C.5/31/10 and Add.1 and Add.1 Corr.1) and of the oral report of the Advisory Committee on Administrative and Budgetary Questions (A/C.5/31/SR.6, paras. 57-60);

2. *Reaffirms* the decisions taken at its 2325th plenary meeting,²⁵ on 18 December 1974, and at its 2444th plenary meeting,²⁶ on 17 December 1975, on the use of experts and consultants;

²⁵ *Ibid.*, Twenty-ninth Session, Supplement No. 31, item 73, pp.136-137.

²⁶ *Ibid.*, Thirtieth Session, Supplement No. 34, item 96, p. 145, para. (r).

3. *Requests* the Secretary-General to submit to the General Assembly at its thirty-second session, through the Advisory Committee on Administrative and Budgetary Questions, a further report on the implementation of the aforementioned decisions.

DRAFT RESOLUTION III

Revised estimate concerning the United Nations Conference on Trade and Development

The General Assembly,

Having considered the revised estimate (A/C.5/31/49) resulting from the decisions of the Trade and Development Board arising from the United Nations Conference on Trade and Development at its fourth session, held at Nairobi from 5 to 31 May 1976, and the report of the Advisory Committee on Administrative and Budgetary Questions thereon (A/31/8/Add.12),

1. *Decides* that the extent of the greater flexibility to be accorded to the United Nations Conference on

Trade and Development in budgetary, financial and administrative matters should be such as to enable it to make the best use of its resources according to the demands made of it;

2. *Requests* the Secretary-General, at the earliest opportunity, to clarify the reasons for strengthening the office of the Secretary-General of the United Nations Conference on Trade and Development and considers, meanwhile, that a flexible use of its resources may provide his office with the desired strengthening.

DRAFT RESOLUTION IV

Programme budget for the biennium 1976-1977

A. *Revised budget appropriations for the biennium 1976-1977*

The General Assembly

Resolves that for the biennium 1976-1977:

1. The amount of \$US 745,813,800, appropriated by its resolution 3539 A (XXX) of 17 December 1975, shall be increased by \$US 38,119,100 as follows:

| Section | United States dollars | | |
|---|--|------------------------|-----------------------|
| | Amount appropriated by resolution 3539 A (XXX) | Increase or (decrease) | Revised appropriation |
| <i>Part I. Over-all policy-making, direction and co-ordination</i> | | | |
| 1. Over-all policy-making, direction and co-ordination | 20 674 800 | 514 100 | 21 188 900 |
| TOTAL, PART I | 20 674 800 | 514 100 | 21 188 900 |
| <i>Part II. Political and peace-keeping activities</i> | | | |
| 2. Political and Security Council affairs; peace-keeping activities | 41 730 600 | 5 355 800 | 47 086 400 |
| TOTAL, PART II | 41 730 600 | 5 355 800 | 47 086 400 |
| <i>Part III. Political, trusteeship and decolonization activities</i> | | | |
| 3. Political affairs, trusteeship and decolonization activities | 8 057 000 | 103 000 | 8 160 000 |
| TOTAL, PART III | 8 057 000 | 103 000 | 8 160 000 |
| <i>Part IV. Economic, social and humanitarian activities</i> | | | |
| 4. Policy-making organs (economic and social activities) | 1 816 200 | 1 647 900 | 3 464 100 |
| 5A. Department of Economic and Social Affairs | 41 728 100 | (213 600) | 41 514 500 |
| 5B. United Nations Centre on Transnational Corporations | 1 215 500 | 1 778 300 | 2 993 800 |
| 6. Economic Commission for Europe | 14 855 800 | 346 300 | 15 202 100 |
| 7. Economic and Social Commission for Asia and the Pacific | 15 478 900 | (240 400) | 15 238 500 |
| 8. Economic Commission for Latin America | 17 979 300 | 356 900 | 18 336 200 |
| 9. Economic Commission for Africa | 18 243 000 | 732 500 | 18 975 500 |
| 10. Economic Commission for Western Asia | 8 674 800 | 1 151 400 | 9 826 200 |
| 11. United Nations Conference on Trade and Development | 45 211 900 | 3 237 400 | 48 449 300 |
| 12. United Nations Industrial Development Organization | 45 157 000 | 930 100 | 46 087 100 |

| <i>Section</i> | <i>Amount appropriated by resolution 3539 A (XXX)</i> | <i>Increase or (decrease)</i> | <i>Revised appropriation</i> |
|--|---|-----------------------------------|----------------------------------|
| <i>United States dollars</i> | | | |
| 13A. United Nations Environment Programme | 6 078 000 | (31 000) | 6 047 000 |
| 13B. Habitat: United Nations Conference on Human Settlements | 1 002 500 | (45 000) | 957 500 |
| 14. International narcotics control | 4 317 100 | 44 800 | 4 361 900 |
| 15. Regular programme of technical assistance | 20 092 900 | — | 20 092 900 |
| 16. Office of the United Nations High Com- missioner for Refugees | 15 509 100 | 436 300 | 15 945 400 |
| 17. Office of the United Nations Disaster Relief Co-ordinator | 1 563 000 | (12 000) | 1 551 000 |
| TOTAL, PART IV | 258 923 100 | 10 119 900 | 269 043 000 |
| <i>Part V. Human Rights</i> | | | |
| 18. Human rights | 5 943 600 | 478 400 | 6 422 000 |
| TOTAL, PART V | 5 943 600 | 478 400 | 6 422 000 |
| <i>Part VI. International Court of Justice</i> | | | |
| 19. International Court of Justice | 5 229 100 | (49 400) | 5 179 700 |
| TOTAL, PART VI | 5 229 100 | (49 400) | 5 179 700 |
| <i>Part VII. Legal activities</i> | | | |
| 20. Legal activities | 7 866 500 | 164 500 | 8 031 000 |
| TOTAL, PART VII | 7 866 500 | 164 500 | 8 031 000 |
| <i>Part VIII. Common services</i> | | | |
| 21. Public information | 30 619 400 | (378 300) | 30 241 100 |
| 22. Administration, management and general services | 128 534 400 | 7 694 700 | 136 229 100 |
| 23. Conference and library services | 107 247 700 | 1 286 900 | 108 534 600 |
| TOTAL, PART VIII | 266 401 500 | 8 603 300 | 275 004 800 |
| <i>Part IX. Special expenses</i> | | | |
| 24. United Nations bond issue | 17 297 000 | (98 000) | 17 199 000 |
| TOTAL, PART IX | 17 297 000 | (98 000) | 17 199 000 |
| <i>Part X. Staff assessment</i> | | | |
| 25. Staff assessment | 99 973 100 | 8 597 800 | 108 570 900 |
| TOTAL, PART X | 99 973 100 | 8 597 800 | 108 570 900 |
| <i>Part XI. Capital expenditures</i> | | | |
| 26. Construction, alteration, improvement and major maintenance of premises | 13 717 500 | 4 329 700 | 18 047 200 |
| TOTAL, PART XI | 13 717 500 | 4 329 700 | 18 047 200 |
| GRAND TOTAL | 745 813 800 | 38 119 100 | 783 932 900 |

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 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 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. *Revised 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 3539 B (XXX) of 17 December 1975 shall be increased by \$US 8,595,000 as follows:

| | Amount approved by resolution 3539 B (XXX) | Increase or (decrease) | Revised estimates |
|---|---|---------------------------|----------------------|
| <i>Income Section</i> | | | |
| <i>Part I. Income from staff assessment</i> | | | |
| 1. Income from staff assessment | 101 552 000 | 8 597 800 | 110 149 800 |
| TOTAL, PART I | 101 552 000 | 8 597 800 | 110 149 800 |
| <i>Part II. Other income</i> | | | |
| 2. General income | 9 953 000 | 235 500 | 10 188 500 |
| 3. Revenue-producing activities | 6 787 300 | (238 300) | 6 549 000 |
| TOTAL, PART II | 16 740 300 | (2 800) | 16 737 500 |
| GRAND TOTAL | 118 292 300 | 8 595 000 | 126 887 300 |

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.

C. *Financing of appropriations for the year 1977*

The General Assembly

Resolves that for the year 1977:

1. Budget appropriations totalling \$US 411,026,000 consisting of \$US 372,906,900, being one half of the appropriations approved for the biennium 1976-1977 under General Assembly resolution 3539 A (XXX), and \$US 38,119,100, being the additional appropriation approved for the same biennium under resolution A above, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations as follows:

(a) \$8,370,150 being half of the estimated income other than staff assessment approved for the biennium 1976-1977 under General Assembly resolution 3539 B (XXX);

(b) Less \$2,800 being the estimated decrease in income other than staff assessment approved for the biennium 1976-1977 under resolution B above;

(c) \$4,648,537 being the balance available of the 31 December 1975 surplus account of \$6,256,439 inasmuch as \$1,607,902 was applied as a credit against contributions of Member States for the year 1976;

(d) \$421,284 being the contributions of new Member States for 1975 and 1976;

(e) \$397,588,829 being the assessment on Member States in accordance with General Assembly resolution 31/95 B of 14 December 1976 on the scale of assessments for the year 1977;

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 1975, their respective share of the Tax Equalization Fund in a total amount of \$US 59,553,727 consisting of:

(a) \$50,776,000 being half of the estimated staff assessment income approved for the biennium 1976-1977 under General Assembly resolution 3539 B (XXX);

(b) \$8,597,800 being the estimated additional income from staff assessment approved for the biennium 1976-1977 under resolution B above;

(c) \$179,927 being the excess of actual income from staff assessment over the revised estimates for the biennium 1974-1975 approved under General Assembly resolution 3531 B (XXX).

DRAFT RESOLUTION V

Questions relating to the programme budget for the biennium 1976-1977

The General Assembly

I. Yearbook of the United Nations

1. *Takes note* of the report of the Secretary-General on the *Yearbook of the United Nations* (A/C.5/31/12);

2. *Concurs* with the comments and observations made by the Advisory Committee on Administrative and Budgetary Questions in its report (A/31/8/Add.1 and Corr.1);

3. *Approves* the recommendation of the Advisory Committee contained in paragraph 13 of its report;

II. United Nations information centres system

1. *Takes note* of the report of the Secretary-General on the United Nations information centres system (A/C.5/31/14);

2. *Concurs* with the comments and observations made by the Advisory Committee on Administrative and Budgetary Questions in its report (A/31/8/Add.2);

III. Future trend in computer usage

1. *Takes note* of the report of the Secretary-General on the electronic data processing and information systems in the United Nations (A/C.5/31/3) and of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/255);

2. *Takes note* of the views expressed by delegations in the Fifth Committee (see A/C.5/31/SR.15, 21, 23, 25 and 27);

3. *Endorses* the observations and recommendations made by the Advisory Committee in its report;

IV. Recommendations of the Administrative Management Service

1. *Takes note* of the report of the Secretary-General on the review of action taken on the recommendations made by the Administrative Management Service (A/C.5/31/6) and of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.5);

2. *Concurs* with the observations and recommendations of the Advisory Committee contained in paragraphs 12 to 19 of its report.

V. Establishment of a rationale for the allocation of expenses between the regular budget and the Fund of the United Nations Environment Programme

1. *Takes note* of the report of the Secretary-General on the establishment of a rationale for the allocation of

expenses between the regular budget and the Fund of the United Nations Environment Programme (A/C.5/31/39 and Corr.1 and 2) and of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.10);

2. *Endorses* the conclusions of the Advisory Committee contained in paragraph 16 of its report;

VI. United Nations accommodation in Geneva, Addis Ababa, Bangkok, Santiago and Nairobi

1. *Takes note* of the reports of the Secretary-General on the extension of the Palais des Nations (A/C.5/31/20), and on United Nations accommodation in Addis Ababa, Bangkok and Santiago, Chile (A/C.5/31/41), and in Nairobi (A/C.5/31/45);

2. *Takes note* also of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.16);

VII. Revised estimates in respect of the United Nations Centre on Transnational Corporations

Decides that, before any decision is reached on software for the United Nations Centre on Transnational Corporations, the Secretary-General should give full consideration to suitable alternative packages, including the Integrated Set of Information Systems, and report thereon to the Advisory Committee on Administrative and Budgetary Questions;

VIII. Arabic language services in the United Nations

1. *Takes note* of the report of the Secretary-General on Arabic language services in the United Nations (A/C.5/31/60 and Corr.1) and approves the organizational arrangements contained in section IV thereof;

2. *Concurs* with the observations and recommendations made by the Advisory Committee on Administrative and Budgetary Questions in its report (A/31/8/Add.26);

IX. Emoluments of the Secretary-General

1. *Concurs* with the recommendations of the Advisory Committee on Administrative and Budgetary Questions concerning the emoluments of the Secretary-General contained in paragraphs 5, 6 and 7 of its report (A/31/8/Add.24);

2. *Approves* net additional appropriations of \$12,000 under section 1 of the programme budget for the biennium 1976-1977, and an increase of \$21,000 for staff assessment under section 25, offset by an equivalent amount under income section 1;

X. Honorarium for the Chairman of the Advisory Committee on Administrative and Budgetary Questions

Requests the Secretary-General 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;

XI. Standards of accommodation for official travel

1. *Takes note* of the report of the Secretary-General on the standards of accommodation for official travel of United Nations staff by air for the period from 1 July 1975 to 30 June 1976 (A/C.5/31/5);

2. *Decides* that, in future, the Secretary-General shall report on the implementation of General Assembly resolution 3198 (XXVIII) of 18 December 1973 to the Advisory Committee on Administrative and Bud-

getary Questions and, should it consider it necessary, the Advisory Committee shall bring to the attention of the Assembly any relevant part of the information provided by the Secretary-General.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 107th plenary meeting, on 22 December 1976, the General Assembly adopted draft resolutions I and II submitted by the Fifth Committee in its report on the establishment of the United Nations Industrial Development Fund (A/31/469, para. 9). For the final text, see resolutions 31/202 and 31/203.²⁷ It also adopted the recommendation of the Committee in paragraph 10 of the same report (see decision 31/426²⁷).

At the same meeting, the General Assembly voted on the draft resolutions submitted by the Fifth Committee in its report (A/31/470, para. 107). It adopted draft resolution I by 114 votes to 11, with 3 abstentions,* draft resolution II without objection, draft resolution III by 114 votes to 9, with 8 abstentions,* draft resolution IV A by 119 votes to 10, with 1 abstention,* draft resolution IV B by 131 votes to none,* and draft resolution IV C by 119 votes to 10, with 1 abstention.* The Assembly then voted on the various sections of draft resolution V; it adopted section I by 117 votes to 10, with 3 abstentions,* section II without objection, section III by 119 votes to 10, with 1 abstention,* and sections IV to XI without objection. For the final text, see resolutions 31/204, 31/205, 31/206, 31/207 A to C and 31/208, sections I to XI.²⁷

* Recorded vote.

²⁷ *Ibid.*, *Thirty-first Session, Supplement No. 39.*

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 92 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/31/8 and Add.1-26 (and Add.1/Corr.1 and Add.25/Corr.1) | First to twenty-seventh reports of the Advisory Committee on Administrative and Budgetary Questions on the programme budget for the biennium 1976-1977 | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/30 and Add.1 | Report of the International Civil Service Commission | <i>Ibid.</i> , <i>Supplement No. 30</i> and addendum |
| A/31/137 | Report of the Joint Inspection Unit on some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976: note by the Secretary-General transmitting the report | |
| A/31/137/Add.1 | _____ : note by the Secretary-General transmitting the joint comments of the Administrative Committee on Co-ordination on the report | |
| A/31/137/Add.2 | _____ : note by the Secretary-General containing his comments on two recommendations in the report | |
| A/31/255 | Electronic data processing and information systems in the United Nations: report of the Advisory Committee on Administrative and Budgetary Questions | |
| A/31/273 | Report of the Third Committee | <i>Ibid.</i> , <i>Thirty-first Session, Annexes</i> , agenda item 69 |
| A/31/285 | Report of the First Committee | <i>Ibid.</i> , agenda items 31 and 32 |
| A/31/292 | Report of the Sixth Committee | <i>Ibid.</i> , agenda item 107 |
| A/31/333 | Report of the Special Political Committee | <i>Ibid.</i> , agenda item 53 |
| A/31/335/Add.1 | Report of the Second Committee | <i>Ibid.</i> , agenda item 66 |
| A/31/338/Add.2 | Ditto | <i>Ibid.</i> , agenda item 12 |
| A/31/347 | Report of the Sixth Committee | <i>Ibid.</i> , agenda item 110 |
| A/31/357 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.9/Rev.2: report of the Advisory Committee on Administrative and Budgetary Questions | |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--|--|---|
| A/31/362 | Report of the Fourth Committee | <i>Ibid.</i> , agenda item 25 |
| A/31/370 | Report of the Sixth Committee | <i>Ibid.</i> , agenda item 106 |
| A/31/371 | Report of the First Committee | <i>Ibid.</i> , agenda item 34 |
| A/31/376 | Ditto | <i>Ibid.</i> , agenda item 39 |
| A/31/377 | Ditto | <i>Ibid.</i> , agenda item 40 |
| A/31/384 | Ditto | <i>Ibid.</i> , agenda item 47 |
| A/31/386 | Ditto | <i>Ibid.</i> , agenda item 49 |
| A/31/387 | Ditto | <i>Ibid.</i> , agenda item 50 |
| A/31/390 | Report of the Sixth Committee | <i>Ibid.</i> , agenda item 108 |
| A/31/399 | Report of the Special Political Committee | <i>Ibid.</i> , agenda item 55 |
| A/31/413 | Report of the Second Committee | <i>Ibid.</i> , agenda item 64 |
| A/31/416 | Ditto | <i>Ibid.</i> , agenda item 68 |
| A/31/419 | Report of the Special Political Committee | <i>Ibid.</i> , agenda item 54 |
| A/31/429 | Report of the Sixth Committee | <i>Ibid.</i> , agenda item 113 |
| A/31/430 | Ditto | <i>Ibid.</i> , agenda item 123 |
| A/31/437 | Report of the Fourth Committee | <i>Ibid.</i> , agenda item 85 |
| A/31/442 | Administrative and financial implications of the draft resolution contained in document A/31/L.31: report of the Fifth Committee | Replaced by A/31/442/Rev.1, paras. 5-10 |
| A/31/451 | Report of the Second Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 57 |
| A/31/L.4 | Draft resolution submitted by 5 countries | <i>Ibid.</i> , agenda item 30 |
| A/31/L.10/Rev.1 and Add.1 and 2 | Draft resolution submitted by 59 countries | <i>Ibid.</i> , agenda item 52 |
| A/31/L.11 and Add.1-3 | Draft resolution submitted by 57 countries | <i>Ibid.</i> |
| A/31/L.20 and Add.1 | Draft resolution submitted by 28 countries | <i>Ibid.</i> , agenda item 27 |
| A/31/L.29 and Add.1-3 | Draft resolution submitted by 49 countries | <i>Ibid.</i> , agenda item 25 |
| A/31/L.31 and Add.1-3 | Draft resolution submitted by 40 countries | <i>Ibid.</i> |
| A/C.5/31/2 | Comprehensive study of the question of honoraria payable to members of organs and subsidiary organs of the United Nations: report of the Secretary-General | |
| A/C.5/31/3 | Electronic data processing and information systems in the United Nations: report of the Secretary-General | |
| A/C.5/31/5 | Standards of accommodation for official travel of United Nations staff by air: report of the Secretary-General | |
| A/C.5/31/6 | Review of action taken on the recommendations of the Administrative Management Service: report of the Secretary-General | |
| A/C.5/31/8 | Organizational nomenclature in the Secretariat: report of the Secretary-General | |
| A/C.5/31/10 and Corr.1, and Add.1 and Add.1/Corr.1 | Use of experts and consultants in the United Nations: report of the Secretary-General | |
| A/C.5/31/11 and Corr.1 | Revised estimates under section 12 (United Nations Industrial Development Organization): report of the Secretary-General | |
| A/C.5/31/12 | <i>Yearbook of the United Nations</i> : report of the Secretary-General | |
| A/C.5/31/13 | Emoluments of the members of the International Court of Justice: report of the Secretary-General | |
| A/C.5/31/14 | United Nations information centres system: report of the Secretary-General | |
| A/C.5/31/20 | Extension of the Palais des Nations at Geneva: report of the Secretary-General | |
| A/C.5/31/22 and Corr.1 | Expansion of meeting rooms and improvement of conference-servicing and delegate facilities at United Nations Headquarters: report of the Secretary-General | |

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| A/C.5/31/23 and Corr.1 | Revised estimates resulting from decisions of the Economic and Social Council at its sixtieth and sixty-first sessions: report of the Secretary-General | |
| A/C.5/31/25 and Corr.1 | Revised estimates in respect of the major programme on transnational corporations: report of the Secretary-General | |
| A/C.5/31/26 | Administrative and financial implications of recommendations proposed by the International Civil Service Commission in document A/31/30: note by the Secretary-General | |
| A/C.5/31/29 | Merger of the Administrative Management Service and the Internal Audit Service: report of the Secretary-General | |
| A/C.5/31/31 | Revised estimates in respect of the United Nations Conference on Desertification: report of the Secretary-General | |
| A/C.5/31/33 and Corr.1 | Services provided by the United Nations to activities funded from extrabudgetary resources: report of the Secretary-General | |
| A/C.5/31/36 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/285: note by the Secretary-General | |
| A/C.5/31/37 and Corr.1 and Add.1 | Budget and programme performance of the United Nations for the biennium 1976-1977: report of the Secretary-General | |
| A/C.5/31/39 and Corr.1 and 2 | Establishment of a rationale for the allocation of expenses between the regular budget and the Fund of the United Nations Environment Programme: report by the Secretary-General of the Organization and the Executive Director of the Programme | |
| A/C.5/31/40 | General procedures and administrative arrangements governing the United Nations Habitat and Human Settlements Foundation: note by the Secretary-General | |
| A/C.5/31/41 | United Nations accommodation in Addis Ababa, Bangkok and Santiago: report of the Secretary-General | |
| A/C.5/31/42 | Administrative and financial implications of the draft resolution contained in document A/31/L.11: note by the Secretary-General | |
| A/C.5/31/43 | Administrative and financial implications of the draft resolution contained in document A/31/L.10/Rev.1: note by the Secretary-General | |
| A/C.5/31/44 and Corr.1 | Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/292: note by the Secretary-General | |
| A/C.5/31/45 | United Nations accommodation in Nairobi: report of the Secretary-General | |
| A/C.5/31/47 | Administrative and financial implications of the implementation of proposals by the Secretary-General for the establishment of classification systems for posts in the Professional category in the Secretariat and for General Service posts at Geneva: note by the Secretary-General | |
| A/C.5/31/49 | Revised estimates resulting from the decisions of the Trade and Development Board arising from the United Nations Conference on Trade and Development at its fourth session: report by the Secretary-General | |
| A/C.5/31/50 | Administrative and financial implications of the draft resolution contained in document A/31/L.4: note by the Secretary-General | |
| A/C.5/31/51 and Corr.1 | First performance report on the programme budget of the International Trade Centre for the biennium 1976-1977: note by the Secretary-General transmitting the report | |
| A/C.5/31/52 | Administrative and financial implications of draft resolution IX submitted by the Fourth Committee in document A/31/362: note by the Secretary-General | |
| A/C.5/31/53 | Administrative and financial implications of draft resolution C submitted by the Special Political Committee in document A/31/333: note by the Secretary-General | |
| A/C.5/31/54 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.9/Rev.2: note by the Secretary-General | |
| A/C.5/31/55 | Administrative and financial implications of the draft resolution contained in document A/31/L.20: note by the Secretary-General | |
| A/C.5/31/56 | Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/347: note by the Secretary-General | |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
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| A/C.5/31/57 | Establishment of the United Nations Industrial Development Fund: note by the Secretary-General | |
| A/C.5/31/58 | Revision of the Financial Regulations of the United Nations: report of the Secretary-General | |
| A/C.5/31/59 | Administrative and financial implications of draft resolution XV submitted by the Fourth Committee in document A/31/362: note by the Secretary-General | |
| A/C.5/31/60 and Corr.1 | Arabic language services in the United Nations: report of the Secretary-General | |
| A/C.5/31/61 | Administrative and financial implications of draft resolution II submitted by the Third Committee in document A/31/273: note by the Secretary-General | |
| A/C.5/31/62 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.10/Rev.1: note by the Secretary-General | |
| A/C.5/31/63 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/376: note by the Secretary-General | |
| A/C.5/31/64 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/371: note by the Secretary-General | |
| A/C.5/31/65 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/387: note by the Secretary-General | |
| A/C.5/31/66 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/384: note by the Secretary-General | |
| A/C.5/31/67 | Administrative and financial implications of the draft resolution submitted by the First Committee in document A/31/377: note by the Secretary-General | |
| A/C.5/31/68 | Administrative and financial implications of draft resolution B submitted by the First Committee in document A/31/386: note by the Secretary-General | |
| A/C.5/31/69 | Establishment of an information services unit in the Department of Economic and Social Affairs: report of the Secretary-General | |
| A/C.5/31/70 | Administrative and financial implications of Economic and Social Council decision 195 (LXI): note by the Secretary-General | |
| A/C.5/31/71 | Implications of extending United Nations Joint Staff Pension Fund coverage to certain former staff members for service with the United Nations Relief and Works Agency during the period 1950 through 1960: report of the Secretary-General | |
| A/C.5/31/72 | Office of the United Nations Disaster Relief Co-ordinator: financing of emergency relief assistance and technical co-operation activities: report of the Secretary-General | |
| A/C.5/31/73 | Administrative and financial implications of draft resolution II submitted by the Second Committee in document A/31/413: note by the Secretary-General | |
| A/C.5/31/74 | Administrative and financial implications of the draft resolution contained in document A/31/L.29: note by the Secretary-General | |
| A/C.5/31/76 | Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/370: note by the Secretary-General | |
| A/C.5/31/77 | Technological innovations in the production of the publications and documentation of the United Nations: report of the Secretary-General | |
| A/C.5/31/78 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.31: note by the Secretary-General | |
| A/C.5/31/79 | Administrative and financial implications of draft resolution C submitted by the Special Political Committee in document A/31/399: note by the Secretary-General | |
| A/C.5/31/80 | Administrative and financial implications of draft resolution D submitted by the Special Political Committee in document A/31/399: note by the Secretary-General | |
| A/C.5/31/81 | Administrative and financial implications of draft resolutions I, II, III, IV, V, VI and VIII submitted by the Fourth Committee in document A/31/437: note by the Secretary-General | |

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| A/C.5/31/82 | Administrative and financial implications of draft resolution IV submitted by the Second Committee in document A/31/338/Add.2: note by the Secretary-General | |
| A/C.5/31/83 | Administrative and financial implications of draft resolution III submitted by the Sixth Committee in document A/31/390: note by the Secretary-General | |
| A/C.5/31/84 | Administrative and financial implications of draft resolution I submitted by the Sixth Committee in document A/31/390: note by the Secretary-General | |
| A/C.5/31/85 | Administrative and financial implications of the draft resolution submitted by the Special Political Committee in document A/31/419: note by the Secretary-General | |
| A/C.5/31/86 | Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/429: note by the Secretary-General | |
| A/C.5/31/87 | Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/430: note by the Secretary-General | |
| A/C.5/31/88 | Administrative and financial implications of draft decision I submitted by the Second Committee in document A/31/338/Add.2: note by the Secretary-General | |
| A/C.5/31/89 | Administrative and financial implications of draft resolution V submitted by the Second Committee in document A/31/338/Add.2: note by the Secretary-General | |
| A/C.5/31/90 | Administrative and financial implications of draft resolution II submitted by the Second Committee in document A/31/451: note by the Secretary-General | |
| A/C.5/31/91 | Administrative and financial implications of draft decision I submitted by the Second Committee in document A/31/335/Add.1: note by the Secretary-General | |
| A/C.5/31/92 | Administrative and financial implications of draft decision III submitted by the Second Committee in document A/31/335/Add.1: note by the Secretary-General | |
| A/C.5/31/93 | Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/31/416: note by the Secretary-General | |
| A/C.5/31/94 and Add.1 | Consolidated statement of administrative and financial implications in respect of conference-servicing costs: note by the Secretary-General | |
| A/C.5/31/95 | Proposed changes in the level of certain posts in the top echelon of the Secretariat: report of the Secretary-General | |
| A/C.5/31/96 | Administrative and financial implications of the draft resolution contained in document A/31/L.31: note by the Secretary-General | |
| A/C.5/31/L.9/Rev.2 | Draft resolution | For the sponsors and the text, see <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 93, document A/31/400, paras. 8, 9 and 20-22 |
| A/C.5/31/L.10/Rev.1 and Corr.1 | Draft resolution | <i>Idem</i> , agenda item 100, document A/31/427, para. 25 |
| A/C.5/31/L.31 | Draft resolution | <i>Idem</i> , agenda item 97, document A/31/457, para. 10 |
| A/C.5/31/L.37 | Sri Lanka: draft resolution | See A/31/470, para. 67 |
| A/C.5/31/L.46 and Corr.1 and Add.1 | Draft report of the Fifth Committee | For the text of these documents as amended by the Fifth Committee at its 62nd meeting, see A/31/470 |
| A/C.5/31/L.59 | Canada: draft decision | See A/31/470, para. 76 |
| A/C.5/31/SR.1-62 | Summary records of the meetings held by the Fifth Committee during the thirty-first session | <i>Official Records of the General Assembly, Fifth Committee</i> , 1st to 62nd meetings and <i>ibid.</i> , <i>Fifth Committee, Sessional Fascicle</i> , corrigendum |



Agenda item 93: * Medium-term plan: **

(a) Medium-term plan for the period 1978-1981 and revised plan for 1977;

(b) Implementation of the recommendations of the Joint Inspection Unit: report of the Secretary-General

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee*, 3rd to 7th, 9th, 10th, 17th, 23rd, 28th, 30th, 36th, 37th and 46th meetings, and *ibid.*, *Fifth Committee Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 98th meeting.

** This question was previously discussed by the General Assembly at the thirtieth session (agenda item 96).

DOCUMENT A/31/400

Report of the Fifth Committee

*[Original: English]
[10 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "Medium-term plan: (a) Medium-term plan for the period 1978-1981 and revised plan for 1977; (b) Implementation of the recommendations of the Joint Inspection Unit: report of the Secretary-General" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 3rd to 7th, 9th, 10th, 17th, 23rd, 28th, 30th, 36th and 37th meetings from 1 October to 26 November 1976.

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

(a) Medium-term plan for the period 1978-1981 (A/31/6/Add.1 and Corr.2-5);

(b) Report of the Committee for Programme and Coordination (CPC) on the work of its sixteenth session (A/31/38);

(c) Report of the Advisory Committee on Administrative and Budgetary Questions (A/31/139) on the medium-term plan;

(d) Report of the Secretary-General (A/C.5/31/15) on the implementation of the major recommendations of the

Joint Inspection Unit on medium-term planning in the United Nations system;

(e) Report of the Secretary-General (A/C.5/31/27) on the implementation of General Assembly resolution 3534 (XXX);

(f) Report of the Advisory Committee (A/31/326) containing its comments on the report of the Secretary-General on the implementation of General Assembly resolution 3534 (XXX);

(g) Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions (A/31/3).

4. At the 3rd meeting of the Fifth Committee the Chairman of the Advisory Committee orally introduced that Committee's report (A/31/139).

5. At the same meeting, the Rapporteur of CPC orally introduced that Committee's report (A/31/38).

6. The Controller addressed the Committee at its 3rd and 17th meetings.

7. The Chairman of the CPC addressed the Committee at its 10th meeting.

8. At the 23rd meeting, the representative of the Netherlands introduced the following draft resolution

(A/C.5/31/L.9) on behalf of Belgium, Egypt, Ghana, Kenya, the Netherlands and Trinidad and Tobago:

"The General Assembly,

"...[the preamble is the same as the first five paragraphs of the preamble of the draft resolution appearing in paragraph 30 below, with the exception of the fourth paragraph, which ended with the words 'in the United Nations system'],"

"...[the nine operative paragraphs are the same as operative paragraphs 1 to 7, 10 and 11 of the draft resolution appearing in paragraph 30 below, except that paragraph 3 (a), subparagraphs (i), (iii) d and (iv), and paragraphs 7 and 9 (b) read as follows:

"3. ...

"(a) ...

(i) A short statement providing an over-all forward look from his vantage point on the basis of past deliberations and decisions of intergovernmental organs, the expressed views of Member States and the collective advice of his colleagues, in which he would call the attention to changes in orientation which, in his opinion, are necessary in order to respond to changes in the international scene and to meet future needs;

(iii) ...

(iv) Indicative projections of future budgetary orders of magnitude, as recommended by the Advisory Committee on Administrative and Budgetary Questions, under the regular budget and from extra-budgetary resources for the plan as a whole and by major programmes which would neither constitute ceilings nor be binding upon Member States;

"7. Requests the Secretary-General to ensure that no supplementary estimates intended to fund new programmes or expand existing ones shall be submitted until the planning and programme budgeting procedure referred to above has been complied with, it being understood that the General Assembly may decide that exceptional circumstances demand otherwise;

"9. ...

"(b) Determine which programmes or subprogrammes are obsolete, of marginal usefulness or ineffective and recommend, as appropriate, their curtailment or termination;"]"

9. At the 30th meeting, the representative of the Netherlands, on behalf of the sponsors, which had been joined by Australia and Turkey, introduced a revised draft resolution (A/C.5/31/L.9/Rev.1) and pointed out that the revised text took into account the reports of the Secretary-General (A/C.5/31/27) and the Advisory Committee (A/31/326) regarding the implementation of General Assembly resolution 3543 (XXX), and also incorporated a number of improvements suggested by delegations in the course of consultations. The revised text read as follows:

"The General Assembly,

"...[the first to fifth and the seventh paragraphs of the preamble are the same as the first to fifth and the eighth paragraphs of the preamble of the draft resolution appearing in paragraph 30 below; the sixth paragraph read as follows:

"'Aware of the usefulness of the medium-term plan as an instrument for system-wide co-ordination,']"

"...[operative paragraphs 1-11 are the same as the corresponding paragraphs of the draft resolution appearing in paragraph 30 below, except that paragraph 3 (a), subparagraphs (iii) d and (iv), and paragraphs 9 and 11 (b) read as follows:

"3. ...

"(a) ...

(iii) ...

d. Indications of the time-phasing of planned activities;

(iv) Preliminary and approximate indications of future costs as recommended by the Advisory Committee on Administrative and Budgetary Questions, under the regular budget and from extrabudgetary resources for the plan as a whole and by major programmes which would neither constitute ceilings nor be binding upon Member States;

"9. Reaffirms resolution 3534 (XXX) and stresses 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 so that the bodies concerned may take the necessary action;

"11. ...

"(b) Determine which programmes or subprogrammes are obsolete, of marginal usefulness or ineffective and recommend, as appropriate, their curtailment or termination;"]"

10. At the same meeting, several amendments to draft resolution A/C.5/31/L.9/Rev.1 were before the Committee (see paras. 11-14 below).

11. The representative of the Union of Soviet Socialist Republics proposed the following amendments (A/C.5/31/L.15):

(a) In the sixth preambular paragraph, replacement of the words "for system-wide co-ordination," by the words "for making all the activities of the United Nations system more effective and economical and as an effective means of co-ordination for the elimination of duplication and parallelism of activities";

(b) At the end of paragraph 3 (a) (iii) d, the addition of the words: "by programme, subprogramme and programme component";

(c) In paragraph 3 (a) (iii), the addition of the following new subparagraph:

"f. The resources which will be released as a result of the completion or curtailment of programmes, subprogrammes and programme components";

(d) At the end of paragraph 3 (c) (iii), the addition of the words: "taking into account the views of all States Members of the United Nations".

12. The representative of the Philippines proposed (A/C.5/31/L.16) the insertion of the following preambular paragraph:

"Aware of the role of the General Assembly and the Economic and Social Council in co-ordinating decisions taken by sectoral and regional bodies, while providing over-all guidance, determining policy lines and indicating areas of priorities".

13. The representative of Greece proposed (A/C.5/31/L.17) the addition of the following text as operative paragraph 12:

"12. *Further decides*, as a special case, and in pursuance of the need to encourage Member States to be represented at regular sessions of the Committee for Programme and Co-ordination, at a high level of expertise and to ensure the continuity of their representation, that the Organization shall bear, from 1978 onwards, the travel and *per diem* expenses of one representative of each Member State of the Committee."

14. The representative of Poland orally proposed that, if the Philippine amendment (A/C.5/31/L.16) were accepted by the sponsors, the text should be revised in such a manner as to make a clear distinction between the respective roles of the General Assembly and the Economic and Social Council.

15. Speaking on behalf of the sponsors of the draft resolution (A/C.5/31/L.9/Rev.1), the representative of the Netherlands stated, with reference to the Soviet amendments (A/C.5/31/L.15), that the sponsors were prepared to replace the words "system-wide co-ordination" with the words "effective co-ordination of the activities of the United Nations system". They also accepted the second Soviet amendment provided the words "as far as practicable" were added before it. The idea behind the third Soviet amendment was acceptable, but they preferred incorporating it in operative paragraph 9 by adding the words "indicating the resources which could be released" after the word "ineffective". The sponsors had some difficulty, however, with the fourth Soviet amendment and appealed to the representative of the Soviet Union not to press for its inclusion in the draft text.

16. The representative of the Union of Soviet Socialist Republics accepted the modifications suggested by the sponsors and agreed to withdraw the fourth amendment proposed by his delegation in document A/C.5/31/L.15.

17. The representative of the Netherlands stated also that the Philippine amendment (A/C.5/31/L.16), as orally amended by Poland, was acceptable to the sponsors and would be included as the penultimate preambular paragraph.

18. The amendment submitted by Greece (A/C.5/31/L.17) was also acceptable to the sponsors on the understanding that the members of CPC would travel economy class. The representative of Greece stated that it was also the understanding of his delegation.

19. The representative of the Upper Volta then orally proposed that the words "as recommended by the Advisory Committee on Administrative and Budgetary Questions" be deleted from paragraph 3 (a) (iv) of draft resolution A/C.5/31/L.9/Rev.1, and that the words "programme elements" be added in paragraph 11 (b).

20. At the 36th meeting, the representative of the Netherlands, on behalf of the sponsors, introduced a further revision of the draft resolution (A/C.5/31/L.9/Rev.2) and, at the same time, announced that Nicaragua had joined the sponsors.

21. The draft resolution (A/C.5/31/L.9/Rev.2) incorporated the amendments which had been accepted by the sponsors, including the oral amendment proposed by the Upper Volta.

22. The following new paragraph had been added at the end of the operative part:

"12. ... [same text as paragraph 12 of the draft resolution appearing in paragraph 30 below, except that the last clause, after the words 'subsistence expenses of the United Nations', read: 'the travel and subsistence expenses of one representative of each Member State on the Committee for Programme and Co-ordination.']."

23. In introducing draft resolution A/C.5/31/L.9/Rev.2, the representative of the Netherlands stated that paragraph 12 was based on the amendment submitted by Greece (A/C.5/31/L.17), and that it was proposed that, in order to avoid supplementary appropriations for the current biennium, any additional costs involved would be borne by the Organization from 1978 onwards.

24. The representative of Algeria orally proposed the deletion of the reference to "subsistence expenses" in paragraph 12 of draft resolution A/C.5/31/L.9/Rev.2. The representative of the Upper Volta supported the Algerian amendment and requested a separate vote on it in the event that it was not accepted by the sponsors.

25. A statement of administrative and financial implications with respect to paragraph 12 of draft resolution A/C.5/31/L.9/Rev.2 was submitted by the Secretary-General (A/C.5/31/54) and the Advisory Committee also submitted comments thereon (A/31/357).

26. At the 37th meeting, after a short discussion of paragraph 12 in the course of which the Chairman of the Advisory Committee and the Director of the Budget Division explained its administrative and financial implications, the sponsors of draft resolution A/C.5/31/L.9/Rev.2 agreed to revise the paragraph to read as follows:

[Same text as paragraph 12 of the draft resolution appearing in paragraph 30 below.]

27. In announcing the amendments to paragraph 12 on behalf of the sponsors, the representative of the Netherlands stated that it was clear from the text that subsistence and travel expenses should be paid with respect to all sessions of CPC.

28. The comments and observations of delegations during the discussion of the item, as well as the reservations expressed and explanations of vote, are reflected in the summary records of the Committee (A/C.5/31/SR.3-7, 9, 10, 17, 23, 28, 30, 36 and 37).

Decisions of the Committee

29. At its 37th meeting, the Committee voted on draft resolution A/C.5/31/L.9/Rev.2 and on the amendments thereto as follows:

(a) The oral amendment proposed by Algeria to delete the words "subsistence expenses" from paragraph 12 of the draft resolution was rejected by 36 votes to 19, with 37 abstentions;

(b) Paragraph 12, as revised by the sponsors of the draft resolution, was adopted by 53 votes to 22, with 19 abstentions;

(c) Draft resolution A/C.5/L.9/Rev.2, as orally revised, was adopted by consensus (see para. 30 below).

Recommendation of the Fifth Committee

30. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling the relevant recommendations of the *Ad Hoc* Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies,¹

Recalling also its resolutions 3199 (XXVIII) of 18 December 1973, 3392 (XXX) of 20 November 1975 and 3534 (XXX) of 17 December 1975,

Bearing in mind Economic and Social Council resolutions 2008 (LX) of 14 May 1976 and 2019 (LXI) of 3 August 1976,

Having considered the medium-term plan for the period 1978-1981 (A/31/6/Add.1 and Corr.2-5), chapter III, section H, and chapter VII, section A, of the report of the Economic and Social Council (A/31/3), the report of the Committee for Programme and Co-ordination on the work of its sixteenth session (A/31/38), the report of the Advisory Committee on Administrative and Budgetary Questions (A/31/139), on the medium-term plan, the report of the Secretary-General (A/C.5/31/15) on the implementation of the major recommendations of the Joint Inspection Unit on medium-term planning in the United Nations system, the report of the Secretary-General (A/C.5/31/27) on the implementation of General Assembly resolution

3534 (XXX) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/326),

Conscious of the need for further harmonization of programmes throughout the United Nations system,

Aware of the usefulness of the medium-term plan as an instrument for effective co-ordination of the activities of the United Nations system,

Aware also of the respective roles of the General Assembly and the Economic and Social Council in co-ordinating decisions taken by sectoral and regional bodies, while providing over-all guidance, determining policy lines and indicating areas of priority,

Recalling that the need to improve and strengthen the evaluation process as part of planning, programming and budgeting has been recognized since the issue of the report of the *Ad Hoc* Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies,

1. *Takes note with appreciation* of the medium-term plan for the period 1978-1981 and accepts it in the light of the recommendations and conclusions contained in the reports of the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions as the framework for the preparation of the programme budget for the biennium 1978-1979;

2. *Urges* each organization within the United Nations system to plan its activities, bearing in mind the related programmes planned or being carried out in other parts of the system;

3. *Decides* that the future medium-term plans of the United Nations should be prepared according to the following procedure:

(a) The draft medium-term plans proposed by the Secretary-General should embody:

- (i) A short statement on directions that United Nations activities should take in the medium term;
- (ii) A set of documents in which each major programme, developed in accordance with legislative decisions, is presented in a consolidated manner;
- (iii) The following financial information:
 - a. Any approved allocations in the current regular budget;
 - b. The actual extrabudgetary expenditure for the preceding year or biennium;
 - c. Estimates, in percentage terms only, of the proportion of each programme's allocations during the planning period that the Secretary-General intends to devote to each subprogramme;
 - d. Indications of the time-phasing of planned activities as far as practicable, by programme, subprogramme and programme element;
 - e. As appropriate and, in so far as possible, approximate amounts allocated or expended (as in a and b above) on related activities by other organs of the United Nations system;

¹ *Official Records of the General Assembly, Twenty-first Session, Annexes, agenda item 80, document A/6343.*

- (iv) Preliminary and approximate indications of future costs under the regular budget and from extra-budgetary resources for the plan as a whole and by major programmes which would neither constitute ceilings nor be binding upon Member States;
- (v) Appropriate information on how proposed United Nations programmes would relate to activities of other organizations of the United Nations system;

(b) The medium-term plan will be considered by the General Assembly in the light of the comments and recommendations of the Economic and Social Council, the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions following the procedures adopted by the Economic and Social Council in its decision 139 (ORG-76) of 15 January 1976;

(c) After approval by the General Assembly, the medium-term plan will constitute the principal policy directive of the United Nations which:

- (i) States the medium-term objectives to be attained in a four-year period;
- (ii) Describes the strategy to be followed to that effect and the means of action to be used;
- (iii) Gives an indicative estimate of the necessary resources in over-all terms and by major programme;

4. *Endorses* the remaining recommendations of the Committee for Programme and Co-ordination not covered in paragraph 3 above and expresses appreciation for the comments thereon of the Advisory Committee on Administrative and Budgetary Questions;

5. *Requests* the Secretary-General to take measures to involve more closely the sectoral, functional and regional programme-formulating organs in the planning and programming process;

6. *Urges* those 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;

7. *Requests* the Secretary-General to ensure compliance with the planning and programme budgeting procedure referred to above;

8. *Reaffirms* that supplementary estimates for expansion of existing activities or initiation of new programmes will

be considered only after specific approval of the General Assembly;

9. *Reaffirms* its resolution 3534 (XXX) and stresses 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;

10. *Decides* that the Committee for Programme and Co-ordination shall function as the main subsidiary organ of the Economic and Social Council and the General Assembly for planning, programming and co-ordination and approves the consolidated terms of reference as set out in Economic and Social Council resolution 2008 (LX);

11. *Instructs* the Committee for Programme and Co-ordination in particular:

(a) To review in depth, on a selective basis, the major programmes of the plan and recommend any necessary amendments to the Economic and Social Council and the General Assembly;

(b) To determine which programmes, subprogrammes or programme elements are obsolete, of marginal usefulness or ineffective and to recommend, as appropriate, their curtailment or termination;

(c) To assess the degree of substantive co-ordination of selected programmes within the United Nations system and to recommend the appropriate section thereon;

12. *Further decides* that, in order to encourage Member States to be represented at a high level of expertise and to ensure the continuity of their representation in the body whose central role and over-all responsibilities are recognized, the Organization shall bear from 1978 onwards, for an experimental period and subject to review by the General Assembly at its thirty-fourth session, as a special exception to the basic principles set out in paragraph 2 of Assembly resolution 1798 (XVII) of 11 December 1962 concerning the payment out of United Nations funds of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations, the travel (on the basis of economy class) and subsistence expenses (at standard rates applicable to officials of the Secretariat plus 15 per cent) of one representative of each Member State on the Committee for Programme and Co-ordination.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 14 December 1976, the General Assembly, before voting on the draft resolution submitted by the Fifth Committee in its report (A/31/400, para. 30), voted separately on operative paragraph 12; it adopted the paragraph by a recorded vote of 81 to 21, with 22 abstentions. It then adopted the draft resolution as a whole. For the final text, see resolution 31/93.²

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 93 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------------|--|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/6/Add.1 and Corr.2-5 | Medium-term plan for the period 1978-1981 | <i>Ibid.</i> , Supplement No. 6A and corrigenda |
| A/31/38 | Report of the Committee for Programme and Co-ordination on the work of its sixteenth session (10 May-11 June 1976) | <i>Ibid.</i> , Supplement No. 38 |
| A/31/139 | Report of the Advisory Committee on Administrative and Budgetary Questions | Mimeographed |
| A/31/326 | Implementation of General Assembly resolution 3534 (XXX): report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/31/357 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.9/Rev.2: report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/C.5/31/15 | Implementation of the major recommendations of the Joint Inspection Unit on medium-term planning in the United Nations system: report of the Secretary-General | Ditto |
| A/C.5/31/27 | Implementation of General Assembly resolution 3534 (XXX): report of the Secretary-General | Ditto |
| A/C.5/31/54 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.9/Rev.2: note by the Secretary-General | Ditto |
| A/C.5/31/L.9 | Draft resolution | For the sponsors and the text, see A/31/400, para. 8 |
| A/C.5/31/L.9/Rev.1 | Revised draft resolution | <i>Idem</i> , para. 9 |
| A/C.5/31/L.9/Rev.2 | <i>Idem</i> | <i>Idem</i> , paras. 20-22 |
| A/C.5/31/L.15 | Amendments to document A/C.5/31/L.9/Rev.1 | <i>Idem</i> , para. 11 |
| A/C.5/31/L.16 | Amendment to document A/C.5/31/L.9/Rev.1 | <i>Idem</i> , para. 12 |
| A/C.5/31/L.17 | <i>Idem</i> | <i>Idem</i> , para. 13 |
| A/C.5/31/L.19 | Note by the Secretary-General | Replaced by A/C.5/31/54 |
| A/C.5/31/L.27 | Draft report of the Fifth Committee | Same text as A/31/400 |



Agenda item 94: * Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations

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* For the discussion of the item see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee*, 60th meeting and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 107th meeting.

DOCUMENT A/31/467

Report of the Fifth Committee

*[Original: English]
[21 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations" and to allocate it to the Fifth Committee.

2. The Committee considered this item at its 60th meeting, on 21 December 1976.

3. For its consideration of the item, the Committee had before it the report of the Negotiating Committee on the Financial Emergency of the United Nations (A/31/37).

4. The representative of Saudi Arabia introduced a draft resolution (A/C.5/31/L.4) which read as follows:

"The General Assembly,

"Whereas the United Nations remains the best international forum for Member States to continue their endeavours to save succeeding generations from the scourge of war,

"Taking into account that mistrust still prevails among Member States, in particular among the major Powers, to the extent that a sum amounting to approximately \$300 billion is spent annually on armaments,

"Noting that the problem of the chronic deficits that have been afflicting the budget of the United Nations and the specialized agencies should be solved on a permanent basis in order to enhance the effective efforts exerted by Member States to maintain world peace and security,

"Considering that the stupendous amounts spent on replenishing military arsenals with weapons, some of which, if used, might poison the biosphere and pave the way for the extinction of the human species,

"Reaffirming that there is no alternative to the United Nations for the deterrence of an apocalyptic world war,

"1. Urges Member States of the United Nations to consider the creation of a special fund to save the United Nations and the specialized agencies from financial stringency;

"2. Appeals to Member States which have armament industries to levy a tax of one half of 1 per cent on the value of their arms production and to remit the proceeds of this tax to the above-mentioned fund, which would be managed by unpaid trustees appointed by the United Nations."

5. The representative of Pakistan introduced a draft resolution (A/C.5/31/L.57/Rev.1) on behalf of Argentina, Canada, Ghana, Greece, India, Ireland, Nicaragua and Pakistan.

6. The Committee adopted draft resolution A/C.5/31/L.57/Rev.1 by consensus (see para. 8 below).

7. The representative of Saudi Arabia requested that the draft resolution proposed by his delegation (A/C.5/31/L.4) be referred to the Negotiating Committee when it continued its efforts with respect to the financial emergency of the United Nations.

Recommendation of the Fifth Committee

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

The General Assembly,

Recalling its resolution 3538 (XXX) of 17 December 1975 by which it established the Negotiating Committee on the Financial Emergency of the United Nations,

Reaffirming its determination to bring about a lasting solution to the financial problems of the Organization,

Considering that the Committee was unable to complete its report (A/31/37) in time for adequate consideration by Member States at the current session of the General Assembly,

1. *Decides* to defer to its thirty-second session consideration of the report of the Negotiating Committee on the Financial Emergency of the United Nations;

2. *Requests* the Committee to keep the financial situation of the United Nations under review in order to promote a lasting solution to the financial problems of the Organization;

3. *Further requests* the Committee to submit, if necessary, a supplementary report on further developments;

4. *Further decides* to include in the provisional agenda of its thirty-second 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 107th plenary meeting, on 22 December 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/467, para. 8). For the final text, see resolution 31/191.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 94 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.5/31/L.4 | Saudi Arabia: draft resolution | See A/31/467, para. 4 |
| A/C.5/31/L.57 | Canada, Ghana, Greece, India, Ireland, Pakistan: draft resolution | Replaced by A/C.5/31/L.57/Rev.1 |
| A/C.5/31/L.57/Rev.1 | _____[same sponsors], Argentina and Nicaragua: revised draft resolution | For the text, see A/31/467, para. 8 |



Agenda item 95: * Review of the intergovernmental and expert machinery dealing with the formulation, review and approval of programmes and budgets**

DOCUMENT A/31/468***

Report of the Fifth Committee

*[Original: English]
[21 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "Review of the intergovernmental and expert machinery dealing with the formulation, review and approval of programmes and budgets" and to allocate it to the Fifth Committee.

2. At its 57th meeting, on 20 December, the Committee decided, in the context of the organization of its work, to recommend to the General Assembly that consideration of the question should be postponed to the thirty-second session.

Recommendation of the Fifth Committee

3. The Fifth Committee recommends to the General Assembly that the item entitled "Review of the intergovernmental and expert machinery dealing with the formulation, review and approval of programmes and budgets" should be included in the provisional agenda of its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 107th plenary meeting, on 22 December 1976, the General Assembly adopted the recommendation made by the Fifth Committee in its report (A/31/468, para. 3) (see decision 31/423¹).

* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee, 57th meeting*, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings, 107th meeting*.

** This question was previously discussed by the General Assembly at its twenty-ninth session (agenda item 74) and thirtieth session (item 97).

*** Incorporating document A/31/468/Corr.1 of 22 December 1976.

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.



Agenda item 96: * 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-first session, Fifth Committee*, 8th, 14th, 15th, 17th, 20th, 25th, 29th, 30th, 38th and 46th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 98th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 81), twenty-seventh (item 78), twenty-eighth (item 80), twenty-ninth (item 75) and thirtieth (item 98).

DOCUMENT A/31/401

Report of the Fifth Committee

*[Original: English]
[10 December 1976]*

Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "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" and allocated it to the Fifth Committee.

2. The Committee considered the item at its 8th, 14th, 15th, 17th, 20th, 21st, 24th, 25th, 29th, 30th and 38th meetings, between 14 October and 29 November 1976.¹

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

(a) Report of the Advisory Committee on Administrative and Budgetary Questions (A/31/233 and Add.1) dealing with general budgetary trends within the United Nations system, and containing its comments on the budgets of the specialized agencies and the International Atomic Energy Agency;

(b) Report of the Advisory Committee (A/31/227) on co-ordination questions in the activities of the United Nations Environment Programme;

¹ At the 21st, 24th and 25th meetings, the Committee considered—under agenda item 92—the review of action taken on the recommendations of the Administrative Management Service (see para. 9 of the present report).

(c) Report of the Secretary-General on bodies and organs established for purposes of administrative and budgetary control, investigation and co-ordination (A/31/75 and Corr.1 and 2);

(d) Report of the Secretary-General (A/31/75/Add.1 and Corr.1) on the continuation of the Joint Inspection Unit and proposed revised terms of reference;

(e) Report of the Secretary-General containing a brief, factual description of the activities of the intergovernmental bodies which have recently addressed themselves to questions related to administrative and budgetary control, investigation and co-ordination (A/31/75/Add.2).

4. The two reports of the Advisory Committee were introduced by its Chairman in an oral statement before the Fifth Committee at its 8th meeting.

5. The Under-Secretary-General for Administration and Management, in an oral statement before the Committee at its 24th meeting responded to comments made in the course of the debate and commented on the question of enhancing the role of the Administrative Management Service.

6. The Under-Secretary-General for Inter-Agency Affairs and Co-ordination addressed the Committee at its 17th meeting.

7. In the course of the consideration of the item, and upon the invitation of the Chairman of the Committee,

statements were made by the representatives of the Food and Agriculture Organization, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the Observer of Switzerland to the United Nations.

8. The representative of the United Nations Environment Programme replied to queries raised by various delegations at the 20th meeting.

9. At the 24th meeting, when the Committee was discussing the review of action taken on the recommendations of the Administrative Management Service under agenda item 92, the programme budget for the biennium 1976-1977—it decided, at the suggestion of the Chairman, to proceed with the consideration of the question of co-ordination in two parts; the first part would deal with the reports of the Advisory Committee (A/31/227 and 31/233 and Add.1), and the second part with the remaining reports on the item, and would include the following two reports which originally appeared under agenda item 92:

(a) Report of the Secretary-General on the review of action taken on the recommendations of the Administrative Management Service (A/C.5/31/6);

(b) Related report of the Advisory Committee (A/31/8/Add.5).

Consideration of proposals

Draft resolution A/C.5/31/L.6

10. At the 29th meeting, the representative of Cuba introduced the following draft resolution (A/C.5/31/L.6):

"The General Assembly,

"Gravely disturbed by the continuing currency fluctuations in the developed countries in which the organizations of the United Nations system effect their expenditures,

"Bearing in mind that the fluctuations in exchange rates among the currencies of the developed countries in which the headquarters of the organizations of the United Nations system are situated cause substantial losses in the budgets of those organizations, which are currently defrayed by all the States members of those organizations,

"Considering the economic benefits which those developed countries receive because the headquarters of the organizations of the United Nations system are situated therein,

"1. Requests the developed countries in which headquarters of the organizations of the United Nations system are situated to establish fixed exchange rates, from 1 January 1978, for the foreign exchange transactions of those organizations, in accordance with the exchange rates prevailing in the market on that date, for which those organizations may opt in carrying out their foreign exchange transactions;

"2. Also requests those developed countries to provide the Secretary-General with information on this matter as soon as possible, in order that he may report to the General Assembly at its thirty-second session"

11. At the 30th meeting, following some discussion, the Committee rejected the draft resolution (A/C.5/31/L.6) by 38 votes to 17, with 41 abstentions.

Draft resolution A/C.5/31/L.12

12. The representative of the Netherlands then introduced the following draft resolution (A/C.5/31/L.12) on behalf of Canada, Japan and the Netherlands:

[Same text as draft resolution A in paragraph 22 below, except the preamble consisted of the first preambular paragraph only of the draft resolution, and that operative paragraph 6 read:

"6. Requests the Advisory Committee on Administrative and Budgetary Questions to continue its present practice of supplementing annual reports on administrative and budgetary co-ordination with reports on specific problems, taking into account the suggestions made in this respect in the discussions in the Fifth Committee."]

Nicaragua later joined the sponsors of the draft resolution.

13. The representative of the Philippines orally proposed that a second preambular paragraph be inserted in the draft resolution (A/C.5/31/L.12) which read as follows:

[Same text as the second preambular paragraph of draft resolution A in paragraph 22 below.]

14. The Chairman of the Advisory Committee orally suggested that the words "its present practice of supplementing" in operative paragraph 6 be replaced by the words "to supplement, as appropriate, the".

15. The sponsors of the draft resolution accepted the amendment proposed by the representative of the Philippines and the suggestion of the Chairman of the Advisory Committee.

16. Draft resolution A/C.5/31/L.12, as amended, was adopted by consensus (see para. 22 below, draft resolution A).

Draft resolution A/C.5/31/L.13

17. Also at the 30th meeting, the representative of Canada introduced a draft resolution (A/C.5/31/L.13) on behalf of Algeria, Argentina, Austria, Canada and the Philippines on the subject of administrative co-ordination of electronic data processing and information systems in the United Nations organizations. Nicaragua later joined the sponsors of the draft resolution.

18. Draft resolution A/C.5/31/L.13 was adopted by consensus (see para. 22 below, draft resolution B).

Draft resolution A/C.5/31/L.21/Rev.1

19. At the 38th meeting, the representative of India introduced, on behalf of the delegations of India, Japan, Jordan, the Netherlands, Sri Lanka, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay, a draft resolution (A/C.5/31/L.21/Rev.1) on the strengthening of the role and functions of the Administrative Management Service.

20. The draft resolution was adopted by consensus (see para. 22 below, draft resolution C).

* * *

21. The comments and observations made by delegations in the course of the discussion of the item, as well as the various statements made, are reflected in the summary records of the meetings of the Committee (A/C.5/31/SR.8, 14, 15, 17, 20, 21, 24, 25, 29, 30 and 38).

Recommendations of the Fifth Committee

22. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

A

The General Assembly,

Having considered with appreciation the reports 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/31/233 and Add.1), and to co-ordination questions in the activities of the United Nations Environment Programme (A/31/227),

Concerned with the growing need for effective administrative and budgetary co-ordination within the framework of the United Nations system,

1. *Concurs* with the observations and comments of the Advisory Committee on Administrative and Budgetary Questions contained in the above-mentioned reports;

2. *Refers* to the organizations concerned the observations of the Advisory Committee on Administrative and Budgetary Questions contained in its reports and brings the report on co-ordination questions in the activities of the United Nations Environment Programme (*ibid.*) specifically to the attention of the Governing Council of the Programme;

3. *Refers* the report of the Advisory Committee on Administrative and Budgetary Questions on co-ordination questions (*ibid.*) to the Committee on Programme and Co-ordination in connexion with the decision of that Committee to consider in depth environment programmes at its seventeenth session in 1977;

4. *Requests* 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 above-mentioned reports and the related discussion in the Fifth Committee which call for their attention and necessary action, in particular the question of rotation of staff;

5. *Transmits* these reports to the Board of Auditors, to the members of the Panel of External Auditors and to the Joint Inspection Unit for their information;

6. *Requests* the Advisory Committee on Administrative and Budgetary Questions to continue to supplement, as appropriate, the annual reports on administrative and budgetary co-ordination with reports on specific problems, taking into account the suggestions made in this respect during the discussions in the Fifth Committee.

B

The General Assembly,

Considering the rapidly expanding applications of electronic data processing techniques to information systems and data banks throughout the United Nations system, their potential value in accelerating the implementation and co-ordination of important programmes, particularly in the field of economic and social development, and the importance of ensuring efficient use of available resources,

1. *Requests* the Advisory Committee on Administrative and Budgetary Questions to provide policy advice and recommendations on the administrative co-ordination of electronic data processing and information systems in the United Nations organizations, in carrying out this task, the Advisory Committee should identify and focus on major issues that will help to increase benefit from the expanding applications of electronic data processing and information systems, and should also examine methods and criteria for:

(a) Assessing the utility of existing and proposed information systems;

(b) Co-ordinating and harmonizing existing and planned information systems;

(c) Estimating costs for establishing and operating the systems;

(d) Considering any other administrative co-ordination issues, including policies concerning acquisition and utilization of computer hardware, that, in the opinion of the Advisory Committee or the Administrative Committee on Co-ordination, require the consideration of Member States;

2. *Requests* the Administrative Committee on Co-ordination to assist in that task by providing, as required, the services and assistance of the Inter-Organization Board for Information Systems and Related Activities.

C

The General Assembly,

Noting with appreciation the report of the Secretary-General (A/C.5/31/6) on the review of action taken on the

recommendations of the Administrative Management Service and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.5),

Convinced that an effective and continuing management improvement programme is essential for the efficient and economical functioning of the Organization and that this, in turn, requires a competent central internal machinery endowed with the necessary mandate and the maximum support of the Secretary-General,

Noting the view of the Secretary-General that, while “an acceptable degree of success” (A/C.5/31/6, para. 64) has been achieved in implementing the past recommendations of the Administrative Management Service, further measures are needed throughout the Secretariat for securing better results from management improvement efforts,

Noting also the statement made by the Under-Secretary-General for Administration and Management before the Fifth Committee on this matter (A/C.5/31/SR.24), in particular paragraph 17 of the summary record containing that statement,

Agreeing with the observations of the Advisory Committee on Administrative and Budgetary Questions as contained in paragraphs 12 to 19 of its report, particularly those in paragraph 14,

1. *Requests* the Secretary-General:

(a) To put into effect promptly the measures mentioned in paragraph 67 of his report (A/C.5/31/6);

(b) To strengthen the existing role and functions of the Administrative Management Service by:

- (i) Authorizing the Service to identify management problems or areas requiring management improvement and to examine and report thereon with specific recommendations as to action required;
- (ii) Reviewing the reports and recommendations when received and taking the necessary steps to ensure the prompt and effective implementation by the offices or departments concerned of those recommendations which he has approved;
- (iii) Empowering the Service to monitor and, whenever necessary, assist in the implementation of recommendations which he has approved;
- (iv) Calling upon the offices or departments responsible to report at six-monthly intervals on the progress being made in implementing the approved recommendations, together with any problems and difficulties encountered in the process;

(c) To inform all staff of the Secretariat of the revised role and functions of the Administrative Management

Service and of his strongest support for the Service, and to call upon them to extend to it full co-operation and assistance;

(d) To give special attention to the matter of staffing of the Administrative Management Service so as to ensure that the Service is staffed at all times by individuals possessing the highest degree of technical competence;

(e) To submit annually to the Advisory Committee on Administrative and Budgetary Questions a report in summary form on the management improvement projects and other advisory services rendered by the Administrative Management Service during the preceding twelve months; such reports should also include:

- (i) A complete list of all reports and recommendations made by the Administrative Management Service during the year, with an indication of the recommendations, or parts thereof, not approved by the Secretary-General;
- (ii) A summary of the progress reports submitted during the past year in accordance with subparagraph (b) (iv) above, together with an evaluation by the Secretary-General of the benefits derived to date or expected to be derived in the future from the implementation of the approved recommendations dealt with in these reports;

(f) To ensure that the programme budget proposals, beginning with those for the biennium 1978-1979, reflect all the benefits derived from the management improvement efforts referred to in subparagraph (e) (ii) above;

(g) To report to the General Assembly at its thirty-third session on the results obtained through the application of the measures mentioned in paragraph 67 of his report (A/C.5/31/6) and the procedure set out in the present resolution;

2. *Requests* the Advisory Committee on Administrative and Budgetary Questions:

(a) To draw the attention of the General Assembly to any situation or problem requiring its attention which may arise from the annual reports mentioned in paragraph 1 (e) above;

(b) To submit its views and recommendations on the report of the Secretary-General referred to in paragraph 1 (g) above;

3. *Decides* to review, at its thirty-third session, the question of administrative and management control of the United Nations, on the basis of the report of the Secretary-General referred to in paragraph 1 (g) above and the views and recommendations submitted thereon by the Advisory Committee on Administrative and Budgetary Questions.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 14 December 1976, the General Assembly adopted draft resolutions A, B and C submitted by the Fifth Committee in its report (A/31/401, para. 22). For the final text, see resolutions 31/94 A, B and C.²

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 96 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---|--|---|
| A/31/8/Add.5 | Review of action taken on the recommendations of the Administrative Management Service: report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/75 and Corr.1 and 2, Add.1 and Corr.1, and Add.2 | Report of the Secretary-General | Mimeographed |
| A/31/227 | Co-ordination questions in the activities of the United Nations Environment Programme: report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/31/233 and Add.1 | Report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/31/325 | Question of the continuation of the Joint Inspection Unit: report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/C.5/31/6 | Review of action taken on the recommendations of the Administrative Management Service: report of the Secretary-General | Ditto |
| A/C.5/31/L.6 | Draft resolution | For the sponsors and the text, see A/31/401, para. 10 |
| A/C.5/31/L.12 | Ditto | <i>Idem</i> , para. 12 |
| A/C.5/31/L.13 | Ditto | <i>Idem</i> , para. 17 and para. 22, draft resolution B |
| A/C.5/31/L.21 | India, Japan, Jordan, Netherlands, Sri Lanka, Turkey, United Kingdom of Great Britain and Northern Ireland and Uruguay: draft resolution | Replaced by A/C.5/31/L.21/Rev.1 |
| A/C.5/31/L.21/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/401, para. 19, and para. 22, draft resolution C |
| A/C.5/31/L.25 | Draft report of the Fifth Committee | Same text as A/31/401 |



Agenda item 97: * Joint Inspection Unit: **

- (a) Reports of the Joint Inspection Unit;
(b) Question of the continuation of the Joint Inspection Unit

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee*, 29th, 31st, 33rd, 34th, 35th, 45th, 46th, 48th, 49th, 50th, 53rd, 56th and 60th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 107th meeting.

** This question was previously discussed by the General Assembly at the following sessions: twenty-seventh session (agenda item 79), twenty-eighth session (item 81), twenty-ninth session (item 76) and thirtieth session (item 99).

DOCUMENTS A/31/457 AND ADD.1

Report of the Fifth Committee

DOCUMENT A/31/457

[Original: English]
[18 December 1976]

PART I

Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "Joint Inspection Unit: (a) Reports of the Joint Inspection Unit; (b) Question of the continuation of the Joint Inspection Unit" and to allocate it to the Fifth Committee.

2. The Committee considered this item at its 29th, 31st, 33rd to 35th, 45th, 46th, 48th and 49th meetings among others, from 15 November to 14 December.

Reports of the Joint Inspection Unit

3. For its consideration of part (a) of the agenda item, the Committee had before it the following documents:

(a) Note by the Secretary-General (A/C.5/31/1) in which, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, he transmitted the report of the Joint Inspection Unit on its activities during the period from 1 July 1975 to 30 June 1976;

(b) Report of the Secretary-General (A/C.5/31/18) on the implementation of major recommendations of the Joint Inspection Unit.

Decision of the Committee

4. At its 49th meeting, the Fifth Committee decided, without objection, to recommend to the General Assembly that it take note of the above-mentioned reports (see para. 20 below).

Continuation of the Joint Inspection Unit

5. For its consideration of part (b) of the agenda item, the Committee had before it the following documents:

(a) Report of the Secretary-General (A/31/75/Add.1 and Corr.1) on the question of the continuation of the Joint Inspection Unit and proposed revised terms of reference;

(b) Note by the Secretary-General (A/31/89) transmitting a report by the Joint Inspection Unit on the question of the continuation of the Unit, the annex to which contained recommendations for a draft statute of the Unit, and the addendum (A/31/89/Add.1) to the note;

(c) Report of the Advisory Committee on Administrative and Budgetary Questions (A/31/325) on the continuation of the Joint Inspection Unit, the annex to which contained the Advisory Committee's recommendations for a draft statute for the Unit;

(d) Report of the Secretary-General (A/C.5/31/21) on the question of possible changes in the mandate of the Joint Inspection Unit which would enable it to assist in carrying out external evaluation.

6. At the 29th meeting, the Chairman of the Advisory Committee introduced that Committee's report (A/31/325) in an oral statement before the Fifth Committee.

7. At the same meeting, the Chairman of the Joint Inspection Unit also made an oral statement.

8. At its 34th meeting, in the course of the general debate, the Committee decided to entrust the representative of Italy with the task of co-ordinating consultations with a view to formulating a common position on this question.

9. At the 45th meeting, on 9 December, the representative of Italy orally reported to the Committee on the compromise text submitted by the informal conciliatory working group, which was encompassed in a draft resolution (A/C.5/31/L.31) to which was annexed a proposed draft statute for the Joint Inspection Unit.

10. At the same meeting, the representative of Ghana introduced the draft resolution (A/C.5/31/L.31) on behalf of Algeria, Argentina, Australia, Belgium, France, Ghana, India and Yugoslavia. Subsequently, Kenya, Tunisia, Uganda, the United Republic of Tanzania, the United States of America and Zambia joined as sponsors. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 2150 (XXI) of 4 November 1966, 2360 (XXII) of 19 December 1967, 2735 A (XXV) of 17 December 1970 and 2924 B (XXVII) of 24 November 1972, relating to establishment, setting up and continuation of the Joint Inspection Unit,

"Having considered the views submitted by the Secretary-General in his capacity as Chairman of the Administrative Committee on Co-ordination (A/31/75/Add.1 and Corr.1), the Economic and Social Council,¹ the Committee for Programme and Co-ordination,² the Joint Inspection Unit (see A/31/89 and Add.1) and by the Advisory Committee on Administrative and Budgetary Questions (A/31/325) on the question of the continuation of the Joint Inspection Unit,

"Taking into account the views expressed in the Fifth Committee:

"1. Approves the statute of the Joint Inspection Unit as set out in the annex to the present resolution;

"2. Invites the organizations within the United Nations common system to notify the Secretary-General of the acceptance of the present statute as soon as possible and to take appropriate action for the use of the services of the Joint Inspection Unit.

¹ Official Records of the General Assembly, Thirty-first Session, Supplement No. 3, chap. III, sect. H, and chap. VII, sect. C.

² Ibid., Supplement No. 38.

"ANNEX

"Statute of the Joint Inspection Unit"

[Same text as the annex to the draft resolution in paragraph 19 below, with the exception of the following passages:

(a) Article 1, paragraph 1: the paragraph read:

"1. The General Assembly of the United Nations (hereinafter referred to as the General Assembly) decides that the Joint Inspection Unit, created on an experimental basis under General Assembly resolution 2150 (XXI) of 4 November 1966, and extended thereafter under resolutions 2735 A (XXV) and 2924 B (XXVII) is established on a continuing basis in accordance with the present statute and with effect from 1 January 1978. The functions, powers and responsibilities of the Joint Inspection Unit (hereinafter referred to as the Unit), are defined in chapter III of the present statute."

(b) Article 3, paragraph 2: the end of the paragraph read:

"will submit the list of candidates to the General Assembly for election."

(c) Article 5, paragraph 2: the beginning of the paragraph read:

"2. They shall provide an independent and external view . . .".

(d) Article 11, paragraph 4 (c): the paragraph read:

"(c) Upon receipt of reports, the executive head or heads concerned shall take immediate action to distribute them to the States members of their respective organizations;"

(e) Article 20: the article read:

"1. The budget of the Unit shall be included in the regular budget of the United Nations. The Unit shall submit its budget estimates to the Administrative Committee on Co-ordination for initial review. The Chairman of the Administrative Committee on Co-ordination shall transmit the estimates, together with the comments of the Administrative Committee on Co-ordination, to the Advisory Committee on Administrative and Budgetary Questions. The proposed budget, together with the reports thereon by the Administrative Committee on Co-ordination and the Advisory Committee on Administrative and Budgetary Questions shall then be submitted to the United Nations General Assembly for consideration and approval. When appropriate, the Unit should be invited to be represented at meetings when its budget estimates are being discussed.

"2. The budget of the Unit shall be shared by the participating organizations as agreed by them."

11. The financial implications of article 2 of the draft statute annexed to the draft resolution, which would increase by three the number of inspectors of the Joint Inspection Unit, were submitted by the Secretary-General (A/C.5/31/78).

12. At the 46th meeting, the representatives of the World Health Organization and the Food and Agriculture Organization of the United Nations made oral statements with respect to draft resolution A/C.5/31/L.31.

13. At its 48th meeting, the Committee had before it the following amendments to the text of the draft statute for the Joint Inspection Unit set out in the annex to draft resolution A/C.5/31/L.31:

(a) The Philippines proposed (A/C.5/31/L.32) that, in article 11, paragraph 4 (c), the words "with or without their comments," be inserted between the words "them" and "to".

(b) The Union of Soviet Socialist Republics proposed the following amendments (A/C.5/31/L.33):

- (i) In article 1, paragraph 1, the deletion of the words "on a continuing basis";
- (ii) In article 2, paragraph 1, the substitution of the word "eight" for the word "eleven";
- (iii) In article 5, paragraph 2, the deletion of the words "and external".

14. On behalf of the sponsors of the draft resolution, the representative of Ghana accepted the amendment proposed by the Philippines (A/C.5/31/L.32) and the first and third amendments, with a slight editorial change, proposed by the Union of Soviet Socialist Republics (A/C.5/31/L.33). The Soviet Union, in a spirit of compromise, did not insist on retaining the second amendment.

15. In the course of the discussion of the draft statute annexed to draft resolution A/C.5/31/L.31, the sponsors accepted the following amendments orally suggested by the Chairman of the Advisory Committee:

(a) In the second preambular paragraph of the draft resolution, the deletion of the word "by" before the words "the Advisory Committee on Administrative and Budgetary Questions" and its replacement by the words "the comments and recommendations of";

(b) In operative paragraph 2, the deletion of the word "common" before the word "system";

(c) In article 3, paragraph 2, the replacement of the word "election" by the word "appointment";

(d) In article 20, paragraph 1, before the words "Advisory Committee on Administrative and Budgetary Questions", the insertion of the words "recommendations of the";

(e) In article 20, paragraph 2, the replacement of the word "budget" by the word "expenditures".

16. At its 49th meeting, after a debate on the text of article 20 of the draft statute annexed to draft resolution A/C.5/31/L.31, the Committee agreed to substitute the following compromise text for paragraph 1 of the article:

[Same text as the corresponding article in the draft resolution in paragraph 19 below]

Decision of the Committee

17. At the same meeting, the Committee adopted draft resolution A/C.5/31/L.31, as amended, by consensus (see para. 19 below).

* * *

18. The comments made and reservations expressed during the debate on the question of the continuation of the Joint Inspection Unit are reflected in the summary records of the Committee (A/C.5/31/SR.29, 31, 33-35, 45, 46, 48 and 49).

Recommendations of the Fifth Committee

19. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Statute of the Joint Inspection Unit

The General Assembly,

Recalling its resolutions 2150 (XXI) of 4 November 1966, 2360 (XXII) of 19 December 1967, 2735 A (XXV) of 17 December 1970 and 2924 B (XXVII) of 24 November 1972, relating to the establishment, setting up and continuation of the Joint Inspection Unit,

Having considered the views submitted by the Secretary-General in his capacity as Chairman of the Administrative Committee on Co-ordination (A/31/75/Add.1 and Corr.1), the Economic and Social Council,³ the Committee for Programme and Co-ordination,⁴ and the Joint Inspection Unit (see A/31/89 and Add.1), and the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/31/325) on the question of the continuation of the Joint Inspection Unit,

Taking into account the views expressed in the Fifth Committee,

1. *Approves* the statute of the Joint Inspection Unit as set out in the annex to the present resolution;

2. *Invites* the organizations within the United Nations system to notify the Secretary-General of the acceptance of the present statute as soon as possible and to take appropriate action for the use of the services of the Joint Inspection Unit.

ANNEX

Statute of the Joint Inspection Unit

CHAPTER I. ESTABLISHMENT

Article 1

1. The General Assembly of the United Nations (hereinafter referred to as the General Assembly) decides that the Joint Inspection Unit, created on an experimental basis under General Assembly resolution 2150 (XXI) of 4 November 1966 and extended thereafter under Assembly resolutions 2735 A (XXV) of 17 December 1970 and 2924 B (XXVII) of 24 November 1972, be established in accordance with the present statute and with effect from 1 January 1978. The functions, powers and responsibilities of the Joint Inspection Unit (hereinafter referred to as the Unit) are defined in chapter III of the present statute.

2. The Unit shall perform its functions in respect of and shall be responsible to the General Assembly and similarly to the competent legislative organs of those specialized agencies and other international organizations within the United Nations system which accept the present statute (all of which shall hereinafter be referred to as the organizations). The Unit shall be a subsidiary organ of the legislative bodies of the organizations.

3. Acceptance of the statute by an organization shall be notified in writing by its executive head to the Secretary-General of the United Nations (hereinafter referred to as the Secretary-General).

³ *Ibid.*, Supplement No. 3 (A/31/3), chap. III, sect. H, and chap. VII, sect. C.

⁴ *Ibid.*, Supplement No. 38.

CHAPTER II. COMPOSITION AND APPOINTMENT

Article 2

1. The Unit shall consist of not more than eleven Inspectors, chosen from among members of national supervision or inspection bodies, or from among persons of a similar competence on the basis of their special experience in national or international administrative and financial matters, including management questions. The Inspectors shall serve in their personal capacity.

2. No two Inspectors shall be nationals of the same State.

Article 3

1. Starting from the thirty-second session of the General Assembly, in 1977, the President of the General Assembly shall consult with Member States to draw up, with due regard to the principle of equitable geographical distribution and of reasonable rotation, a list of countries which would be requested to propose candidates who meet the qualifications mentioned in article 2, paragraph 1, above.

2. The President of the General Assembly, through appropriate consultations, including consultations with the President of the Economic and Social Council and with the Chairman of the Administrative Committee on Co-ordination, shall review the qualifications of the proposed candidates. After further consultations, if necessary, with the States concerned, the President of the General Assembly will submit the list of candidates to the Assembly for appointment.

3. The provisions contained in paragraphs 1 and 2 of the present article shall govern the procedure for the replacement of the Inspectors whose terms of office have expired or who have resigned or otherwise ceased to be members of the Unit.

Article 4

1. The duration of the appointments of the Inspectors shall be five years, renewable for one further term. In order to ensure continuity in the membership of the Unit, six of the Inspectors appointed from 1 January 1978 shall serve for a full term; the terms of the others shall expire at the end of three years.

2. An Inspector appointed to replace one whose term of office has not expired shall hold office for the remainder of that term, provided it is not less than three years. Otherwise the duration of the appointment will be for a full term.

3. An Inspector may resign on giving six months' notice to the Chairman of the Unit.

4. The term of office of an Inspector shall be terminated only if, in the unanimous opinion of all the other Inspectors, he has ceased to discharge his duties in a manner consistent with the provisions of the present statute and after that conclusion is confirmed by the General Assembly.

5. The Chairman of the Unit shall notify the Secretary-General of any vacancy for the necessary administrative action. Such notification shall make the place vacant.

CHAPTER III. FUNCTIONS, POWERS AND RESPONSIBILITIES

Article 5

1. The Inspectors shall have the broadest powers of investigation in all matters having a bearing on the efficiency of the services and the proper use of funds.

2. They shall provide an independent view through inspection and evaluation aimed at improving management and methods and at achieving greater co-ordination between organizations.

3. The Unit shall satisfy itself that the activities undertaken by the organizations are carried out in the most economical manner and that the optimum use is made of resources available for carrying out these activities.

4. Without prejudice to the principle that external evaluation remains the responsibility of appropriate intergovernmental bodies, the Unit, with due regard to its other responsibilities, may assist them in carrying out their responsibilities for external evaluation of programmes and activities. On its own initiative or at the request of the executive heads, the Unit may also advise organizations on their methods for internal evaluation, periodically assess these methods and make *ad hoc* evaluations of programmes and activities.

5. The Inspectors may propose reforms or make recommendations they deem necessary to the competent organs of the organizations. They shall not, however, have the power of decision, nor shall they interfere in the operations of the services they inspect.

Article 6

1. Acting singly or in small groups, the Inspectors shall make on-the-spot inquiries and investigations, some of which may be without prior notification, as and when they themselves may decide, in any of the services of the organizations.

2. The Inspectors shall be accorded full co-operation by the organizations at all levels, including access to any particular information or document relevant to their work.

3. The Inspectors shall be bound by professional secrecy as regards all confidential information they receive.

Article 7

The Inspectors shall discharge their duties in full independence and in the sole interest of the organizations.

Article 8

The Unit shall determine standards and procedures for the conduct of inquiries and investigations.

CHAPTER IV. MODE OF OPERATION

Article 9

1. The Unit shall be responsible for preparing its annual programme of work. In doing so, it shall take into account, besides its own observations, experience and assessment of priorities as regards subjects for inspection, any requests of the competent organs of the organizations and suggestions received from the executive heads of the organizations and the bodies of the United Nations system concerned with budgetary control, investigation, co-ordination and evaluation.

2. A copy of the programme of work, as approved by the Unit, shall be sent to the Secretary-General and, for information purposes, to the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall arrange for its issue as a document of the United Nations and for its transmission to the executive heads of the organizations and to the bodies of the United Nations system concerned with budgetary control, investigation, co-ordination and evaluation.

Article 10

1. The Unit shall submit an annual report on its activities to the General Assembly and to the competent organs of the other organizations.

2. Annual reports by organizations to the Economic and Social Council shall include information on the work of the Unit as it relates to the respective organizations.

Article 11

1. The Unit may issue reports, notes and confidential letters.

2. The Inspectors shall draw up, over their own signature, reports for which they are responsible and in which they shall state their findings and propose solutions to the problems they have noted.

The reports shall be finalized after consultation among the Inspectors so as to test recommendations being made against the collective wisdom of the Unit.

3. Reports of the Unit shall contain a summary of the main conclusions and/or recommendations.

4. The procedure for handling and processing reports shall be as follows:

(a) The Unit shall submit the original version to the executive heads of the organizations concerned;

(b) Translation of reports of concern to more than one organization shall be arranged by the Unit; reports of concern to only one organization shall be translated by that organization;

(c) Upon receipt of reports, the executive head or heads concerned shall take immediate action to distribute them, with or without their comments, to the States members of their respective organizations;

(d) When a report concerns only one organization, the report and comments thereon of the executive head shall be transmitted to the competent organ of that organization not later than three months after receipt of the report for consideration at the next meeting of the competent organ. In the case of the United Nations, the Unit shall, when possible, indicate to which organs of the United Nations a report is of essential concern and the Secretary-General shall take this into account when distributing it. The Advisory Committee on Administrative and Budgetary Questions shall receive all reports for information. As it deems appropriate, the Advisory Committee may choose to issue comments and observations on any of the reports which fall within its competence;

(e) When a report concerns more than one organization, the respective executive heads shall, normally within the framework of the Administrative Committee on Co-ordination, consult with one another and, to the extent possible, co-ordinate their comments. The report, together with the joint comments and any comments of the respective executive heads on matters that concern their particular organizations, shall be ready for submission to the competent organs of the organizations not later than six months after receipt of the Unit's report for consideration at the next meeting of the competent organs concerned. Should, in exceptional cases, more than six months be required for consultations, with the result that comments would not be ready for submission to competent organs at the next meeting following the six-month period, an interim submission shall be made to the competent organs concerned explaining the reasons for the delay and setting a firm date for the submission of the definitive comments;

(f) The executive heads of the organizations concerned shall inform the Unit of all decisions taken by competent organs of their organizations on reports of the Unit.

5. Notes and confidential letters shall be submitted to executive heads for use by them as they may decide.

Article 12

Executive heads of organizations shall ensure that recommendations of the Unit approved by their respective competent organs are implemented as expeditiously as possible. Such implementation may be subject to verification by the competent organs of the organizations, which may also request the Unit to issue follow-up reports. The Unit may also prepare such reports on its own initiative.

CHAPTER V. CONDITIONS OF SERVICE

Article 13

For the purpose of the Convention on the Privileges and Immunities of the United Nations,⁵ the Inspectors shall have the status of officials of the United Nations. They shall not be considered to be staff members.

⁵ United Nations, *Treaty Series*, vol. I, No. 4, p. 15.

Article 14

1. The Inspectors shall receive the salary and allowances payable to United Nations staff members at the Director (D-2) level, step IV.

2. Compensatory and insurance arrangements for the Inspectors shall be equivalent to those of a United Nations staff member at the D-2 level, including provision for:

(a) Compensation under the terms of appendix D to the United Nations Staff Rules for service-attributable death, injury or illness;

(b) Compensation for death or disability while in office, or in receipt of disability benefits, comparable to the benefits payable in respect of participants in the United Nations Joint Staff Pension Fund under provisions for disability benefit, widow's benefit, widower's benefit, child's benefit and secondary dependant's benefit of the Regulations of the Fund;

(c) Participation in health insurance arrangements of the United Nations on the same basis as staff at the D-2 level.

3. The Inspectors shall be entitled to such post-retirement benefits as may be determined by the General Assembly.

4. The Inspectors and their dependants shall be provided with the same standards of accommodation for all travel on official business (including appointment, home leave and repatriation) as staff members of the United Nations at the D-2 level.

5. Each Inspector shall be entitled to annual, sick and home leave on the same basis as staff members of the United Nations holding fixed-term appointments of the same duration as the Inspector.

Article 15

The Inspectors shall not accept other employment during their term of office; nor shall an Inspector be appointed or serve as an official or consultant of an organization while in office as an Inspector or within three years of ceasing to be a member of the Unit.

CHAPTER VI. ADMINISTRATIVE, BUDGETARY AND FINANCIAL ARRANGEMENTS

Article 16

The Unit shall be located at Geneva.

Article 17

The Secretary-General shall provide such office and related facilities and administrative support as the Unit may require.

Article 18

The Unit shall elect each year from among the Inspectors a Chairman and Vice-Chairman. The Chairman shall play a co-ordinating role in respect of the Unit's programme of work for the year. The Chairman shall be the formal channel of communication with the competent bodies and the executive heads of the organizations. He shall represent the Unit, as necessary, at meetings of the organizations and perform on the Unit's behalf such other functions as it may decide.

Article 19

1. The Unit shall be assisted by an Executive Secretary and by such staff as may be authorized in accordance with article 20 of the present statute.

2. The staff, selected in accordance with Article 101, paragraph 3, of the Charter of the United Nations, shall be appointed by the Secretary-General after consultation with the Unit and, as regards the appointment of the Executive Secretary, after consultation with the Unit and the Administrative Committee on Co-ordination. The staff of the secretariat of the Unit shall be staff members of the United Nations and the Staff Regulations and Rules of the United Nations shall apply to them.

Article 20

1. The budget of the Unit shall be included in the regular budget of the United Nations. The budget estimates shall be established by the Secretary-General after consultation with the Administrative Committee on Co-ordination on the basis of proposals made by the Unit. The budget estimates shall be submitted to the General Assembly together with the report thereon by the Administrative Committee on Co-ordination, and with the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions. The Unit shall be invited to be represented at meetings when its budget estimates are being discussed.

2. The expenditures of the Unit shall be shared by the participating organizations as agreed by them.

CHAPTER VII. OTHER ARRANGEMENTS

Article 21

The present statute may be amended by the General Assembly. Amendments shall be subject to the same acceptance procedure as the present statute.

Article 22

An organization may not withdraw its acceptance of the statute unless it has given to the Secretary-General two years' notice of its intention to do so. The Secretary-General shall bring any such notice to the attention of the General Assembly and, through the executive heads concerned, to that of the competent organs of the other organizations.

20. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decision:

"The General Assembly takes note of the report of the Joint Inspection Unit on its activities during the period from 1 July 1975 to 30 June 1976 (A/C.5/31/1) and of the report of the Secretary-General on the implementation of major recommendations of the Unit (A/C.5/31/18)."

DOCUMENT A/31/457/ADD.1

*[Original: English]
[21 December 1976]*

PART II

Pension coverage for members of the Joint Inspection Unit

1. At its 53rd meeting, on 16 December 1976, the Committee considered the question of pension coverage for members of the Joint Inspection Unit. It had before it the following documents:

(a) Reports of the Secretary-General on the question of pension coverage for members of the Joint Inspection Unit (A/C.5/1697⁶ and A/C.5/31/30);

(b) Related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/417);

(c) Draft resolution (A/C.5/31/L.42) based on the recommendations of the Advisory Committee as set out in paragraphs 8 and 9 of its report.

⁶ Document of the thirtieth session.

2. In paragraph 8 of its report, the Advisory Committee recommended that provision for a post-retirement benefit should be included in the terms of employment of Inspectors who would be appointed after 1 January 1978.

3. In paragraph 9, the Advisory Committee recommended that a modified version of the arrangements referred to in paragraph 2 above be applied to the Inspectors currently serving and to any Inspector whose contract would expire on 31 December 1977.

4. Draft resolution A/C.5/31/L.42 read as follows:

[Same text as draft resolution A in paragraph 24 below.]

5. The representative of Japan orally proposed the deletion of "and 9" in the operative paragraph of the draft resolution.

Decisions of the Committee

6. At the same meeting, the Fifth Committee rejected the amendment proposed by Japan by 21 votes to 19, with 30 abstentions.

7. The Committee then adopted draft resolution A/C.5/31/L.42 by 59 votes to 12, with 6 abstentions (see para. 24 below, draft resolution A).

8. As a result of the adoption of the draft resolution, it was announced that an additional appropriation of \$164,000 under section 22A would be included in the revised estimates for the biennium 1976-1977, reflecting the share of the United Nations, which was 42.6 per cent of the total cost of the financial implications estimated at \$321,000 in paragraph 10 of the report of the Advisory Committee (A/C.5/31/417).

Report on some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976

9. At its 56th and 60th meetings, on 19 and 21 December 1976, the Committee considered the report of the Joint Inspection Unit on some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976; it had before it the following documents:

(a) Note by the Secretary-General (A/31/137) transmitting, with the concurrence of the Advisory Committee, the report of the Joint Inspection Unit;

(b) Note by the Secretary-General (A/31/137/Add.1) transmitting the joint comments of the Administrative Committee on Co-ordination on the report of the Unit;

(c) Note by the Secretary-General (A/31/137/Add.2) containing his comments on recommendations 3 and 4 in the report of the Unit;

(d) Note by the Secretary-General (A/C.5/31/47) on the administrative and financial implications of the implementation of proposals by the Secretary-General for the establishment of classification systems for posts in the Professional category in the Secretariat and for General Service posts at Geneva;

(e) Report of the Advisory Committee (A/31/8/Add.20) containing its comments and recommendations on the above-mentioned documents.

10. At the 56th meeting, the Chairman of the Advisory Committee introduced the Committee's report (A/31/8/Add.20) in an oral statement before the Fifth Committee.

11. At the same meeting, the representative of Canada introduced a draft resolution (A/C.5/31/L.36/Rev.1) on behalf of Algeria, Canada, Costa Rica, Nigeria and Pakistan, the text of which read as follows:

"The General Assembly,

"... [same text as the preamble in section I of draft resolution B in paragraph 24 below with the exception of the fourth paragraph the beginning of which read:

"Further noting the decision by the International Civil Service Commission ..."] ,

"1. Welcomes the decision of the International Civil Service Commission to advance the assumption of the functions provided for it under article 12.1 of its statute;

"... [text of paragraph 2 identical with that of paragraph 1 of section I of draft resolution B in paragraph 24 below];

"3. Urges the International Civil Service Commission in carrying out these tasks to take into account all aspects of the report of the Joint Inspection Unit on the strike at the United Nations Office at Geneva from 25 February to 3 March 1976 and the comments as to it received from the Administrative Committee on Co-ordination and the Secretary-General (A/31/137 and Add.1 and Add.2) and invites its comments;

"... [text of paragraphs 4 to 7 identical with that of paragraphs 4 and 6 to 8 of section I of draft resolution B in paragraph 24 below]."

12. The representative of Japan introduced an amendment (A/C.5/31/L.52) to draft resolution A/C.5/31/L.36/Rev.1 which called for the addition of an operative paragraph, the text of which read as follows:

[Same text as section II of draft resolution B in paragraph 24 below.]

In proposing it, the representative of Japan stated that the amendment should be considered as section II of the draft resolution and that it was intended that it apply to Geneva as well as elsewhere and to the Professional category of staff as well as the General Service category.

13. The representative of Belgium orally proposed that, in operative paragraph 6 of draft resolution A/C.5/31/L.36/Rev.1, the words "and making any upward interim salary adjustments appropriate for General Service category employees as of 1 January 1977" be deleted. Belgium subsequently submitted another draft amendment (see para. 18 below).

14. The representative of the Union of Soviet Socialist Republics submitted the following amendments (A/C.5/31/L.54) to draft resolution A/C.5/31/L.36/Rev.1:

(a) The insertion, in operative paragraph 3, of the words "and especially paragraph 29" after the words "all aspects".

(b) The insertion of a new operative paragraph 6 worded as follows:

"6. Decides that all financial implications of a decision to raise salaries in Geneva should be covered by savings in the implementation of the United Nations budget for 1976-1977, including a possible reduction in General Service posts in Geneva;"

and the renumbering of subsequent paragraphs accordingly.

15. The representative of Trinidad and Tobago submitted an amendment (A/C.5/31/L.56) to draft resolution A/C.5/31/L.36/Rev.1, proposing the insertion of a new paragraph 3; the sponsors subsequently accepted the amendment, which read as follows:

[Same text as paragraph 2 of draft resolution B in paragraph 24 below.]

16. At the 60th meeting, the representative of Canada introduced a revised version (A/C.5/31/L.36/Rev.2) of the draft resolution; he announced that the sponsors had reflected in the revision the amendment proposed by Japan (A/C.5/31/L.52). It also reflected the two amendments proposed by the Soviet Union except that the last phrase in the second amendment, referring to paragraph 6, had been amended to read "including reductions in General Service posts, and requests the Secretary-General to report to the General Assembly at its thirty-second session on such reductions as may have been made".

17. The representative of Canada stated that it was the understanding of the sponsors of the draft resolution that savings would be made from the existing 1976-1977 appropriations and that the Secretariat would request no additional funds to cover General Service increases resulting from the implementation of the provisions of draft resolution A/C.5/31/L.36/Rev.2 or from previous increases granted during the course of the year.

18. The sponsors could not accept the amendment proposed by Belgium (A/C.5/31/L.61) to draft resolution A/C.5/31/L.36/Rev.2, calling for the replacement of the beginning of paragraph 8—corresponding to paragraph 7 of draft resolution B in paragraph 24 below—up to the words "as of 1 January 1977", with the following:

"8. Urges the Secretary-General to suspend the upward interim salary adjustment for General Service category employees envisaged for 1 January 1977 until the General Assembly, at its thirty-second session, has been able to appreciate the need for it in the light of the report of the International Civil Service Commission, and, in general, to refrain ..."

19. The Belgian amendment (A/C.5/31/L.61) was rejected by a recorded vote of 42 to 23, with 29 abstentions. The voting was as follows:

In favour: Belgium, Benin, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia,

Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Hungary, Japan, Mongolia, Morocco, Poland, Qatar, Romania, Rwanda, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: Afghanistan, Algeria, Austria, Bangladesh, Canada, Colombia, Costa Rica, Ecuador, Egypt, Finland, Grenada, Guatemala, India, Iran, Iraq, Ireland, Kenya, Libyan Arab Republic, Malaysia, Mali, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Peru, Philippines, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia.

Abstaining: Argentina, Australia, Bahrain, Barbados, Burma, Burundi, Chad, China, Congo, Denmark, France, Greece, Guyana, Indonesia, Israel, Italy, Ivory Coast, Jamaica, Kuwait, Liberia, Oman, Portugal, Senegal, Spain, Togo, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Zaire.

20. The sponsors then accepted the following oral amendments to draft resolution A/C.5/31/L.36/Rev.2 proposed by Ghana:

(a) The addition, in the fourth preambular paragraph, of the words “with satisfaction” after the words “Further noting”;

(b) The deletion of operative paragraph 1—which was the same as operative paragraph 1 of the original draft resolution (see para. 11 above)—and renumbering of the remaining paragraphs.

Decisions of the Committee

21. At the same meeting, the Committee voted on draft resolution A/C.5/31/L.36/Rev.2, as amended. It adopted section I of the draft resolution by 91 votes to none, with 2 abstentions, section II by 77 votes to none, with 16 abstentions, and the draft resolution as a whole by 89 votes to none, with 2 abstentions (see para. 24 below, draft resolution B). A recorded vote was taken; the voting was as follows:

(a) Section I

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guatemala, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Liberia, Libyan Arab Republic, Malaysia, Mali, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia,

Turkey, 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.

Against: None.

Abstaining: Benin, Gabon.

(b) Section II

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Libyan Arab Republic, Mali, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Oman, Pakistan, Panama, Peru, Philippines, Poland, Saudi Arabia, Senegal, Spain, Sudan, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, 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, Uruguay, Venezuela, Zaire.

Against: None.

Abstaining: Benin, Burundi, China, France, Gabon, Liberia, Malaysia, Norway, Portugal, Romania, Rwanda, Sri Lanka, Sweden, Togo, Upper Volta, Yugoslavia.

(c) Draft resolution as a whole:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guatemala, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kuwait, Liberia, Libyan Arab Republic, Malaysia, Mali, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, 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.

Against: None.

Abstaining: Benin, Gabon.

22. The Committee then approved, by 70 votes to 10, with 5 abstentions, additional appropriations of \$269,000 under section 22 of the programme budget for the biennium 1976-1977 and a further amount of \$55,000 under section 25 (Staff assessment), offset by the same amount under income section 1.

* * *

23. An account of the Committee's consideration of the above questions and explanations of vote, is reflected in the summary records of the Committee (A/C.5/31/SR.53, 56 and 60).

Recommendations of the Fifth Committee

24. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

JOINT INSPECTION UNIT

A

Pension coverage for members of the Joint Inspection Unit

The General Assembly,

Taking note of the reports of the Secretary-General on the question of pension coverage for members of the Joint Inspection Unit (A/C.5/1697, A/C.5/31/30), the observations of the Unit thereon (A/31/89/Add.1, annex), the relevant paragraphs of the report of the United Nations Joint Staff Pension Board⁷ and the report of the Advisory Committee on Administrative and Budgetary Questions (A/31/417),

Approves the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraphs 8 and 9 of its report.

B

Salaries and conditions of service for members of the Secretariat

I

The General Assembly,

Having considered the report of the Joint Inspection Unit on some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976 (see A/31/137), the joint comments of the Administrative Committee on Co-ordination (A/31/137/Add.1, annex), and the comments of the Secretary-General (A/31/137/Add.2) on recommendations 3 and 4 in the report of the Joint Inspection Unit,

Convinced of the need to re-examine the methodology for salary surveys and the system of job classification of the General Service category at Geneva,

Noting the requests of the World Health Organization and the International Labour Office to the International Civil

Service Commission to assume as soon as possible the functions described in paragraph 1 of article 12 of its statute,⁸ particularly with respect to the salary scales of the staff in the General Service category at Geneva,

Further noting with satisfaction the decision by the International Civil Service Commission to advance the assumption of its functions under article 12, paragraph 1, of its statute in response to these requests,⁹

Recognizing the importance of maintaining harmony with the agencies and organizations located at Geneva in the management of personnel services,

Observing that the degree of responsibility and authority delegated by the Secretary-General to the United Nations Office at Geneva should be sufficient to ensure the satisfactory management of personnel services and conduct of staff relations in that Office in accordance with the Staff Regulations and Staff Rules of the United Nations,

1. *Requests* the International Civil Service Commission, as a matter of urgency, to establish, under the authority of article 11 (a) of its statute, the methods by which the principles for determining conditions of service in the General Service category at Geneva should be applied and, on the basis of such methodology and under the authority of article 12, paragraph 1, of its statute, to have a survey made of local employment conditions at Geneva, to make recommendations as to the salary scales deemed appropriate in the circumstances and to inform the General Assembly at its thirty-second session of the actions taken in this regard;

2. *Further requests* the International Civil Service Commission, in its examination of conditions of service of the General Service category at Geneva, to examine the basis on which recent substantial salary adjustments of staff in that category were determined and to take them fully into account in its consideration of the salaries of that category of staff and the methodology for future salary adjustments, in so far as they affect General Service staff at Geneva;

3. *Urges* the International Civil Service Commission, in carrying out these tasks, to take into account all aspects, especially paragraph 29 of the report of the Joint Inspection Unit on some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976, the joint comments on the report received from the Administrative Committee on Co-ordination and the comments of the Secretary-General on recommendations 3 and 4 of the report of the Joint Inspection Unit and invites its comments;

4. *Requests* the Secretary-General to provide the International Civil Service Commission in the first half of 1977 with job descriptions for the General Service category at Geneva, grouped according to common job functions, in order to enable the Commission to carry out its survey task;

5. *Decides* that all financial implications of a decision to raise salaries at Geneva should be covered by savings in the

⁸ General Assembly resolution 3357 (XXIX), annex.

⁷ Official Records of the General Assembly, Thirty-first Session, Supplement No. 9, paras. 89-91.

⁹ See Official Records of the General Assembly, Thirty-first Session, Supplement No. 30, para. 337.

implementation of the United Nations budget for 1976-1977, including reductions in General Service posts, and requests the Secretary-General to report to the General Assembly at its thirty-second session on such reductions as may have been made;

6. *Further requests* the Secretary-General to develop, in the course of 1977, job classification standards for the General Service category at Geneva and, based upon them, to introduce a job classification system, including a structure of occupational groups and a classification of posts;

7. *Urges* the Secretary-General, after completing the current review of relevant factors and making any upward interim salary adjustments appropriate for General Service category employees as at 1 January 1977, to refrain from making any further upward interim adjustments and from

entering into any further commitments as to emoluments of General Service category employees at Geneva until the report and recommendations of the International Civil Service Commission requested in paragraph 3 above have been submitted;

8. *Reaffirms its expectation* that the Secretary-General will fully exercise his authority to ensure the effective and efficient implementation of administrative instructions concerning the delegation of responsibility and commensurate authority to the Office of the United Nations at Geneva;

II

Decides that no salary shall be paid to staff members in respect of periods of unauthorized absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 107th plenary meeting, on 22 December 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in part I (A/31/457, para. 19) of its report and draft resolutions A and B submitted in part II (A/31/457/Add.1, para. 24). For the final text, see resolutions 31/192 and 31/193 A and B.¹⁰

At the same meeting, the General Assembly also adopted the draft decision submitted by the Fifth Committee in part I (A/31/457, para. 20) of its report (see decision 31/424¹⁰).

¹⁰ *Ibid.*, Supplement No. 39.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 97 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---|---|---|
| A/31/8/Add.20 | Some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976 and the administrative and financial implications of the implementation of proposals by the Secretary-General for classification systems for posts: report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/75 and Corr.1 and 2, Add.1 and Corr.1, and Add.2 | Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency—Joint Inspection Unit: report of the Secretary-General | Mimeographed |
| A/31/89 | Question of the continuation of the Joint Inspection Unit: note by the Secretary-General transmitting the report of the Unit on this subject | Ditto |
| A/31/89/Add.1 | Question of pension coverage for members of the Joint Inspection Unit: note by the Secretary-General transmitting the observations of the Unit on this subject | Ditto |
| A/31/101 | Report of the Joint Inspection Unit on fellowships in the United Nations system: note by the Secretary-General transmitting the report | Ditto |
| A/31/137 | Report of the Joint Inspection Unit on some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976: note by the Secretary-General transmitting the report | Ditto |
| A/31/137/Add.1 | _____ : note by the Secretary-General transmitting the joint comments of the Administrative Committee on Co-ordination on the report | Ditto |
| A/31/137/Add.2 | _____ : note by the Secretary-General submitting his comments on two of the recommendations in the report | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/264 and Corr.1 | Report of the Joint Inspection Unit on the implementation of the personnel policy reforms approved by the General Assembly in 1974: note by the Secretary-General transmitting the report | Mimeographed |
| A/31/325 | Question of the continuation of the Joint Inspection Unit: report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/31/417 | Question of pension coverage for members of the Joint Inspection Unit: report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/C.5/1697* | _____ : report of the Secretary-General | Ditto |
| A/C.5/31/1 | Report of the Joint Inspection Unit on its activities during the period from 1 July 1975 to 30 June 1976: note by the Secretary-General transmitting the report | Ditto |
| A/C.5/31/18 | Implementation of major recommendations of the Joint Inspection Unit: report of the Secretary-General | Ditto |
| A/C.5/31/21 | Possible changes in the mandate of the Joint Inspection Unit which would enable it to assist in carrying out external evaluation: report of the Secretary-General | Ditto |
| A/C.5/31/30 | Question of pension coverage for members of the Joint Inspection Unit: report of the Secretary-General | Ditto |
| A/C.5/31/47 | Administrative and financial implications of the implementation of proposals by the Secretary-General for the establishment of classification systems for posts in the Professional category in the Secretariat and for General Service posts at Geneva: note by the Secretary-General | Ditto |
| A/C.5/31/78 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.31: note by the Secretary-General | Ditto |
| A/C.5/31/L.1 | Work programme of the Joint Inspection Unit for 1976: note by the Secretary-General transmitting the programme | Ditto |
| A/C.5/31/L.31 | Draft resolution | For the sponsors and the text, see A/31/457, para. 10 |
| A/C.5/31/L.32 | Amendment to document A/C.5/31/L.31 | <i>Idem</i> , para. 13 (a) |
| A/C.5/31/L.33 | Amendments to document A/C.5/31/L.31 | <i>Idem</i> , para. 13 (b) |
| A/C.5/31/L.36 | General Service salaries and conditions of service at the United Nations Office at Geneva—Canada: draft resolution | Replaced by A/C.5/31/L.36/Rev.1 |
| A/C.5/31/L.36/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/457/Add.1, para. 11 |
| A/C.5/31/L.36/Rev.2 | Ditto | <i>Idem</i> , para. 16 |
| A/C.5/31/L.42 | Pension coverage for members of the Joint Inspection Unit: text of a draft resolution based on the recommendations of the Advisory Committee on Administrative and Budgetary Questions | See A/31/457/Add.1, para. 4 |
| A/C.5/31/L.52 | Amendment to document A/C.5/31/L.36/Rev.1 | For the sponsors and the text, see A/31/457/Add.1, para. 12 |
| A/C.5/31/L.54 | Amendments to document A/C.5/31/L.36/Rev.1 | <i>Idem</i> , para. 14 |
| A/C.5/31/L.56 | Amendment to document A/C.5/31/L.36/Rev.1 | <i>Idem</i> , para. 15 |
| A/C.5/31/L.61 | Amendment to document A/C.5/31/L.36/Rev.2 | <i>Idem</i> , para. 18 |

* Document of the thirtieth session.



Agenda item 98: * 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-first Session, Fifth Committee*, 36th to 39th, 44th and 45th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 103rd meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 78), twenty-seventh (item 75), twenty-eighth (item 82), twenty-ninth (item 77) and thirtieth (item 100).

DOCUMENT A/31/444

Report of the Fifth Committee

*[Original: English]
[16 December 1976]*

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "Pattern of conferences: report of the Committee on Conferences" and to allocate it to the Fifth Committee.

2. The Committee considered the item at its 36th to 39th, 44th and 45th meetings, between 24 November and 9 December 1976. Comments made by delegations in the course of the discussion on this item are reflected in the relevant summary records (A/C.5/31/SR.36-39, 44 and 45).

3. For its consideration of the item, the Committee had before it the report of the Committee on Conferences (A/31/32) and chapter VIII, section G, of the report of the Economic and Social Council (A/31/3).

4. At its 36th meeting, the Chairman of the Committee on Conferences introduced its report and called attention to the recommendations and the draft resolution contained in paragraph 118.

5. At the 38th meeting, the representative of Mexico stated that his delegation would not endorse the draft resolution unless paragraph 6 (f) of section I were amended by the addition of the words "following consultation with and acceptance by the bodies concerned". After explanations by the Chairman of the Committee, however, the amendment was not pressed to a vote.

6. At the 39th meeting, the representative of the Union of Soviet Socialist Republics submitted an oral amendment to the draft resolution contained in the report, calling

for the addition of a new subparagraph at the end of paragraph 4, reading as follows:

"(h) The sessions of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space shall be held alternately in New York and Geneva".

At the 45th meeting, the amendment was withdrawn following a suggestion that the question should be referred to the Committee on Conferences for further consideration.

7. Also at its 45th meeting, the Committee approved, by consensus, the recommendations contained in paragraph 118 of the report of the Committee on Conferences, including the draft resolution (see para. 8 below), on the understanding that the proposed calendar of conferences and meetings for 1977 would be adjusted to reflect those changes and additions that had been, or would be, considered separately during the current session, as well as certain other changes of a relatively minor nature that did not entail financial implications.

Recommendation of the Fifth Committee

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

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 and 3491 (XXX) of 15 December 1975,

I

1. *Takes note* of the report of the Committee on Conferences established by General Assembly resolution 3351 (XXIX) (A/31/32);

2. *Approves* the draft calendar of conferences and meetings for 1977 set forth in annex I to the report;

3. *Takes note* of the tentative calendar for 1978 set forth in annex II to the report;¹

4. *Reaffirms* the general principle that, in drawing up the schedule of conferences and meetings, United Nations bodies shall plan to meet at their respective established headquarters, with the following exceptions:

(a) The Governing Council of the United Nations Development Programme may, in accordance with its rules of procedure, hold one of its sessions at the United Nations Office at Geneva;

(b) The sessions of the International Law Commission shall be held at Geneva;

(c) The sessions of the United Nations Commission on International Trade Law may be held, subject to the provision in section II, paragraph 6, of General Assembly resolution 2205 (XXI) of 17 December 1966, alternately at Headquarters in New York and at Geneva;

(d) The regular summer session of the Economic and Social Council may be held at Geneva provided that the closing date falls at least six weeks before the opening of the regular session of the General Assembly;

(e) The functional commissions of the Economic and Social Council, other than the Commission on Human Rights and the Commission on Narcotic Drugs, shall meet at their established headquarters unless a more rational pattern of the work programme can be achieved by holding their sessions at Geneva, that decision being without prejudice to any subsequent decision to hold them at Vienna;

(f) The regular sessions of the Economic and Social Commission for Asia and the Pacific, the Economic Commission for Latin America, the Economic Commission for Africa and the Economic Commission for Western Asia, as well as meetings of their subsidiary bodies, may be held away from their headquarters when the commission concerned so decides, subject, in the case of regular sessions of the commissions, to the approval of the Economic and Social Council and of the General Assembly;

¹ In accordance with its resolution 3491 (XXX), the General Assembly will have before it at its thirty-second session for approval the draft calendars for 1978 and 1979 corresponding to the programme budget.

(g) The International Civil Service Commission shall hold its regular annual session at Headquarters and, if more than one session is required in any one year, it may accept an invitation from one of its participating organizations to hold its other session or sessions at the headquarters of that participating organization;

5. *Decides* that United Nations bodies may hold sessions away from their established headquarters when a Government issuing an invitation for a session to be held within its territory has agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional cost directly or indirectly involved;

6. *Requests* the Committee on Conferences and the Secretary-General to take account of the following principles in drawing up the draft calendar of conferences and meetings:

(a) The biennial calendar of conferences and meetings approved by the General Assembly shall govern the meetings programme during the period concerned;

(b) All United Nations meetings shall be carried out within the resources allocated by the General Assembly for that purpose;

(c) Between sessions of the General Assembly, departures from the calendar may, in special or unusual circumstances, be approved by the Committee on Conferences, provided that changes affecting a subsequent year of the biennium shall be approved by the Assembly;

(d) Subsidiary organs of the General Assembly shall not, without the approval of the Assembly, create new standing bodies or *ad hoc* sessional or intersessional bodies that require additional resources, and other principal organs of the United Nations should make similar decisions with regard to their respective subsidiary bodies, if they have not already done so;

(e) An adequate interval of time, to be determined by the body concerned, shall be allowed between sessions of the same bodies to permit Member States to derive maximum benefit from the activities and to provide sufficient time for the preparation of future activities;

(f) United Nations bodies shall meet at their respective established headquarters, subject to the exceptions to this principle approved by the General Assembly;

II

1. *Takes note* of the action taken by its subsidiary organs and by the Secretariat to apply the criteria established by General Assembly resolution 3415 (XXX) of 8 December 1975 and urges all bodies to continue their efforts to rationalize their meeting records;

2. *Reiterates* its appeal to subsidiary bodies to consider the application to their subsidiary bodies of criterion 6, according to which such bodies should cease to be provided with meeting records of any kind;²

² See A/INF/31/2 and Corr.1.

3. *Reaffirms* that the Committee on the Elimination of Racial Discrimination and the International Law Commission should continue to receive records in both provisional and final form;

4. *Requests* the Secretary-General to specify, in the statement of financial implications accompanying a draft

resolution calling for the establishment of a new body, which conference services are to be provided;

5. *Reaffirms* its decision³ that statements may be reproduced *in extenso* only if they serve as bases for discussion and after statements of financial implications have been presented to the bodies requesting them.

³ General Assembly resolution 2292 (XXII), annex, para. (b).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 103rd plenary meeting, on 17 December 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/444, para. 8). For the final text, see resolution 31/140.⁴

⁴ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 98 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/3 | Report of the Economic and Social Council on the work of its organizational session for 1976 and of its sixtieth and sixty-first sessions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 3</i> |
| A/31/32 | Report of the Committee on Conferences | <i>Ibid., Supplement No. 32</i> |



Agenda item 99: * United Nations accommodation:

- (a) Utilization of office accommodation in the United Nations system;
- (b) Utilization of office accommodation and conference facilities at the Donaupark centre in Vienna: ** report of the Secretary-General

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee, 36th, 38th, 44th, 55th, 58th and 61st meetings, and ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 107th meeting.*

** This question was previously discussed by the General Assembly at its thirtieth session (see agenda item 100).

Abbreviations

| | |
|-------|--|
| IAEA | International Atomic Energy Agency |
| UNIDO | United Nations Industrial Development Organization |

DOCUMENTS A/31/450 AND ADD.1 AND 2

Report of the Fifth Committee

DOCUMENT A/31/450

*[Original: English]
[16 December 1976]*

PART I

1. At its twenty-eighth session, the General Assembly, in the course of its consideration of the item on the proposed programme budget, requested the Joint Inspection Unit to study the question of the utilization of office accommodation within the United Nations system and to submit its recommendations to the Assembly at its thirtieth session.¹ At its thirtieth session, the General Assembly had before it the reports of the Joint Inspection Unit on the subject, but decided to postpone comprehensive consideration of the reports to its thirty-first session.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the

General Committee, decided to include in the agenda of its thirty-first session the item entitled "United Nations accommodation: (a) Utilization of office accommodation in the United Nations system; (b) Utilization of office accommodation and conference facilities at the Donaupark centre in Vienna: report of the Secretary-General" and to allocate it to the Fifth Committee.

3. The Fifth Committee considered subitem (a) at its 36th, 38th and 44th meetings, on 24 and 29 November and 8 December 1976.

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

(a) Report of the Joint Inspection Unit on the utilization of office accommodation at United Nations Headquarters (see A/9854) and comments by the Secretary-General on the subject (A/9854/Add.1);

(b) Report of the Joint Inspection Unit on office accommodation provided for extrabudgetary staff in the United Nations system (see A/10279) and comments of the

¹ *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30, item 79, p. 132, para. (h) (i).*

Administrative Committee on Co-ordination on the subject (A/10279/Add.1);

(c) Report of the Joint Inspection Unit on the utilization of office accommodation in the United Nations system (see A/10280) and comments by the Secretary-General on the subject (A/10280/Add.1);

(d) Report of the Secretary-General on office accommodation provided for extrabudgetary staff in the United Nations system (A/C.5/31/7 and Corr.1);

(e) Report of the Secretary-General on utilization of office accommodation in the United Nations system: accommodation at United Nations Headquarters (A/C.5/31/17 and Corr.1);

(f) Report of the Advisory Committee on Administrative and Budgetary Questions on utilization of office accommodation in the United Nations system (A/31/8/Add.4).

5. The Chairman of the Advisory Committee introduced the report of the Committee in an oral statement before the Fifth Committee at its 36th meeting.

6. The observer for Switzerland also addressed the Committee at the same meeting.

7. In its report, the Advisory Committee stated its agreement, in general, with most of the recommendations of the Joint Inspection Unit and of the Secretary-General. It also drew attention to the elements of uncertainty in predicting future space requirements at Headquarters, because of the difficulty of anticipating future decisions of the General Assembly, and suggested that the predictions of the Secretary-General should therefore be evaluated in that light.

8. The Advisory Committee, in paragraph 10 of its report, noted that, in the light of current administrative, financial and political considerations, the long-term policy for the accommodation of staff in New York should be based upon the rental of the minimum space required additional to that available in the Headquarters buildings.

9. On the question of space management, the Advisory Committee agreed with the Joint Inspection Unit that the authority of the Office of General Services to manage space should be reinforced.

10. As regards the question of office accommodation provided for extrabudgetary staff, the Advisory Committee noted that there was no uniform approach within the United Nations system to the problems of accommodation of such staff. In that connexion it noted that the Secretary-General would be submitting to the General Assembly at its current session a separate report on the general question of the costs of support services, including costs of accommodation provided from the regular budget to extrabudgetary activities. When the Advisory Committee considered that report, it would revert, as necessary, to the information contained in the reports of the Joint Inspection Unit (see A/10279) and the Secretary-General (A/C.5/31/7 and Corr.1).

11. The comments and observations made by delegations taking part in the debate on the question are reflected in the summary records of the meetings of the Fifth Committee (A/C.5/31/SR.36, 38 and 44).

Recommendations of the Fifth Committee

12. At its 44th meeting, the Fifth Committee decided, without objection, to recommend to the General Assembly that it should:

(a) Take note of the reports of the Joint Inspection Unit on the utilization of office accommodation in the United Nations system (see A/9854, A/10279 and A/10280), the comments thereon by the Secretary-General (A/9854/Add.1 and A/10280/Add.1) and the Administrative Committee on Co-ordination (see A/10279/Add.1), and the related reports of the Secretary-General (A/C.5/31/7 and Corr.1 and A/C.5/31/17 and Corr.1) and the Advisory Committee (A/31/8/Add.4);

(b) Concur with the comments and observations of the Advisory Committee in its report (A/31/8/Add.4).

DOCUMENT A/31/450/ADD.1

*[Original: English]
[21 December 1976]*

PART II

Utilization of office accommodation and conference facilities at the Donaupark centre in Vienna

1. The Committee considered the question of the utilization of office accommodation and conference facilities at the Donaupark centre in Vienna at its 55th and 58th meetings on 17 and 20 December 1976.

2. For its consideration of the matter, the Committee had before it the report of the Secretary-General on the subject (A/C.5/31/34), as well as the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/452).

3. In paragraph 13 of his report, the Secretary-General proposed a plan of action whereby the General Assembly would agree to take over from IAEA for the future requirements of the United Nations Tower A-2, in accordance with the arrangement set out in annex III to his report to the General Assembly at its thirtieth session.² Consequent on that agreement, the plan of action would involve the transfer of existing units from New York and Geneva (or for the establishment of new units in Vienna, should the General Assembly so decide) on the basis of a time-table which would, when completed, result in a rational and economic use of the Donaupark complex and full occupancy within a relatively brief period of time. The Secretary-General's phased plan called for the transfer from New York or Geneva of 500 staff members in the Professional and higher categories over a five-year period in the manner described in section IV of his report.

² Document A/10348 and Corr.1 of 17 November 1975.

4. The Chairman of the Advisory Committee introduced the Advisory Committee's report in an oral statement before the Fifth Committee at its 55th meeting.

5. In its report, the Advisory Committee stated that in its opinion a decision to accept Tower A-2 had to be predicated on a commitment to make early use of such space as would thereby become available. In that connexion, it trusted that the Secretary-General's assumptions as to the growth rates at New York and Geneva would, in the course of time, be proven correct and provide an adequate basis for the operation of the Secretary-General's plan and for the effective utilization of available space in Vienna. The Advisory Committee went on to note, with reference to the costs involved, that there were a number of uncertain elements in the Secretary-General's proposals as to which units would actually be located in Vienna; the various costings contained in section IV and annex IV of the Secretary-General's report were equally hypothetical because of uncertainties as to currency fluctuation, rate of inflation and local salary movements. With reference to the establishment of a planning and co-ordination unit, described in paragraph 45 of the Secretary-General's report, the Advisory Committee recognized the need for such a unit but did not believe it should become a part of the permanent establishment. Accordingly, it recommended that, should the General Assembly agree to take over Tower A-2, it should appropriate \$73,000 under section 22J for temporary assistance in 1977.

6. The representative of Austria introduced a draft resolution (A/C.5/31/L.45) on behalf of Austria, Bhutan, Bulgaria, Colombia, Costa Rica, Cuba, Czechoslovakia, Egypt, the German Democratic Republic, Greece, Grenada, Guinea-Bissau, Hungary, Iraq, the Libyan Arab Republic, Nicaragua, Pakistan, Poland, Senegal and Zambia, and announced that the Bahamas, Bangladesh, Cyprus, India, Indonesia and Portugal had joined as sponsors. The draft resolution read as follows:

"The General Assembly,

"...[The preamble and operative paragraphs 1 and 2 are the same as the corresponding part of the draft resolution in paragraph 17 below];

"3. Authorizes the Secretary-General, in order to ensure the most rational use of the premises available to the United Nations at the Donaupark centre in Vienna as of 1978,

"(a) To put into effect phase I on the basis of his report (A/C.5/31/34);

"(b) To proceed, after further consultations with the host countries concerned, with the implementation of phase II taking into account those proposals which are consistent with paragraph 16 of his report and observations made during the debate on this question at the thirty-first session;

"4. Requests the Secretary-General in conformity with paragraph 4 of General Assembly resolution 3529 (XXX), to report to the Assembly at its thirty-third session on

plans for implementing phase III as outlined in paragraphs 42 to 45 of his report, as well as other possibilities related to international organizations' activities based on sound principles of management;

"5. Requests the Secretary-General to report to the General Assembly at regular intervals on the implementation of the present resolution."

7. In introducing the draft resolution, the representative of Austria stated, *inter alia*, that the Government of Austria had complied with an agreement with the United Nations to construct the Donaupark centre with its existing capacity. Austria would have fulfilled its obligations with the completion and handing over of the centre to the United Nations in the second half of 1978; it was now up to the United Nations to fulfil its part of the joint commitment. The cost of the centre, in the sum of \$700 million, was to be borne entirely by Austria and the City of Vienna and the buildings were to be made available to the United Nations rent free.

8. The representative of Austria went on to state that the transfer of 500 staff members over five years from New York and Geneva as envisaged in the Secretary-General's proposals—in other words, 50 persons a year from each of the cities—would in no way detract from their role and standing as United Nations headquarters. Their future growth was guaranteed. On the other hand, such action would avoid the need for costly acquisition of new premises by making use of the rent-free accommodation offered in Vienna.

9. Even if the recommended plan of the Secretary-General were to be implemented, the representative of Austria stated, much of the office space in Donaupark would still stand empty for the long-term growth possibilities of IAEA and UNIDO. Therefore, Austria could in no way agree to any further reduction in the lower limit set in the five-year plan or in the 500 staff members destined for transfer to Vienna. It was essential that the Secretary-General be authorized to proceed with the implementation of the plan and that the Secretary-General's views with regard to specific units to be transferred be endorsed by all Member States.

10. The following amendments were submitted to draft resolution A/C.5/31/L.45:

(a) Belgium and France proposed (A/C.5/31/L.49) that paragraph 3 (b), should be replaced by the following text which would become the new paragraph 4:

"4. Requests the Secretary-General, in conformity with the guidelines described in paragraph 4 of resolution 3529 (XXX), to submit to the General Assembly, at its thirty-second session, revised proposals for phase II which would be consistent with paragraph 16 of his report (A/C.5/31/34) and which would take into account observations put forward in the course of the debate on this question at the thirty-first session".

and that the succeeding paragraphs should be renumbered accordingly.

(b) Iran proposed (A/C.5/31/L.50), and Algeria subsequently co-sponsored the amendment, that the following text should be inserted as new paragraph 5:

“5. *Requests* the Secretary-General to take all necessary measures to ensure that the success of the United Nations Decade for Women and of the world conference of 1980 will not be adversely affected by putting into effect phase I in accordance with paragraph 3 (a) above”

and that the existing paragraph 5 should be renumbered 6.

(c) Algeria and Iran submitted two amendments (A/C.5/31/L.51) calling for the replacement of operative paragraphs 3 and 4 respectively by the following:

[Same text as operative paragraphs 3 and 4 in the draft resolution in paragraph 17 below].

11. Mexico submitted the following draft resolution (A/C.5/31/L.58):

“The General Assembly,

“Noting with appreciation the report by the Secretary-General on the utilization of office accommodation and conference facilities at the Donaupark centre in Vienna (A/C.5/31/34) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/452),

“1. Agrees that the United Nations should take over Tower A-2 at the Donaupark centre in Vienna and, in this connexion, authorizes the Secretary-General to make appropriate arrangements with the International Atomic Energy Agency and the Government of Austria;

“2. Decides to request the Secretary-General, in accordance with the instructions given in paragraph 4 of General Assembly resolution 3529 (XXX), to submit to the Assembly at its thirty-second session revised specific proposals to attain the objective stated in paragraph 11 of his report, which should be compatible with the comments made in paragraph 16 of the report, and to take into account the observations made on the subject during the discussion at the thirty-first session.”

12. At the 58th meeting, the representative of Belgium, on behalf of Belgium and France, withdrew the amendment contained in document A/C.5/31/L.49 and announced that Belgium would join as a sponsor of the amendments submitted by Algeria and Iran (A/C.5/31/L.51).

13. The representative of Mexico did not press for a vote on the draft resolution proposed by his delegation (A/C.5/31/L.58).

14. The sponsors of draft resolution A/C.5/31/L.45 accepted the amendments submitted by Algeria, Belgium and Iran (A/C.5/31/L.51). They also accepted the amendment submitted by Algeria and Iran (A/C.5/31/L.50), with the mention of “paragraph 3 (a)” in the new paragraph 5 being changed to read “paragraph 3” consequential upon their acceptance of the new paragraph 3 in document A/C.5/31/L.51.

15. At the same meeting, the Fifth Committee adopted draft resolution A/C.5/31/L.45, as amended, by consensus (see para. 17 below).

16. A full account of the Committee’s consideration of the item, as well as explanations of vote, is reflected in the summary records of the Committee (A/C.5/31/SR.55 and 58).

Recommendation of the Fifth Committee

17. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Utilization of office accommodation and conference facilities at the Donaupark centre in Vienna

The General Assembly,

Recalling its resolution 3350 (XXIX) of 18 December 1974, in which it welcomed the invitation extended by the Government of Austria to the United Nations to make use of the facilities available in the Donaupark centre in Vienna after 1978,

Recalling also its resolution 3529 (XXX) of 16 December 1975, in which it took note of the report of the Secretary-General on the inclusion of Vienna in the pattern of conferences,²

Taking note of the report of the Secretary-General on the utilization of office accommodation and conference facilities at the Donaupark centre in Vienna (A/C.5/31/34) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/452),

1. Approves the recommendation of the Secretary-General relating to Tower A-2, as contained in paragraph 13 (a) of his report (A/C.5/31/34), and to that effect authorizes the Secretary-General to enter into appropriate arrangements with the International Atomic Energy Agency and the Government of Austria;

2. Approves the phased plan of action, as defined in paragraphs 11 and 12 and summarized in paragraph 13 (b) of the report of the Secretary-General, and paragraphs 1 to 3 of annex I to that report;

3. Authorizes the Secretary-General to put into effect the proposals pertaining to phase I as well as those contained in paragraphs 29 to 36 and 41 of his report;

4. Requests the Secretary-General, in conformity with the guidelines described in paragraph 4 of General Assembly resolution 3529 (XXX), to submit to the Assembly at its thirty-third session concrete proposals which would ensure that, at the end of the phased plan of action, the objective set out in paragraph 11 of the Secretary-General’s report would be attained;

5. Also requests the Secretary-General to take all necessary measures to ensure that the success of the United Nations Decade for Women and of the world conference to be held in 1980 will not be adversely affected by putting into effect phase I in accordance with paragraph 3 above;

6. *Further requests* the Secretary-General to report to the General Assembly at regular intervals on the implementation of the present resolution.

DOCUMENT A/31/450/ADD.2

[Original: English]
[22 December 1976]

PART III

Expansion of meeting rooms and improvement of conference servicing and delegate facilities at United Nations Headquarters

1. At its 61st meeting, on 21 December 1976, the Fifth Committee, on the basis of reports submitted by the Secretary-General (A/C.5/31/22 and Corr.1) and by the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.23), considered the question of the expansion of meeting rooms and improvement of conference servicing and delegate facilities at United Nations Headquarters.

2. The Secretary-General's substantive proposals, as summarized in paragraph 3 of the Advisory Committee's report, were estimated to involve a potential outlay of some \$47 million over a four-year period beginning in 1977.

3. The Advisory Committee's related recommendations, as summarized in paragraphs 40 and 41 of its report, involved certain reductions and suggested modifications of the proposed plans. The elements which the Committee recommended be approved at the initial stage were estimated to cost some \$12.7 million, of which \$2.4 million would need to be appropriated for 1977 to enable the Secretary-General to proceed with the development stage of the project. In the case of a number of other elements of the plan proposed by the Secretary-General, the Advisory Committee either recommended that they not be approved or that the initial concept be reviewed and revised plans submitted to the General Assembly at its thirty-second session.

4. The Chairman of the Advisory Committee introduced that Committee's report in an oral statement before the Fifth Committee.

5. The representative of the Secretary-General orally replied to questions raised in the course of the discussion.

Decisions of the Committee

6. The Chairman proposed that the Committee recommend to the General Assembly that it take note of the reports of the Secretary-General (A/C.5/31/22 and Corr.1) and the Advisory Committee (A/31/8/Add.23) and concur with the recommendations of the Advisory Committee contained in paragraphs 10, 13, 15, 20, 22, 27, 30, 33, 36, 38 and 39 of its report, as summarized in paragraphs 40 and 41. He also proposed to the Committee the additional appropriation of \$2,400,000 for the biennium 1976-1977.

7. After discussion, the representative of Trinidad and Tobago proposed an amendment with respect to the

recommendation in paragraph 10 of the report of the Advisory Committee, as follows:

"The Fifth Committee recommends to the General Assembly that it should not decide on any one option with respect to the seating arrangement to be used in the reconstruction of the General Assembly Hall, but that it should appropriate the sum of \$2.6 million for the biennium 1976-1977³ leaving all options on seating arrangements in the Assembly Hall open, on the understanding that the President of the General Assembly, in consultation with Member States, will inform the Secretary-General, by 31 January 1977 at the latest, on the option that is acceptable to Member States and, on the basis of this, the Secretary-General will proceed with his plans and report to the Assembly at its thirty-second session."

8. The Committee took the following decisions:

(a) It adopted, by 62 votes to 9, with 3 abstentions, the amendment submitted by the representative of Trinidad and Tobago;

(b) It then adopted the Chairman's proposal, as thus revised. (See the draft resolution in para. 10 below.)

* * *

9. A full account of the Committee's consideration of the question, including the views and reservations expressed, is reflected in the summary record of the meeting (A/C.5/31/SR.61).

Recommendation of the Fifth Committee

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

Expansion of meeting rooms and improvement of conference servicing and delegate facilities at United Nations Headquarters

The General Assembly

1. *Takes note* of the reports of the Secretary-General (A/C.5/31/22 and Corr.1) and the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.23) on the expansion of meeting rooms and improvement of conference servicing and delegate facilities at United Nations Headquarters;

2. *Concurs* with the recommendations of the Advisory Committee contained in paragraphs 13, 15, 20, 22, 27, 30, 33, 36, 38 and 39 of its report, as summarized in paragraphs 40 and 41;

3. *Decides* to defer action on any of the options outlined in paragraphs 3 to 5 of the report of the Secretary-General with respect to the seating arrangement to be used in the reconstruction of the General Assembly Hall;

³ Subsequently appropriated by General Assembly resolution 31/207 A.

4. *Requests* the President of the General Assembly, following consultations with Member States, to inform the Secretary-General, by 31 January 1977 at the latest, of the option most acceptable to Member States;

5. *Requests* the Secretary-General, on the basis of that information, to proceed with plans for reconstruction of the General Assembly Hall and to submit a report to the Assembly at its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 107th plenary meeting, on 22 December 1976, the General Assembly voted on the recommendations made by the Fifth Committee in its report (A/31/450 and Add.1 and 2). It adopted the recommendations contained in part I of the report (A/31/450, para. 12) (see decision 31/425⁴). It then adopted the draft resolution submitted in part II of the report (A/31/450/Add.1, para. 17) and, by a recorded vote of 121 to 10, it adopted the draft resolution submitted in part III of the report (A/31/450/Add.2, para. 10). For the final text, see resolutions 31/194 and 31/195.^{5, 4}

⁴ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

⁵ On 25 February 1977, the Secretary-General informed the members of the General Assembly of the action taken pursuant to paragraph 4 of resolution 31/195 (see A/31/476).

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda 99 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/9854* | Report of the Joint Inspection Unit on the utilization of office accommodation at United Nations Headquarters: note by the Secretary-General transmitting the report | |
| A/9854/Add.1* | _____ : comments by the Secretary-General | |
| A/10279** | Report of the Joint Inspection Unit on office accommodation provided for extrabudgetary staff in the United Nations system: note by the Secretary-General transmitting the report | |
| A/10279/Add.1** | _____ : note by the Secretary-General transmitting the comments of the Administrative Committee on Co-ordination | |
| A/10280* | Report of the Joint Inspection Unit on the utilization of office accommodation in the United Nations system: note by the Secretary-General transmitting the report | |
| A/10280/Add.1** | _____ : comments by the Secretary-General | |
| A/10348 and Corr.1** | Inclusion of Vienna in the pattern of conferences: report of the Secretary-General | |
| A/31/8/Add.4 | Utilization of office accommodation in the United Nations system: report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/8/Add.23 | Expansion of meeting rooms and improvement of conference servicing and delegate facilities at United Nations Headquarters: report of the Advisory Committee on Administrative and Budgetary Questions | <i>Ibid.</i> |
| A/31/452 | Utilization of office accommodation and conference facilities at the Donaupark centre in Vienna: report of the Advisory Committee on Administrative and Budgetary Questions | |
| A/31/476 | Expansion of meeting rooms and improvement of conference servicing and delegate facilities at United Nations Headquarters: note by the Secretary-General on the option most acceptable to Member States with respect to the reconstruction of the General Assembly Hall | |

* Document of the twenty-ninth session.

** Document of the thirtieth session.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|------------------------|--|--|
| A/C.5/31/7 and Corr.1 | Office accommodation provided for extrabudgetary staff in the United Nations system: report of the Secretary-General | |
| A/C.5/31/17 and Corr.1 | Utilization of office accommodation in the United Nations system—Accommodation at United Nations Headquarters: report of the Secretary-General | |
| A/C.5/31/22 and Corr.1 | Expansion of meeting rooms and improvement of conference servicing and delegate facilities at United Nations Headquarters: report of the Secretary-General | |
| A/C.5/31/34 | Utilization of office accommodation and conference facilities at the Donaupark centre in Vienna: report of the Secretary-General | |
| A/C.5/31/L.45 | Draft resolution | For the sponsors and the text, see A/31/450/Add.1, para. 6 |
| A/C.5/31/L.49 | Amendment to document A/C.5/31/L.45 | <i>Idem</i> , para. 10 (a) |
| A/C.5/31/L.50 | Amendment to document A/C.5/31/L.45 | <i>Idem</i> , para. 10 (b) |
| A/C.5/31/L.51 | Amendments to document A/C.5/31/L.45 | <i>Idem</i> , paras. 10 (c) and 12 |
| A/C.5/31/L.58 | Draft resolution | <i>Idem</i> , para. 11 |



**Agenda item 100: * 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-first Session, Fifth Committee*, 16th, 18th, 19th, 20th, 22nd to 25th, 39th to 43rd and 49th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle, corrigendum*; and *ibid.*, *Plenary Meetings*, 98th, 108th and 109th meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 80), twenty-seventh session (item 77), twenty-eighth session (item 84), twenty-ninth session (item 79) and thirtieth session (item 102).

DOCUMENT A/31/427

Report of the Fifth Committee

*[Original: English]
[14 December 1976]*

Introduction

1. The Fifth Committee considered agenda item 100 at its 16th, 18th, 19th, 20th, 22nd to 25th, 39th to 43rd and 49th meetings, held on 26, 28 and 29 October, on 1, 3, 4, 5, 8 and 30 November and on 2, 3, 6, 7 and 14 December 1976. It had before it the report of the Committee on Contributions (A/31/11 and Add.1) containing the draft resolution recommended by that Committee.

General Debate

2. In introducing the report of the Committee on Contributions, its Chairman, recalling that that Committee had been directed by the General Assembly in its resolution 3062 (XXVIII) of 9 November 1973 to review the scale of assessments and to report to the Assembly at its thirty-first session, stated that it was important to clarify, at the outset, a principle which was fundamental to the Committee's work, namely, capacity to pay. At the twenty-ninth and thirtieth sessions of the Assembly, some representatives had asserted that *per capita* income should not be the determining factor in establishing a scale of assessments and that there were other important considerations in the evaluation of a country's capacity to pay. In fact, the only role played by *per capita* income in the formulation of a scale was in the calculation of the relief to which a Member State might be entitled under the low *per capita* income allowance formula. If that were not the case, then a country with limited national income and a small popu-

lation could well be assessed at a rate in excess of that of a country with a far greater net national product, but with a large population. Under the Committee's terms of reference it was the net national income of a Member State that was the principal measure of its capacity to pay.

3. The Committee on Contributions, nevertheless, appreciated that national income expressed in monetary terms might not of itself fully reflect economic realities. In exploring possible alternatives, however—including the use of composite indicators encompassing such factors as nutrition, literacy and employment—the Committee had found that there was currently no acceptable single comprehensive indicator which could serve to substitute for national income as the principal measure of capacity to pay. It was pointed out, moreover, that even if it were possible to develop such an across-the-board indicator, statistics for the purpose would not be available from the vast majority of Member States. The criteria followed by the Committee at its 1976 session, therefore, were essentially the same as in the past. In addition to comparative estimates of national income, the Committee had observed the floor and ceiling principles established by the General Assembly and had paid particular attention to the problems of developing countries.

4. The task devolving upon the Committee in formulating a scale of assessments for 1977-1979 had been an exceptionally difficult one. As the Committee had emphasized in its report to the twenty-ninth session of the

General Assembly¹—a warning it had reiterated in its report to the thirtieth session of the Assembly²—it was already discernible from the limited statistics available at its 1974 and 1975 sessions that the national economies of many developed and developing States had changed to such an extent that steep increases would be called for in the next scale despite the Committee's practice of mitigating drastic shifts between scales. The years 1972-1974, the base years for the Committee's review of the scale, had indeed been marked by profound changes in the world economy. The net national product of Member States had mirrored these changes, the dimensions of which, in individual and relative terms, could only be characterized as unprecedented.

5. The economic changes had also made themselves felt in the rapid advance of *per capita* income and in the lessened relief afforded many developing countries, including low *per capita* income countries, through the operation of the allowance formula. For the 1974-1976 scale, the formula, in operation since 1953, had been increased from an upper limit of \$1,000 to \$1,500 and from a maximum deduction of 50 to 60 per cent. For the 1977-1979 scale, the Committee had recognized that the revised allowance no longer provided a sufficient measure of relief to developing countries and, in particular, to low *per capita* income countries. As a consequence, it had adopted a new upper limit of \$1,800 and a new maximum deduction of 70 per cent in the formulation of the proposed scale.

6. Recalling directives of the General Assembly concerning the attention to be paid by the Committee on Contributions to developing countries in view of their special economic and financial problems, the Chairman of that Committee pointed out that the percentage contribution in the 1964 scale of 78 developing Member States had totalled 16.33 per cent; in 1973, when the minimum rate of assessment was still 0.04 per cent, 98 developing States had contributed a total of 14.67 per cent; in the proposed scale for 1977-1979, 108 developing States would be called upon to pay a total of 13.72 per cent.

7. The base years 1972-1974 had been a period of substantial relative movements in domestic price levels, which had affected the current value of national income when expressed in dollars. The limitations of official exchange-rate conversions for purposes of international comparison were widely recognized, particularly in view of the growing instability of international money markets. Based as they were on international transactions of a limited range of commodities, they did not correctly reflect the real purchasing power of individual currencies. While the Statistical Office of the United Nations, in co-operation with other institutions, had been engaged since 1968 in developing suitable methods for such international comparisons, it would be some time before results for a sufficient number of countries would be available for the Committee's systematic use. Nevertheless, the Committee had exercised every precaution to ensure that the interaction of relative price movements and exchange rates did not result in the over-assessment or under-assessment of any Member State.

¹ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 11*, para. 16.

² *Ibid.*, *Thirtieth Session, Supplement No. 11*, para. 44.

8. Similarly, where it had been found that a substantial portion of the foreign exchange earnings of a developing country was required for the servicing of external public debt, downward adjustments had been made in individual assessments to the extent possible.

9. The Committee on Contributions, throughout its review, had been fully conscious of the fact that an equitable scale was a matter of utmost importance. Such changes in assessment rates as had been recommended, it was stressed, reflected changes in the relative capacity to pay of Member States after the application of policy directives of the General Assembly and after taking into account special factors or circumstances whenever possible. While some Member States might feel that it should have been possible to mitigate drastic variations between scales, given the magnitude of the economic changes, it had been the unanimous view of the Committee that further modifications would not only have widened differences in the statistical and actual rate of assessment in the forthcoming and in future scales but would have been incompatible with the principle of capacity to pay.

10. Referring to the draft resolution which had been recommended to the General Assembly by the Committee (A/31/11, para. 59), it was pointed out that, subsequent to the Committee's session, the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam had been unified as the Socialist Republic of Viet Nam. Consequently the recommended rates of assessment for the two countries were no longer valid and should be deleted from those portions of the draft resolution which dealt with non-member States. The matter would be considered by the Committee at its 1977 session, at which time it would also recommend a rate of assessment for the Republic of Seychelles as a new Member State.

11. In the ensuing debate the representatives of several Member States voiced strong opposition to the recommendations of the Committee on Contributions. The time had come, it was maintained, for an in-depth discussion of the criteria used in formulating the scale in the light of the new realities. The recommendations of the Committee on Contributions were highly anomalous and fraught with dangerous contradictions. One had only to recall the problems that had arisen over the apportionment of the expenses of the United Nations Operation in the Congo and of the first United Nations Emergency Force to appreciate the danger and far-reaching consequences of any attempt to coerce Member States into shouldering expenses they considered unjustified. Moreover, the criteria used for the apportionment of the expenses of the Organization, as laid down by the General Assembly, were hopelessly outdated, ran counter to economic realities, and should be redefined. It was unacceptable, at a time when the gap between developed and developing countries continued to widen, that sudden increases, some of which were substantial, should be proposed in the assessment rates of developing countries. Such increases were all the more arbitrary when considerable reductions had been recommended in the assessments of some developed countries with advanced economies, including permanent members of the Security Council with special privileges under the Charter of the United Nations. The contributions of developed countries should not decrease at the expense of developing countries

whose economies and whose capacity to pay were dependent on exports of non-renewable resources or on a limited number of commodities which were subject to price fluctuations; whose earnings were often eroded by the price of imports essential to development; and whose long-term domestic commitments for development from ground level placed a heavy burden on their resources. Capacity to pay was not an absolute criterion, it was stated, nor did it always correspond to the actual revenues of a State. It had, in fact, been violated by the establishment of maximum and minimum rates of assessment. The Fifth Committee should not adopt the recommended scale at its current session, for to do so would be to postpone consideration of the issues for another three years. It was proposed by some delegations, therefore, that implementation of the scale be deferred for two years pending agreement on new criteria for the formulation of future scales. Or, as the representative of Japan suggested, the Committee on Contributions should be asked to study urgently the possibility of formulating new criteria and recommending a new scale of assessments based on data for the period 1973-1975. Such a scale could be applied progressively over a three-year period, with the current scale remaining in effect for the intervening period. The suggestion was also advanced by some representatives that membership of the Committee on Contributions should be expanded to provide for more adequate representation of developing countries.

12. Other arguments adduced against the scale related to the statistics used by the Committee on Contributions. In that connexion, a few Member States stated that superficial reliance on statistics could lead to meaningless, misleading and unjust conclusions; that it was unrealistic that the years 1972-1974—which failed to reflect the subsequent and sharp deterioration in the economies of many countries—should form the base period for a 1977-1979 scale; that consideration should have been given to longer-term economic trends rather than to partial or transitory factors; that there was no reason to envelop the deliberations of the Committee on Contributions in secrecy and that the full documentation of the Committee should be made available to the membership at large; that increased assessments should not be imposed without prior consultations with the States concerned; and that every proposed increase or reduction should be explained in detail in the report of the Committee.

13. The reduction in the rate of assessment of South Africa, in the view of a few delegations, was unjustified and incompatible with resolutions adopted by the General Assembly on *apartheid*. It was also the opinion of one delegation that the decision of one super-Power to lower its rate of assessment to 25 per cent was contrary to the principle of capacity to pay. Moreover, it was added, the lowering of the other super-Power's rate of assessment from 16.55 per cent in the 1971-1973 scale to 13.23 per cent in the proposed scale for 1977-1979 was unjustified in the light of that State's own economic statistics.

14. Within the context of the foregoing debate on the formulation of a scale, suggestions and proposals advanced in connexion with new criteria and procedures which might be adopted included the following:

(a) As long as the gap between developed and developing countries, adequately documented by statistics, continued

to increase, the total percentage of the budget borne by the developing countries should not be increased; or, as was also suggested, increased contributions of developing countries with rising national incomes should be devoted entirely to the needs of other developing countries;

(b) Increases between scales should not exceed a fixed percentage (proposals in that regard ranged from 10 to 20 per cent);

(c) The concept of a minimum rate should be re-examined with a view to lowering the floor or to apportioning along the lines of the special scale established for peace-keeping operations (the representative of Nepal considered the principle of a minimum rate to be inequitable and proposed that his country, like any other, be assessed on the basis of its capacity to pay);

(d) Recognition should be given to the special financial obligations of the permanent members of the Security Council, as in the case of peace-keeping operations, or, as the representative of Japan proposed, by imposing a lower limit to their rates of assessment or an upper limit to the rates of Member States not permanent members of the Council;

(e) In the case of developing countries with commodity-oriented economies or non-renewable raw materials, account should be taken of the effect on their capacity to pay of sharp declines in export prices and of the increasing price of imports;

(f) The evaluation of a country's capacity to pay should not only be based on national income but also on other indices of national wealth and welfare (an approximate indicator of national wealth, it was suggested by the representative of Japan, might be the aggregate of the net national product, adjusted by the net national welfare, over the preceding 10 or 20 years);

(g) The *per capita* income formula, which was currently applied by way of granting relief to low *per capita* income countries, should be applied to all Member States, as was the case with systems of progressive income tax; or, as was also suggested, consideration should be given to establishing a high *per capita* income extra assessment in order to avoid large reductions in the assessments of developed countries;

(h) In order to avoid sharp fluctuations in rates of assessment between triennial scales, new scales should be developed annually, possibly based on three-year reference periods (it was also suggested by two delegations that the scale should correspond with the budgetary cycle);

(i) In addition to its net national product, the determination of a Member State's capacity to pay should take account of its relative level or stage of development, its source of income—including the depletable of that income—its access to foreign exchange, its economic and social status, the wealth pattern of its people in relation to development, the extent of illiteracy, *per capita* production and consumption of energy, the value and amount of primary commodities produced and consumed, the value and amount of production of basic industries, and funds allocated for technical and scientific research, cereal production and consumption and structure of foreign trade;

(j) Consideration should be given to the adverse effects of aggression and territorial occupation by foreign troops and to the damage suffered by newly independent countries during colonial rule;

(k) In assessing Member States' capacity to pay, account should be taken of their respective military expenditures;

(l) A study should be undertaken as to whether higher assessments in the new scale would affect voluntary contributions to international organizations as well as foreign aid by developing countries.

15. The views, suggestions and proposals outlined in the preceding paragraph were largely opposed by the representatives of a number of other Member States. The report of the Committee on Contributions, it was stated, had been extremely well prepared and the recommendations contained therein represented an objective formulation of a scale of assessments based on criteria and guidelines laid down by the General Assembly. An organization could not survive if its established procedures were attacked whenever they seemed to work against the interests of some members. It was pointed out, moreover, that the Committee on Contributions had given ample warning as to the nature of its recommendations.

16. Referring to the proposal that the total assessment of developing countries should be reduced or remain stable as long as the gap between developed and developing countries continued to widen, several delegations pointed to the incompatibility of such a proposal with the principle of capacity to pay, since the economic situation of individual countries varied greatly within any one group, since the gap between developed and some developing countries had in fact narrowed and would continue to do so, and since it was the individual responsibility of Member States to share the financial burden of the United Nations. Furthermore, there were problems in defining the various groups.

17. In response to the contention that the rates of assessment of developed countries in the proposed scale would decrease by 3.78 per cent, it was pointed out that the net decrease was in fact minimal and would amount to less than one third of 1 per cent. Similarly, in connexion with a reference to the substantial increase to be borne by countries within the Group of 77, the Chairman of the Committee on Contributions stated that 99 developing countries in the scale commencing with the year 1974 had been assessed a total of 13.41 per cent. The same 99 countries in the proposed scale for 1977-1979 would be assessed a total of 13.52 per cent, an increase of 0.11 per cent. If one were to exclude from the 99 Member States those 67 States assessed at the floor level in the 1974 scale, the respective totals for the remaining countries would be 12.07 and 12.12 per cent, an increase of 0.05 per cent.

18. In connexion with a reference to an "unwritten rule" of the Committee on Contributions that limited increases between one scale of assessments and the next by a fixed percentage, the Chairman of that Committee explained that prior to 1951 a limitation of 10 per cent had indeed been imposed on increases between scales. However,

the Fifth Committee had decided³ that the retention of such a limitation would require that some States would for many years pay a contribution very much lower than would be equitable in accordance with their capacity to pay. Consequently, the practice was discontinued. As to the proposal that the practice be reinstituted, as one representative pointed out, to do so would be to produce absurd results when national income changed dramatically.

19. The proposal advanced concerning the lowering of the floor was viewed with sympathy by a number of delegations, particularly in relation to the least developed among developing countries and those classified as most seriously affected. At the same time it was also felt that as a matter of principle Member States should be required to contribute a reasonable minimum which should not be so low as to detract from their dignity or to render the concept of collective responsibility meaningless. If a decision were to be taken to lower the floor, it was added, implementation of such a decision should await the formulation of a new scale by the Committee on Contributions.

20. In so far as the ceiling was concerned, as one representative pointed out, the principle of a ceiling had existed from the inception of the United Nations. Furthermore, the most recent decision to lower the ceiling to 25 per cent, in contrast with proposals now before the Committee, had been taken well in advance of the formulation of a new scale. In connexion with references made to the special responsibilities of the permanent members of the Security Council, the representative of France recalled that in not objecting to the adoption of special scales of assessment for the financing of the United Nations Emergency Force and the United Nations Disengagement Observer Force, his delegation had clearly stated that its position on those scales was not to be viewed as constituting a precedent for other special reductions in the scale for the regular budget of the Organization.

21. It was generally the opinion of those delegations supporting the recommendations of the Committee on Contributions that the new scale was a realistic reflection of the economies of Member States and, what was most important, their capacity to pay. The importance of the work of the Committee on Contributions and the competence and integrity of its members, it was stated, could not be over-estimated, nor could it be overlooked that the criteria established for the formulation of some 20 scales had withstood the test of time, had survived changes in membership from predominantly developed to predominantly developing countries and had resulted in scales of assessment which had received the overwhelming support of the membership. In particular, support was expressed for the arguments adduced by the Committee on Contributions in favour of the retention of a scale for a triennial period. If new criteria were to be developed—and it was noted that the Committee on Contributions had indicated that there was currently no single comprehensive indicator which could substitute for national income to determine a country's capacity to pay—they should not be drawn up hastily. It was for the Committee on Contributions, as an

³ *Ibid.*, Fifth Session, Annexes, agenda item 40, document A/1669, para. 3.

expert body, to undertake a further study of the question on the basis of instructions incorporated in the resolution adopting the new scale of assessments, having regard also to proposals and suggestions made in the Committee.

Consideration of draft resolutions

Introduction of proposals

22. At the 39th meeting of the Fifth Committee, the Chairman, in referring to the four draft resolutions before the Committee, stated that he proposed to deal with them in accordance with rule 131 of the rules of procedure of the General Assembly. The draft resolution contained in the report of the Committee on Contributions (A/31/11, para. 59) had already been introduced by the Chairman of that Committee (see paras. 2-10 above). He therefore invited the representatives of Nepal, Cuba and Kuwait to introduce the other three draft resolutions, pointing out, at the same time, that the draft resolution submitted by Nepal (A/C.5/31/L.7/Rev.1) did not indicate when the proposed lowering of the floor would take effect, nor did the draft resolution submitted by Cuba (A/C.5/31/L.8) specify which were the developing countries whose principal export commodities had undergone a sharp price decline since 1974.

23. The draft resolution submitted by Nepal (A/C.5/31/L.7/Rev.1), which the representative of Afghanistan stated his delegation also wished to sponsor, read as follows:

"The General Assembly,

"... [the preamble is the same as that of draft resolution I A in paragraph 68 below, with the exception of the third paragraph, which read:

"Recognizing the need for reconsideration of the scale of assessments of the least developed countries in order to help them meet their priorities at home and to allow the adjustment necessary for these countries"] ,

"... [operative paragraphs 1 and 2 are the same as the corresponding paragraphs of draft resolution I A in paragraph 68 below];

"3. Requests the Committee on Contributions to reflect this decision, in so far as purely practical and technical limitations in calculating permit, which should be understood to mean a minimum payment of no less than 0.01 per cent of the total expenses of the Organization."

In introducing the draft resolution, the representative of Nepal explained that the preamble took note of the resolutions of the General Assembly relating to the special recognition to be given to low *per capita* income countries in calculating their rates of assessment, found the existing floor level of assessment of 0.02 per cent to be incompatible with the principle of capacity to pay and recognized the collective financial responsibility of all Member States in shouldering the expenses of the Organization. Operative paragraph 1 reaffirmed that capacity to pay was the fundamental criterion on which scales of assessment were

to be based. Paragraph 2 called for the lowering of the floor which, in accordance with paragraph 3, would be no less than 0.01 per cent. The representative of Nepal added that he hoped that the draft resolution would be adopted by consensus in view of the importance attached to the new international economic order based on justice, equity and fair play. As to the effective date of the new floor, it was for the Committee on Contributions to decide.

24. The draft resolution submitted by Cuba (A/C.5/31/L.8) read as follows:

[Same text as draft resolution I B in paragraph 68 below except that 13 developing countries are mentioned in the first preambular paragraph instead of 16.]

In introducing the draft resolution, the representative of Cuba stated that the use of the years 1972-1974 as the base period for the formulation of the scale of assessments for 1977-1979 had resulted in the distortion of national income data for a number of countries. Inflation had raised the value of national income in monetary but not in real terms, while currency devaluation and fluctuations had also seriously affected national income figures. The sharp rise in Cuba's national income resulting from the devaluation of the dollar was not a reflection of its increased capacity to pay. Reference was made to that situation in the second preambular paragraph of the draft resolution. The third preambular paragraph pointed to the necessity of taking into account that the capacity to pay of most developing countries was dependent upon the export of one or of a few commodities, the prices of which were affected by cyclical variations in the world economy. The fourth and fifth preambular paragraphs recognized that the capacity to pay of developing countries had been affected by sharp declines in commodity prices since 1974 and that a substantial portion of their export earnings were required for their own development. Since numerous resolutions of the General Assembly had also recognized the need for a clear distinction to be made between developed and developing countries, operative paragraph 1 of the draft resolution proposed that increased rates of assessment in the 1977-1979 scale of those developing countries whose principal export commodities had undergone a sharp decline since 1974 be maintained at the 1974-1976 level. While it was logical and reasonable to seek a reduction in such cases, the Cuban delegation, in a spirit of co-operation, sought only to maintain them at their current levels. It appeared, the representative of Cuba added, that his own country was the only one covered by operative paragraph 1 of the draft resolution. However, the underlying principle applied to all developing countries and should be applied in the formulation of all future scales of assessment.

25. The draft resolution introduced by the representative of Kuwait (A/C.5/31/L.10/Rev.1 and Corr.1) and sponsored by Bahrain, Grenada, Iran, Iraq, Kuwait, the Libyan Arab Republic, Mauritania, Nigeria, Qatar, Saudi Arabia, Somalia, the Sudan, the United Arab Emirates and Venezuela read as follows:

"The General Assembly,

"Recalling its previous resolutions and decisions on the subject,

"*Affirming* its guidelines to the Committee on Contributions to give special consideration to developing Member States in formulating the scale of assessments,

"*Having considered* the report of the Committee on Contributions (A/31/11 and Add.1),

"1. *Decides* to defer taking a decision on the new scale of assessments until the thirty-third session and to continue the application of the present scale to the financial years 1977 and 1978;

"2. *Requests* the Committee on Contributions to re-examine the question of a new scale of assessments in the light of the discussions and proposals in the Fifth Committee during the thirty-first session;

"3. *Instructs* the Committee on Contributions to take additional criteria and guidelines fully into account in its re-examination including:

"(a) The gap between developing and developed countries should be duly taken into account by the Committee on Contributions while drawing up all the future scales;

"(b) The floor assessment of 0.02 per cent should be reconsidered, with a view to lowering it, especially for the least developed among the developing Member States;

"(c) The percentage increase in any Member State's contribution after each review of the scale of assessments should be gradual, and under no circumstances exceed 30 per cent;

"4. *Further decides* to expand the membership of the Committee on Contributions by three members from the developing countries, effective 1 January 1977;

"5. *Requests* the Committee on Contributions to submit a progress report to the General Assembly at its thirty-second session and a final report containing a proposed new scale of assessments at the thirty-third session."

The text above took into account amendments submitted by Japan at the meeting,⁴ which were accepted by the sponsors; the amendments proposed: the addition, in operative paragraph 2, after the word "discussions", of the words "and proposals"; the deletion, in operative paragraph 3, of the words "the following" before the word "additional"; and, in the same paragraph, the addition of the word "including" after the word "re-examination". In introducing the draft resolution, the representative of Kuwait informed the Committee that Jordan had become a sponsor. He explained that the draft resolution was based on the views expressed by various delegations in discussing the report of the Committee on Contributions. It was no secret, he added, that the sponsors were not in agreement with the recommendations of that Committee, which they considered to be arbitrary. Operative paragraph 1, the central paragraph of the draft resolution, he continued, would maintain the 1974-1976 scale for a further two

years, since the new scale had not obtained the desired degree of support and had generated bitterness and opposition. It had imposed staggering increases in the assessments of a number of countries based on so-called capacity to pay. In the view of the sponsors, there was as yet no satisfactory definition of capacity to pay. Accordingly, paragraph 2 of the draft resolution requested the Committee on Contributions to re-examine the question of a new scale in the light of the current debate in the Fifth Committee. Paragraph 3 sought to offer fundamental guidelines to the Committee on Contributions in view of the dissatisfaction of the sponsors over the fact that the assessments of some developed countries had been decreased, in contrast with increases for certain developing countries—a situation which failed to take into account the widening gap between the two groups or the hardship imposed on the least developed countries by the current floor assessment of 0.02 per cent. Finally, the same paragraph sought to ensure that under no circumstances would future increases in assessment rates exceed 30 per cent. Paragraph 4 would add three new members from developing countries to the Committee on Contributions, a proposal which would meet the aspirations of such countries. Paragraph 5 would request the Committee on Contributions to submit a progress report to the General Assembly at its thirty-second session and a final report containing a recommendation for a new scale of assessments to the Assembly at its thirty-third session.

Consideration of draft resolutions A/C.5/31/L.7/Rev.1 and 2

26. In referring to the draft resolution sponsored by Nepal and Afghanistan (A/C.5/31/L.7/Rev.1), some representatives requested further clarification as to when the proposed lowering of the floor would take effect. In responding, the representative of Nepal indicated that his delegation was prepared to specify in the draft resolution that the new floor principle should be implemented in the scale of assessments for 1980-1982. Accordingly, the representative of New Zealand proposed, a suggestion which the representative of Nepal accepted, that the words "in formulating the coming scale of assessments" be inserted in operative paragraph 3 of the draft resolution, following the word "decision".

27. At the 40th meeting, the representative of Canada submitted an amendment (A/C.5/31/L.26) to the draft resolution sponsored by Afghanistan and Nepal, as orally amended by New Zealand (A/C.5/31/L.7/Rev.2). The amendment submitted by Canada would add two further operative paragraphs to draft resolution A/C.5/31/L.7/Rev.2, as follows:

[The proposed paragraphs 4 and 5 are the same as paragraphs 4 and 6 of draft resolution 1 A in paragraph 68 below except that paragraph 4 contained a further subparagraph reading as follows:

"(d) Embodying as appropriate in subsequent reports of the Committee the particular justification for any significant increases in the assessment of any Member State between two successive scales;"].

⁴ The draft resolution was initially circulated in provisional form under the same document symbol, A/C.5/31/L.10/Rev.1.

In introducing the amendment, the representative of Canada stated that his delegation attached considerable importance to draft resolution A/C.5/31/L.7/Rev.2 which recognized the concern of countries with the lowest *per capita* income. While appreciating the dissatisfaction expressed by other Member States over increases in their proposed assessment rates and while agreeing that it was necessary to formulate new criteria for establishing scales of assessment, the criteria proposed in draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 posed serious and practical difficulties as well as problems of principle for the Canadian delegation. In particular, the limitation of 30 per cent on percentage increases between scales would upset the delicate balance on which the existing method of establishing a scale was based. It was for the reasons explained that Canada had submitted its amendment (A/C.5/31/L.26), paragraph 4(b) of which proposed a solution to the problem of extreme variations between scales. Furthermore, on the basis of a report to be submitted by the Committee on Contributions to the General Assembly at its thirty-second session, the Assembly would be in a position to take a considered decision based on expert advice. Any other course of action might lead to a further increase in the short-term deficit of the Organization.

28. At the same meeting, the representative of the Federal Republic of Germany, in expressing his support for the position taken by Canada, proposed the addition, at the end of the amendment submitted by Canada (A/C.5/31/L.26), of a new paragraph (A/C.5/31/L.29) which read as follows:

[The proposed paragraph 6 is the same as paragraph 7 of draft resolution I A in paragraph 68 below.]

29. The representative of Nepal stated that the original draft resolution had not been intended to deal with such controversial questions as the criteria to be established in formulating a scale. However, while the sponsors could not accept the amendments, they would leave the matter for the Committee to decide. The representative of Afghanistan added that the amendment proposed by the Federal Republic of Germany bore no relationship to the original draft resolution and urged that it be withdrawn.

30. The representative of Trinidad and Tobago pointed out that paragraph 4(d) of the amendment proposed by Canada (A/C.5/31/L.26) did not relate to the study which the Committee on Contributions would be requested to make. He suggested, therefore, that that subparagraph should be made a separate paragraph. The representative of Canada accepted the suggestion and proposed that the words "*Further requests* the Committee on Contributions to embody" should be inserted before the words "*as appropriate*" in the new paragraph, which would be numbered 5, with the existing paragraph 5 renumbered accordingly. The changes were subsequently incorporated in document A/C.5/31/L.26/Rev.1.

31. In the ensuing discussion, some representatives expressed their support of the draft resolution as amended; the amendments, it was felt, came closest to the views of the Group of 77 and were conceived in a spirit of consensus. Others pointed to the conflict between the proposal to expand the membership of the Committee on

Contributions by three (as called for in draft resolution A/C.5/31/L.10/Rev.1 and Corr.1) and the amendment put forward by the Federal Republic of Germany (A/C.5/31/L.29) which would enlarge the Committee by five, thus retaining the existing geographical composition. It was also stated that the amendment submitted by Canada (A/C.5/31/L.26/Rev.1) would radically change the original draft resolution, thus weakening, if not destroying, its essential purpose of relieving the burden of the least developed countries.

32. At its 41st meeting, the Committee agreed, without objection, to a proposal by the representative of Kuwait, made at the 39th meeting, that priority be given in the voting to the draft resolutions submitted by Member States.

33. Accordingly, in explanation of vote before the vote on draft resolution A/C.5/31/L.7/Rev.2 and the related amendments, some delegations stated that they could accept the idea of lowering the floor assessment in accordance with the principle of capacity to pay. However, while recognizing the point of view of certain delegations concerning the need to develop new criteria, they objected strongly to the deferment of the new scale pending the formulation of such new criteria. The enlargement of the Committee on Contributions, together with the study to be made by that Committee as called for in A/C.5/31/L.26/Rev.1, represented a fair and reasonable response to the doubts and dissatisfaction expressed earlier. Furthermore, as one delegation pointed out, certain Member States whose assessments would increase as a result of a very considerable rise in national income, had put forward proposals which were in many cases unjustified. If the scale recommended by the Committee on Contributions were to be rejected, that delegation added, there would be far-reaching political and financial consequences which would disrupt the normal financing of the United Nations. Other delegations explained that they would vote against the amendment submitted by Canada (A/C.5/31/L.26/Rev.1) since it was linked to the recommendation of the Committee on Contributions and would perpetuate existing anomalies for a further two years.

34. At the same meeting, the Committee voted on the Canadian amendment (A/C.5/31/L.26/Rev.1). The amendment was adopted by a roll-call vote of 50 to 33, with 39 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Barbados, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Guatemala, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Luxembourg, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Poland, Portugal, Sierra Leone, Swaziland, Sweden, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay.

Against: Afghanistan, Albania, Algeria, Bahrain, Benin, Congo, Cuba, Democratic Yemen, Egypt, Grenada, Guinea-

Bissau, Indonesia, Iran, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Republic, Mali, Malta, Mauritania, Morocco, Nigeria, Oman, Qatar, Saudi Arabia, Somalia, Spain, Sudan, United Arab Emirates, Venezuela, Yemen.

Abstaining: Bangladesh, Bhutan, Bolivia, Brazil, Burma, Burundi, Chad, Colombia, Cyprus, Ecuador, Gabon, Greece, Guyana, India, Jamaica, Lesotho, Madagascar, Malaysia, Mexico, Mozambique, Nepal, Pakistan, Panama, Paraguay, Peru, Philippines, Romania, Rwanda, Senegal, Singapore, Sri Lanka, Surinam, Thailand, Togo, Turkey, Uganda, United Republic of Tanzania, Yugoslavia, Zaire.

35. In connexion with the amendment submitted by the Federal Republic of Germany (A/C.5/31/L.29), the Secretary of the Committee announced that paragraph 6 contained therein should be renumbered paragraph 7. The Director of the Budget Division indicated that the enlargement of the Committee on Contributions by five members would entail additional expenditure of \$14,240; the addition of three members (as had been proposed in draft resolution A/C.5/31/L.10/Rev.1 and Corr.1) would cost \$8,600. However, both amounts could be absorbed within existing appropriations.

36. The representative of Indonesia sought the views of the Legal Counsel as to whether the amendment submitted by the Federal Republic of Germany (A/C.5/31/L.29), which introduced an entirely new element into draft resolution A/C.5/31/L.7/Rev.2, could properly be treated as an amendment within the rules of procedure of the General Assembly. In response, the Legal Counsel stated that a technical definition could be found in the last sentence of rule 130 of the rules of procedure. Since the amendment in question was an addition to an existing proposal, it did constitute an amendment within the terms of rule 130 in spite of the fact that draft resolution A/C.5/31/L.7/Rev.2, as amended by the Canadian proposal, did not deal with the matter of the membership of the Committee on Contributions.

37. The Fifth Committee adopted the amendment submitted by the Federal Republic of Germany (A/C.5/31/L.29) by 50 votes to 36, with 33 abstentions.

38. In explaining their votes on draft resolution A/C.5/31/L.7/Rev.2, as amended, several delegations indicated that, whilst they could support the basic draft resolution, they could not support the amendments which radically changed the nature of that draft. Consequently, those delegations stated that they would abstain in voting on the draft resolution.

39. At the same meeting, the Fifth Committee adopted draft resolution A/C.5/31/L.7/Rev.2, as amended, by 74 votes to none, with 47 abstentions (see para. 68 below, draft resolution I A).

Consideration of draft resolution A/C.5/31/L.8

40. In the course of the debate on the draft resolution submitted by Cuba (A/C.5/31/L.8), the representative of the Upper Volta requested clarification as to which Member State would be called upon to meet the shortfall that

would result from the application of operative paragraphs 1 and 2 of that draft resolution. In response to that request, a note prepared by the Secretariat as a conference room paper was circulated; it was intended for statistical convenience and did not necessarily express a judgement as to the stage reached by a particular country in the development process. It indicated that of 14 developing countries whose rates of assessment would increase in the proposed new scale, the principal export commodities of Cuba and Malaysia had undergone a sharp price decline since 1974. The representative of Greece stated that, since the conference room paper had not been confined to members of the Group of 77, a further paper should be prepared listing Member States with *per capita* income below \$1,800 who would benefit under the low *per capita* allowance formula recommended by the Committee on Contributions. A second note prepared by the Secretariat as a conference room paper showed that, of the Member States whose assessments would increase in the proposed new scale, 16 such States had had average *per capita* national incomes below \$1,800 during the years 1972-1974. Of those 16 States, the principal export commodities of the same 2 countries—Cuba and Malaysia—had undergone sharp price declines. In light of the information provided, the representative of Cuba stated that the first preambular paragraph of draft resolution A/C.5/31/L.8 should refer to 16 rather than to 13 developing countries.

41. In the opinion of a few delegations, draft resolution A/C.5/31/L.8 was restrictive and narrow in its approach and difficult to implement in practice. Furthermore, unlike draft resolution A/C.5/31/L.7/Rev.2, it would have the effect of changing the scale proposed by the Committee on Contributions which had been based on criteria approved by the General Assembly. The representative of Cuba, on the other hand, maintained that in the longer term any developing country placed in the position of Cuba and Malaysia would stand to benefit from Cuba's proposal. Moreover, the shortfall of 0.04 per cent which would result from the retention of the rates of assessment of two countries at their current levels could be compensated for by either assessing each of the two States recently admitted to membership at 0.02 per cent or by increasing the rates of assessment of developed countries. The fact that the proposed new scale had been based on criteria approved by the Assembly, the representative of Cuba added, was no indication of the infallibility of the Committee on Contributions.

42. In explaining their votes before the vote, various representatives reiterated the reservations expressed in the debate on draft resolution A/C.5/31/L.8, pointing also to the fact that no definition had been given of a "sharp price decline" in commodities. The representative of Trinidad and Tobago requested a clarification before the vote, pointing to the fact that operative paragraph 1 of the draft resolution would maintain for three years the current rates of assessment of certain developing countries, while operative paragraph 1 of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 would maintain the existing scale for two years and the amendment submitted by Canada (A/C.5/31/L.28) to that resolution would adopt the new scale for two years. If the Committee were to adopt draft resolution A/C.5/31/L.8, did that not imply that it could not proceed to vote on the deferment of the new scale for two years? In

response, the Legal Counsel stated that operative paragraph 1 of draft resolution A/C.5/31/L.8 maintained the current rates of assessment for three years for certain developing countries, while operative paragraph 1 of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 would defer a decision on the new scale for 1977 and 1978. If the former draft resolution were adopted, it would be necessary to draw a distinction between the scale of assessments for developing countries and that for other countries. In addition, in accordance with that draft resolution, the current rates for two developing countries, Cuba and Malaysia, would be maintained for three years. Draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 would maintain the *status quo* for all countries for two years. That contradiction could be resolved by adjusting the rates of assessment for Cuba and Malaysia in the third year.

43. At the 41st meeting, the Committee adopted draft resolution A/C.5/31/L.8, as orally revised, by 34 votes to 26, with 62 abstentions (see para. 68 below, draft resolution I B).

*Consideration of draft resolution
A/C.5/31/L.10/Rev.1 and Corr.1*

44. At the 40th meeting, the representative of Canada, turning to draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, stated that the percentage increases recommended by the Committee on Contributions, while dramatic in themselves, were not so large in absolute terms. At the same time he reiterated the views previously expressed by several delegations to the effect that perpetuation of the existing scale would impose inequities on many Governments and that the process of reviewing criteria should be undertaken after the adoption of the proposed new scale. Accordingly, Canada proposed an amendment (A/C.5/31/L.28) to the foregoing draft resolution which would replace operative paragraph 1 of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 by the following:

"1. *Decides* to adopt the new scale of assessments recommended by the Committee on Contributions for 1977 and 1978".

45. At the same meeting, the Federal Republic of Germany proposed further amendments—subsequently circulated as document A/C.5/31/L.30—to the same draft resolution, A/C.5/31/L.10/Rev.1 and Corr.1. They provided for:

(a) The addition, in operative paragraph 3 (a), of the word "individual" after the words "The gap between";

(b) The deletion, from operative paragraph 3 (c), of the words "and under no circumstances exceed 30 per cent";

(c) The replacement, in operative paragraph 4, of the words "three members" by the words "five members" and the deletion of the words "from the developing countries".

In explaining the amendments, the representative of the Federal Republic of Germany stated, with respect to operative paragraph 3 (a), that his delegation found it difficult to agree to criteria relating to groups rather than to

individual countries. The proposed deletion from paragraph 3 (c), he continued, was based on the premise that the question of limiting increases between scales was one which should first be considered by the Committee on Contributions. Finally, the changes proposed in operative paragraph 4 had been made with the same purpose as the amendment (A/C.5/31/L.29) submitted by the Federal Republic of Germany to draft resolution A/C.5/

46. In explaining their votes before the vote on draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 and the related amendments, it was argued by some delegations that the interests of developing countries whose economies had suffered reverses and whose assessments would be reduced under the proposed new scale should not be sacrificed in the interest of developing countries whose economies had improved and whose assessments would be increased accordingly. Yet paragraph 1 of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 would have precisely the effect of advancing the interests of the strongest at the expense of the weakest. Furthermore, for those countries at the floor level, whether it be at 0.02 or 0.01 per cent, an increase of 0.01 per cent would represent an increase of 50 or 100 per cent respectively. There was the danger, therefore, that with a limitation of 30 per cent, some countries would never rise above the floor level, whatever their national income. Several delegations supported the amendments proposed by Canada (A/C.5/31/L.28) and the Federal Republic of Germany (A/C.5/31/L.30), which they felt did not undermine the essential principles for the effective operation of the United Nations. It was pointed out by those delegations that they could not endorse any proposal that deferred a decision on the new scale, that imposed restrictions on increases or that detracted from the principles of collective responsibility and capacity to pay. Nor could they accept the replacement of a system for the formulation of scales of assessment by impartial experts with a system based on political considerations. The sponsors of the draft resolution, on the other hand, maintained that the amendment submitted by Canada would deprive that draft resolution of its whole purpose. Nor could they accept the amendment to paragraph 3 (a) proposed by the Federal Republic of Germany, which would negate a generally accepted concept that the situation of developing countries had been and still was very different from that of the developed countries. With respect to the amendment to paragraph 3 (c), it was the view of the sponsors of the draft resolution, as well as some other delegations, that the substantial increases in the proposed new scale should be avoided in the future. The deletion of the limitation of 30 per cent on the percentage increase in any Member State's contribution would negate the intent of paragraph 3 (c) of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1.

47. At the 41st meeting, one representative drew attention to the fact that the amendment submitted by Canada (A/C.5/31/L.28), in so far as it mentioned the recommendation of the Committee on Contributions, had been rejected by the Fifth Committee when it had decided, in adopting the draft resolution submitted by Cuba (A/C.5/31/L.8), that those recommendations were not valid for two countries. The amendment submitted by Canada should therefore be withdrawn and a ruling in the matter was requested. The representative of Canada indicated that

the question could be resolved by the addition of the words "taking account of resolution . . . [A/C.5/31/L.8]" to that amendment. It was pointed out, however, that the Committee had already begun the process of voting and, as a consequence, further amendments were inadmissible. Furthermore, it was questioned whether the amendment submitted by Canada (A/C.5/31/L.28) was in fact an amendment under rule 130 of the rules of procedure. The representative of Canada, in stating that his delegation was not prepared to withdraw its amendment, requested a legal opinion as to its validity. In referring to the oral addition to the amendment submitted by Canada, the Legal Counsel agreed that such an addition was inadmissible since the Committee was in the process of voting on that amendment. As to the question of whether the amendment itself constituted an amendment within the rules of procedure, he indicated that rule 130 defined an amendment as something which added to, deleted from or revised part of an existing proposal. The definition was a technical one, but there was no reason why an amendment could not completely change part of an original proposal, and no requirement that it be in agreement with the substance of an original proposal or that its purpose should be limited to the addition of details or specifications. If a proposal to amend one paragraph did not affect the substance of other paragraphs, it would seem that such changes constituted an amendment. If, however, a proposed change which related to one paragraph were to deprive other paragraphs of their meaning, such a change would not constitute an amendment.

48. At the 42nd meeting, the Legal Counsel stated, in connexion with a question raised by the representative of Iraq, that the draft resolution submitted by Cuba (A/C.5/31/L.8), as already adopted at the Committee's 41st meeting, would have the General Assembly maintain the current rates of assessment for certain developing countries for 1977-1979 without adversely affecting the rates recommended by the Committee on Contributions for any other developing countries. In accordance with the second conference room paper prepared by the Secretariat (see para. 40 above), that decision would require a reduction of 0.02 per cent each in the rates of two developing countries, namely Cuba and Malaysia, in order to maintain their assessments at their current levels. A readjustment of the remainder of the scale would thus be required so as to apportion the total of 0.04 per cent among developed States. As to whether the adoption of the amendment submitted by Canada (A/C.5/31/L.28) implied a reconsideration of draft resolution A/C.5/31/L.8, which had already been adopted, he had already stated at the 41st meeting that any further resolutions on that subject should be read in the light of draft resolution A/C.5/31/L.8; if that were done for the amendment submitted by Canada, such a decision would call for the approval of the scale recommended by the Committee on Contributions for two years, except for two States whose rates for that period (as well as for an additional year) would be maintained at the existing level and except for a corresponding slight increase in the scales for a few developed countries. The scale for the great majority of States would remain precisely as recommended by the Committee. In that connexion, it should also be noted that the preambular and operative paragraphs of draft resolution A/C.5/31/L.8 clearly implied the adoption of the scale of assessments recommended by the Committee

on Contributions. Consequently, neither the adoption of the amendment submitted by Canada nor the adoption of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, whether or not it incorporated the Canadian amendment, would require reconsideration of the decision already taken with respect to the draft resolution submitted by Cuba (A/C.5/31/L.8). Thus the decision on both the amendment and on draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, whether amended or not, would require only a simple majority.

49. While one delegation expressed its agreement, a number of other delegations raised strong objections to the opinion delivered by the Legal Counsel. It was for the Committee on Contributions to make such consequential adjustments as were required following the approval of the draft resolution submitted by Cuba (A/C.5/31/L.8). The amendment submitted by Canada (A/C.5/31/L.28) did not address itself to draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, which would defer taking action on the new scale of assessments, but only to the recommendations of the Committee on Contributions and would adopt those recommendations for two instead of three years. The amendment submitted by Canada was misplaced since it had already been decided to alter the proposed new scale for two countries. The amendment should in fact be considered an amendment to the draft resolution recommended by the Committee on Contributions (A/31/11, para. 59). Furthermore, since the Fifth Committee had decided, in accordance with rule 131 of the rules of procedure, to give priority to draft resolutions of Member States, to seek to amend draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 by inserting the scale recommended by the Committee on Contributions would be a subterfuge and a procedural manoeuvre not authorized under the rules of procedure. A two-thirds majority was clearly required to reverse a previously taken decision.

50. Referring to the oral revision by Cuba to the first preambular paragraph of its draft resolution (A/C.5/31/L.8) at the Committee's 41st meeting during the process of voting (see A/C.5/31/SR.41, para. 3), the representative of Greece pointed out that, since the Committee was quite properly the master of its own procedure, he proposed to subamend the amendment submitted by Canada (A/C.5/31/L.28) by replacing the word "adopt" by the word "defer". In recalling that the Committee, at the same meeting, had refused to permit Canada to further amend its amendment, the Chairman ruled that the Greek subamendment could not be accepted.

51. Following a request for the opinion of the Legal Counsel (see para. 48 above) to be put to the vote, it was agreed by the Chairman that the point at issue was whether the amendment submitted by Canada (A/C.5/31/L.28) required a simple or a two-thirds majority for adoption.

52. At the same meeting, the Committee decided by a roll-call vote of 46 to 45, with 36 abstentions, that its decision on the amendment submitted by Canada (A/C.5/31/L.28) required a simple majority. The voting was as follows:

In favour: Argentina, Australia, Austria, Barbados, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Czechoslovakia,

Denmark, Dominican Republic, El Salvador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Ivory Coast, Jamaica, Kenya, Luxembourg, Malawi, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Portugal, Sweden, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay.

Against: Albania, Algeria, Bahrain, Bangladesh, Benin, Burundi, China, Comoros, Congo, Democratic Yemen, Ecuador, Egypt, Gabon, Greece, India, Indonesia, Iran, Iraq, Japan, Jordan, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nigeria, Oman, Qatar, Rwanda, Saudi Arabia, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Turkey, Uganda, United Arab Emirates, Venezuela, Yemen, Yugoslavia.

Abstaining: Afghanistan, Bahamas, Bhutan, Brazil, Burma, Cuba, Cyprus, Ethiopia, Gambia, Grenada, Guinea, Guyana, Lesotho, Maldives, Malta, Mexico, Mozambique, Nepal, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Senegal, Sierra Leone, Surinam, Swaziland, Thailand, Trinidad and Tobago, Tunisia, United Republic of Cameroon, United Republic of Tanzania, Zaire, Zambia.

53. In continuation of their explanations of vote before the vote, several representatives indicated that they would vote for the amendment submitted by Canada, which represented a fair compromise. In adopting draft resolution A/C.5/31/L.7/Rev.2, as amended, the General Assembly would lower the floor and would request an enlarged Committee on Contributions urgently to study ways and means of increasing the fairness and equity of the scale of assessments in order to enable early action to be taken on a new scale. In the meantime, there could be no justification for rejecting the proposed new scale which had been based on criteria established by the General Assembly and on the most recent statistics of States' capacity to pay. Some delegations were even prepared to adopt the new scale for one year only. Other delegations, in stating that they would vote against the amendment submitted by Canada, maintained that the continued application of the existing scale was a reasonable step in the light of the controversy to which the recommendations of the Committee on Contributions had given rise. Furthermore, a 30 per cent ceiling on increases between scales recognized that capacity to pay could not be considered on the basis of transitory cash flows but on the basis of the real accumulated wealth of a country.

54. In response to requests by two delegations as to precisely what they would be voting on, the Legal Counsel stated that the amendment submitted by Canada (A/C.5/31/L.28) should be read in conjunction with the Cuban draft resolution (A/C.5/31/L.8). Accordingly, if the Canadian amendment were adopted, it would mean that the existing scale of assessments would be retained for Cuba and Malaysia, that subsequent readjustments in the new scale would not affect developing countries and that the cost of those readjustments would be borne by developed countries.

55. At the same meeting, the Committee adopted the amendment submitted by Canada (A/C.5/31/L.28) by a roll-call vote of 56 to 46, with 29 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bahamas, Belgium, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Ivory Coast, Kenya, Luxembourg, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Sierra Leone, Swaziland, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay.

Against: Afghanistan, Albania, Algeria, Bahrain, Burundi, China, Comoros, Congo, Democratic Yemen, Ecuador, Egypt, Gabon, Greece, Grenada, Indonesia, Iran, Iraq, Japan, Jordan, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Malta, Mauritania, Morocco, Nepal, Nigeria, Oman, Poland, Qatar, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Syrian Arab Republic, Trinidad and Tobago, Turkey, United Arab Emirates, Venezuela, Yemen, Yugoslavia.

Abstaining: Bangladesh, Barbados, Benin, Bhutan, Brazil, Burma, Chad, Cyprus, Ethiopia, Gambia, Guinea, Guyana, India, Jamaica, Lesotho, Malawi, Maldives, Mali, Mozambique, Pakistan, Romania, Sri Lanka, Surinam, Togo, Tunisia, Uganda, United Republic of Tanzania, Zaire, Zambia.

56. In connexion with the amendments, submitted by his delegation (A/C.5/31/L.30), the representative of the Federal Republic of Germany stated that, at the request of several delegations, the amendment to operative paragraph 3 (a) of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1 was being withdrawn on the understanding that the principle of capacity to pay applied to individual countries rather than to groups of countries. The amendment to operative paragraph 4 had been superseded by a similar provision in draft resolution A/C.5/31/L.7/Rev.2, as amended, which had already been adopted (see para. 39 above).

57. In explanations of vote before the vote, a number of delegations reiterated the views already expressed in favour of and against the imposition of a ceiling on percentage increases between scales. It was pointed out, moreover, by certain representatives in favour of such a ceiling that it had originally been proposed that a ceiling of 15 per cent be established and that 30 per cent should be regarded as a maximum.

58. At the same meeting, the Committee rejected the second of the amendments submitted by the Federal Republic of Germany (A/C.5/31/L.30) by a roll-call vote of 50 to 36, with 44 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Bhutan, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslo-

vakia, Denmark, Dominican Republic, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Hungary, Iceland, Ireland, Israel, Italy, Luxembourg, Mongolia, Nepal, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Poland, Portugal, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Albania, Algeria, Bahrain, Burundi, Comoros, Congo, Democratic Yemen, Ecuador, Egypt, Gabon, Greece, Grenada, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Republic, Malawi, Malaysia, Mauritania, Mexico, Morocco, Nigeria, Oman, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Trinidad and Tobago, Turkey, Uganda, United Arab Emirates, Venezuela, Yemen, Yugoslavia, Zambia.

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Benin, Brazil, Burma, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, El Salvador, Ethiopia, Gambia, Guatemala, Guinea, Guyana, Honduras, Ivory Coast, Jamaica, Lesotho, Madagascar, Maldives, Mali, Malta, Mozambique, Nicaragua, Pakistan, Panama, Romania, Rwanda, Sierra Leone, Surinam, Swaziland, Togo, Tunisia, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Zaire.

59. Referring to the amended text (A/C.5/31/L.28) of operative paragraph 1 of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, two representatives requested a separate vote on that paragraph. However, it was pointed out that a separate vote would entail reconsideration of a decision already taken by the Committee and, under rule 123 of the rules of procedure, would require a two-thirds majority. In delivering an opinion, the Legal Counsel stated that in his view the proposal for a separate vote was admissible under rule 129 of the rules of procedure, which rule also provided that: "If objection is made to the request for division, the motion for division shall be voted upon". At the same meeting, the Committee approved the request for a separate vote on operative paragraph 1 by 52 votes to 46, with 25 abstentions.

60. At the same meeting, the Committee adopted operative paragraph 1 of draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, as amended, by a roll-call vote of 55 to 47, with 26 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bahamas, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Ivory Coast, Kenya, Luxembourg, Malawi, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Sierra Leone, Swaziland, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay.

Against: Afghanistan, Albania, Algeria, Bahrain, Burundi, China, Comoros, Congo, Democratic Yemen, Ecuador, Egypt, Gabon, Greece, Grenada, Indonesia, Iran, Iraq, Japan, Jordan, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Malta, Mauritania, Morocco, Nepal, Nigeria, Oman, Poland, Qatar, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Syrian Arab Republic, Trinidad and Tobago, Turkey, United Arab Emirates, Venezuela, Yemen, Yugoslavia, Zaire.

Abstaining: Bangladesh, Barbados, Benin, Bhutan, Brazil, Burma, Chad, Cyprus, Ethiopia, Gambia, Guinea, Guyana, India, Jamaica, Maldives, Mali, Mozambique, Pakistan, Romania, Sri Lanka, Surinam, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia.

61. In explaining their votes before the vote on draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, as amended, most of the sponsors of the original draft resolution indicated that it had been amended so as to contradict its substance, one of the principal intentions of which was to defer the adoption of a new scale for two years. Consequently, they would vote against it. The representative of Poland stated if a separate vote had been taken on operative paragraph 2, he would have voted in favour of that paragraph.

62. At the same meeting, the Committee rejected draft resolution A/C.5/31/L.10/Rev.1 and Corr.1, as amended, by 62 votes to 26, with 34 abstentions.

Consideration of the draft resolution recommended by the Committee on Contributions

63. At its 49th meeting, the Committee, at the request of Pakistan, agreed to suspend the voting on the draft resolution recommended by the Committee on Contributions (A/31/11, para. 59). Algeria and India then submitted amendments (A/C.5/31/L.35) to the draft resolution which called for the following changes:

(a) The replacement, in subparagraph (a), of the words "years 1977, 1978 and 1979" by the words "year 1977";

(b) The replacement of subparagraph (b) by a new text reading as follows:

[Same text as subparagraph (b) of draft resolution I C in paragraph 68 below];

(c) The deletion of references to 1978 and 1979 in subparagraphs (c), (g), and (h);

(d) The insertion of the following text as a new subparagraph (c) and the relettering of succeeding subparagraphs accordingly:

[Same text in substance as subparagraph (c) of draft resolution I C in paragraph 68 below].

The representative of India, in introducing the amendments, stated that they represented the outcome of negotiations and consultations between Member States and expressed the hope that they would be adopted by consensus. The amendments were adopted without objection.

64. At the same meeting, the Committee adopted, without objection, the draft resolution contained in paragraph 59 of the report of the Committee on Contributions (A/31/11), as amended (see para. 68 below, draft resolution I C).

65. The following delegations spoke in explanation of their vote after the vote: Germany, Federal Republic of, Ghana, Iraq, Spain, Japan, Union of Soviet Socialist Republics, Philippines, Iran and Poland. The views expressed by delegations are reflected in the summary record of the 49th meeting of the Committee (A/C.5/31/SR.49).

Consideration of a draft resolution on the enlargement of the Committee on Contributions

66. Also at the 49th meeting, in connexion with the decision taken by the Fifth Committee on the enlargement of the Committee on Contributions (see paras. 28, 37 and 38 above), the Committee also adopted, without objection, a draft resolution put forward by its Chairman recommending to the General Assembly the amendment of rule 158 of its rules of procedure (see para. 68 below, draft resolution II).

* * *

67. In the course of their statements, and with particular reference to the rates of assessment for their countries, a number of delegations drew attention to economic and social factors which, in their opinion, justified lower assessment rates. Those statements are reflected in the summary records of the Committee's discussions (A/C.5/31/SR.16, 18-20, 22-25, 39-43 and 49).

Recommendations of the Fifth Committee

68. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Scale of assessments for the apportionment of the expenses of the United Nations

A

The General Assembly,

Recalling its resolutions 582 (VI) of 21 December 1951, 665 (VII) of 5 December 1952, 1927 (XVIII) of 11 December 1963, 2118 (XX) of 21 December 1965, 2961 C (XXVII) of 13 December 1972 and 3062 (XXVIII) of 9 November 1973 relating to the additional recognition to be given to the low *per capita* income countries in calculating their rates of assessment in view of their economic and financial problems,

Recalling that the capacity to pay of the countries recognized by the United Nations as the least developed among the developing countries and those most seriously affected is being adversely affected, *inter alia*, by inflation and currency instability,

Recognizing the need for reconsideration of the scale of assessments of the least developed countries and those most seriously affected in order to help them meet their priorities at home and to allow the adjustment necessary for these countries,

Believing that the existing arrangement of assessment at the floor level is incompatible with the principle of capacity to pay,

Believing also that the collective financial responsibility implies that all Member States pay at least a minimum percentage of the expenses of the Organization,

1. *Reaffirms* that the capacity of Member States to contribute towards the payment of the budgetary expenses of the United Nations is the fundamental criterion on which scales of assessment are based;

2. *Decides* to lower the floor for purposes of formulating and establishing the rates of assessment;

3. *Requests* the Committee on Contributions to reflect this decision in formulating the coming scale of assessments in so far as purely practical and technical limitations in calculating permit, which should be understood to mean a minimum payment of no less than 0.01 per cent of the total expenses of the Organization;

4. *Also requests* the Committee on Contributions to study urgently and in depth ways and means of increasing the fairness and equity of the scale of assessments in the light of views expressed by Member States at the thirty-first session of the General Assembly, in particular by:

(a) Seeking improvements in the statistical measurement of the relative capacity to pay, including new or additional statistical indicators and criteria;

(b) Considering the possibility of mitigating extreme variations in assessments between two successive scales, without departing essentially from the principle of the capacity to pay, either by increasing the statistical base period from three years to some longer period or by any other appropriate method;

(c) Bearing in mind the fact that the capacity to pay of Member States may be subject to severe fluctuations in economic activity for a variety of reasons;

5. *Further requests* the Committee on Contributions to embody as appropriate in subsequent reports of the Committee the particular justification for any significant increases in the assessment of any Member State between two successive scales;

6. *Requests* the Committee on Contributions to report in depth on its findings to the General Assembly at its thirty-second session with a view to enabling the Assembly to consider early action on a new scale;

7. *Decides* to enlarge the membership of the Committee on Contributions by five members, effective 1 January 1977.⁵

⁵ See also draft resolution II below.

| B | Member State | Per cent |
|---|--|----------|
| <i>The General Assembly,</i> | Afghanistan | 0.02 |
| <i>Considering</i> that the Committee on Contributions has recommended for the period 1977-1979 increases in the rates of assessment of twenty-seven Member States, including sixteen developing countries, in comparison with the present scale, | Albania | 0.02 |
| <i>Taking into account</i> the fact that the repercussions of inflation and currency instability which were markedly apparent during the period 1972-1974, the period taken as the base period for the formulation of the scale of assessments, make it difficult to determine, and in some cases distort, the true capacity to pay of Member States, | Algeria | 0.10 |
| <i>Bearing in mind</i> the fact that the capacity to pay of the developing countries is subject to strong cyclical variations owing to severe fluctuations in the production, export and prices of the principal commodities, | Argentina | 0.83 |
| <i>Bearing in mind also</i> the fact that the prices of various commodities have fallen sharply in the past two years by comparison with the prices prevailing in 1974 and that this has had a considerable effect on the capacity to pay of the developing countries which export such commodities, | Australia | 1.52 |
| <i>Recognizing</i> that a substantial part of the capacity to pay in currency of the developing countries must be devoted to importing, at increasing prices, the goods and services required to promote their development, | Austria | 0.63 |
| <i>Recalling</i> the resolutions adopted by the General Assembly and by organs of other international organizations concerning the new international economic order, | Bahamas | 0.02 |
| <i>Recalling also</i> that in various resolutions the General Assembly has recognized that a distinction must be made between developed and developing countries for the purposes of determining the scale of assessments, | Bahrain | 0.02 |
| 1. <i>Decides</i> to maintain for the period 1977-1979 the current rates of assessment of the developing countries whose principal export commodities have undergone a sharp price decline since 1974, in cases where the Committee on Contributions has recommended an increase in the rates; | Bangladesh | 0.04 |
| 2. <i>Further decides</i> that the corresponding readjustments in the proposed scale of assessments should not adversely affect the rates recommended by the Committee on Contributions for the developing countries. | Barbados | 0.02 |
| C | Belgium | 1.07 |
| <i>The General Assembly</i> | Benin | 0.02 |
| <i>Resolves that:</i> | Bhutan | 0.02 |
| (a) The scale of assessments for the contributions of Member States to the United Nations budget for the financial year 1977 shall be as follows: | Bolivia | 0.02 |
| | Botswana | 0.02 |
| | Brazil | 1.04 |
| | Bulgaria | 0.13 |
| | Burma | 0.02 |
| | Burundi | 0.02 |
| | Byelorussian Soviet Socialist Republic | 0.40 |
| | Canada | 2.96 |
| | Cape Verde | 0.02 |
| | Central African Empire | 0.02 |
| | Chad | 0.02 |
| | Chile | 0.09 |
| | China | 5.50 |
| | Colombia | 0.11 |
| | Comoros | 0.02 |
| | Congo | 0.02 |
| | Costa Rica | 0.02 |
| | Cuba | 0.13 |
| | Cyprus | 0.02 |
| | Czechoslovakia | 0.87 |
| | Democratic Kampuchea | 0.02 |
| | Democratic Yemen | 0.02 |
| | Denmark | 0.63 |
| | Dominican Republic | 0.02 |
| | Ecuador | 0.02 |
| | Egypt | 0.08 |
| | El Salvador | 0.02 |
| | Equatorial Guinea | 0.02 |
| | Ethiopia | 0.02 |
| | Fiji | 0.02 |
| | Finland | 0.41 |
| | France | 5.66 |
| | Gabon | 0.02 |
| | Gambia | 0.02 |
| | German Democratic Republic | 1.35 |
| | Germany, Federal Republic of | 7.74 |
| | Ghana | 0.02 |
| | Greece | 0.39 |
| | Grenada | 0.02 |
| | Guatemala | 0.02 |
| | Guinea | 0.02 |
| | Guinea-Bissau | 0.02 |
| | Guyana | 0.02 |
| | Haiti | 0.02 |
| | Honduras | 0.02 |
| | Hungary | 0.34 |
| | Iceland | 0.02 |
| | India | 0.70 |
| | Indonesia | 0.14 |
| | Iran | 0.43 |

| <i>Member State</i> | <i>Per cent</i> | <i>Member State</i> | <i>Per cent</i> |
|--|-----------------|---|-----------------|
| Iraq | 0.10 | Trinidad and Tobago | 0.02 |
| Ireland | 0.15 | Tunisia | 0.02 |
| Israel | 0.24 | Turkey | 0.30 |
| Italy | 3.30 | Uganda | 0.02 |
| Ivory Coast | 0.02 | Ukrainian Soviet Socialist Republic | 1.50 |
| Jamaica | 0.02 | Union of Soviet Socialist Republics | 11.33 |
| Japan | 8.66 | United Arab Emirates | 0.08 |
| Jordan | 0.02 | United Kingdom of Great Britain and Northern Ireland | 4.44 |
| Kenya | 0.02 | United Republic of Cameroon | 0.02 |
| Kuwait | 0.16 | United Republic of Tanzania | 0.02 |
| Lao People's Democratic Republic | 0.02 | United States of America | 25.00 |
| Lebanon | 0.03 | Upper Volta | 0.02 |
| Lesotho | 0.02 | Uruguay | 0.04 |
| Liberia | 0.02 | Venezuela | 0.40 |
| Libyan Arab Republic | 0.17 | Yemen | 0.02 |
| Luxembourg | 0.61 | Yugoslavia | 0.38 |
| Madagascar | 0.02 | Zaire | 0.02 |
| Malawi | 0.02 | Zambia | 0.02 |
| Malaysia | 0.09 | | |
| Maldives | 0.02 | | 100.00 |
| Mali | 0.02 | | |
| Malta | 0.02 | | |
| Mauritania | 0.02 | | |
| Mauritius | 0.02 | | |
| Mexico | 0.78 | | |
| Mongolia | 0.02 | | |
| Morocco | 0.05 | | |
| Mozambique | 0.02 | | |
| Nepal | 0.02 | | |
| Netherlands | 1.38 | | |
| New Zealand | 0.28 | | |
| Nicaragua | 0.02 | | |
| Niger | 0.02 | | |
| Nigeria | 0.13 | | |
| Norway | 0.43 | | |
| Oman | 0.02 | | |
| Pakistan | 0.06 | | |
| Panama | 0.02 | | |
| Papua New Guinea | 0.02 | | |
| Paraguay | 0.02 | | |
| Peru | 0.06 | | |
| Philippines | 0.10 | | |
| Poland | 1.40 | | |
| Portugal | 0.20 | | |
| Qatar | 0.02 | | |
| Romania | 0.26 | | |
| Rwanda | 0.02 | | |
| Sao Tome and Principe | 0.02 | | |
| Saudi Arabia | 0.24 | | |
| Senegal | 0.02 | | |
| Sierra Leone | 0.02 | | |
| Singapore | 0.08 | | |
| Somalia | 0.02 | | |
| South Africa | 0.40 | | |
| Spain | 1.53 | | |
| Sri Lanka | 0.02 | | |
| Sudan | 0.02 | | |
| Surinam | 0.02 | | |
| Swaziland | 0.02 | | |
| Sweden | 1.20 | | |
| Syrian Arab Republic | 0.02 | | |
| Thailand | 0.10 | | |
| Togo | 0.02 | | |

(b) As an exception 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 1977 when a report shall be submitted to the Assembly for its consideration at its thirty-second session;

(c) The Committee on Contributions shall draw up future scales of assessments, on the basis of:

- (i) The criteria contained in its report (A/31/11 and Add.1);
- (ii) The additional criteria contained in resolution A above;
- (iii) The continuing disparity between the economies of developed and developing countries;
- (iv) Methods which avoid excessive variations of individual rates of assessment between two successive scales;
- (v) The debate under agenda item 100 in the Fifth Committee during the thirty-first session, especially the concern expressed regarding steep increases in the rates of individual assessments;

(d) 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 year 1977 in currencies other than United States dollars;

(e) For the year 1975, Cape Verde, Sao Tome and Principe and Mozambique, which became Members of the United Nations on 16 September 1975, and Papua New Guinea, the Comoros and Surinam, which became Members of the United Nations on 10 October, 12 November and 4 December 1975, respectively, shall contribute amounts equal to one ninth of 0.02 per cent;

(f) For the year 1976, Cape Verde, Sao Tome and Principe, Mozambique, Papua New Guinea, the Comoros and Surinam shall contribute amounts equal to 0.02 per cent;

(g) The contributions of the six new Member States for 1975 and 1976 shall be applied to the same basis of assessment as for other Member States, except that in the case of appropriations approved under section II of General Assembly resolution 3211 B (XXIX) of 29 November 1974, and under Assembly resolutions 3374 B (XXX) of 28 November 1975 and 3374 C (XXX) of 2 December 1975 for the financing of the United Nations Emergency Force, including 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;

(h) 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 1977 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 | 0.02 |
| Liechtenstein | 0.02 |
| Monaco | 0.02 |
| Republic of Korea | 0.13 |
| San Marino | 0.02 |
| Switzerland | 0.96 |
| Tonga | 0.02 |

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:*

Holy See,
Liechtenstein,
Monaco,
Republic of Korea,
Switzerland;

(i) Notwithstanding the activities listed under subparagraph (h) above, and bearing in mind the provisions of regulation 5.9 of the Financial Regulations of the United Nations, the foregoing non-member States, as well as those listed below, shall also contribute to the expenses of such other activities or conferences in which they participate at the rates established under the present resolution:

| <i>Non-member State</i> | <i>Per cent</i> | |
|-------------------------|-----------------|-------------|
| | <i>1976</i> | <i>1977</i> |
| Nauru | 0.02 | 0.02 |
| Western Samoa | 0.02 | 0.02 |

DRAFT RESOLUTION II

Enlargement of the Committee on Contributions: amendment to rule 158 of the rules of procedure of the General Assembly

The General Assembly,

Having decided, in paragraph 7 of resolution 31/— A of — December 1976,⁶ to enlarge the membership of the Committee on Contributions by five members, effective 1 January 1977,

Decides to amend, with effect from 1 January 1977, rule 158 of its rules of procedure to read as follows:

“Rule 158

“The General Assembly shall appoint an expert Committee on Contributions consisting of eighteen members.”

⁶ See draft resolution I A above, adopted by the Assembly on 14 December 1976 as resolution 31/95 A.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 98th plenary meeting, on 14 December 1976, the General Assembly voted on draft resolutions I A, I B, I C and II submitted by the Fifth Committee in its report (A/31/427, para. 68). It adopted draft resolution I A by a recorded vote of 122 to none, with 4 abstentions. The result of the voting on draft resolution I B was 29 votes in favour, 29 against and 66 abstentions: the draft resolution was not adopted. The Assembly then adopted draft resolutions I C and II. For the final text, see resolutions 31/95 A and B, and 31/96.⁷

⁷ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 100 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--------------------------------|---|---|
| A/31/11 and Add.1 | Report of the Committee on Contributions | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 11 and addendum</i> |
| A/31/219 and Add.1 and 2 | Letters dated 21, 22 and 24 September 1976 from the Secretary-General to the President of the General Assembly concerning the States in arrears in the payment of their contributions | Mimeographed |
| A/31/481 and Add.1 and 2 | Letters dated 13, 16 and 19 September 1977 from the Secretary-General to the President of the General Assembly concerning the States in arrears in the payment of their contributions | Ditto |
| A/C.5/31/62 | Administrative and financial implications of the draft resolution contained in document A/C.5/31/L.10/Rev.1: note by the Secretary-General | Ditto |
| A/C.5/31/L.7 | Nepal: draft resolution | Replaced by A/C.5/31/L.7/Rev.1 |
| A/C.5/31/L.7/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/427, para. 23 |
| A/C.5/31/L.7/Rev.2 | <i>Idem</i> | <i>Idem</i> , paras. 26 and 27 |
| A/C.5/31/L.8 | Draft resolution | <i>Idem</i> , para. 24 |
| A/C.5/31/L.10 | Iran, Iraq, Kuwait, Libyan Arab Republic, Mauritania, Nigeria, Qatar, Saudi Arabia, Somalia, Sudan, United Arab Emirates and Venezuela: draft resolution | Replaced by A/C.5/31/L.10/Rev.1 |
| A/C.5/31/L.10/Rev.1 and Corr.1 | Revised draft resolution | For the sponsors and the text, see A/31/427, para. 25 |
| A/C.5/31/L.26 | Amendment to document A/C.5/31/L.7/Rev.2 | <i>Idem</i> , para. 27 |
| A/C.5/31/L.26/Rev.1 | Revised amendment to document A/C.5/31/L.7/Rev.2 | <i>Idem</i> , para. 30 |
| A/C.5/31/L.28 | Amendment to document A/C.5/31/L.10/Rev.1 and Corr.1 | <i>Idem</i> , para. 44 |
| A/C.5/31/L.29 | Amendment to document A/C.5/31/L.26 | <i>Idem</i> , para. 28 |
| A/C.5/31/L.30 | Amendments to document A/C.5/31/L.10/Rev.1 and Corr.1 | <i>Idem</i> , para. 45 |
| A/C.5/31/L.34 and Add.1 | Draft report of the Fifth Committee | For the text of these documents as amended by the Fifth Committee at its 49th meeting, see A/31/427 |
| A/C.5/31/L.35 | Amendments to the draft resolution contained in paragraph 59 of document A/31/11 | For the sponsors and the text, see A/31/427, para. 63 |
| A/INF/31/4 | Collection of contributions during the period 1 January to 20 September 1976: report of the Secretary-General | Mimeographed |



Agenda item 101: * 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;
- (g) United Nations Staff Pension Committee

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee*, 19th, 22nd, 24th, 25th, 28th, 46th and 57th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 81st and 107th meetings.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 79), twenty-seventh (item 76), twenty-eighth (item 85), twenty-ninth (item 80) and thirtieth (item 103).

(a) Advisory Committee on Administrative and Budgetary Questions

DOCUMENT A/31/311

Report of the Fifth Committee

*[Original: English]
[9 November 1976]*

1. At its 22nd meeting, on 3 November 1976, the Fifth Committee considered a note by the Secretary-General (A/31/127) concerning the vacancies which would occur in the membership of the Advisory Committee on Administrative and Budgetary Questions as a result of the expira-

tion on 31 December 1976 of the terms of office of four 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 Advisory Committee, in accordance with rules 155 and 156 of the rules of procedure of the General Assembly. Four names were submitted for the consideration of the Committee (see A/C.5/31/38).

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 four candidates for the four vacancies.

4. The Committee then decided, by acclamation, to recommend Mr. A. Abraszewski (Poland), Mr. C. S. M. Mselle (United Republic of Tanzania), Mr. T. Ouattara (Ivory Coast) and Mr. C. R. Thomas (Trinidad and Tobago) to the General Assembly for appointment as members of the Advisory Committee for a three-year term beginning on 1 January 1977.

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Appointments to fill vacancies in the membership of the Advisory Committee on Administrative and Budgetary Questions

The General Assembly

Appoints the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term beginning on 1 January 1977:

Mr. Andrzej Abraszewski,
Mr. C. S. M. Mselle,
Mr. Tiéba Ouattara,
Mr. Christopher R. Thomas.

(b) Committee on Contributions

DOCUMENT A/31/312

Report of the Fifth Committee

*[Original: English]
[21 December 1976]*

1. At its 57th meeting, on 20 December 1976, the Fifth Committee considered a note by the Secretary-General (A/31/128) concerning the vacancies arising in the Committee on Contributions as a result of the expiration on 31 December 1976 of the terms of office of three of its members.

2. The members of the Fifth Committee had been invited to suggest 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 Assembly, to fill the three vacancies occurring in the membership of the Committee as a result of the normal expiration of terms of office. Four names were submitted for the consideration of the Committee (see A/C.5/31/97). One person subsequently withdrew his candidacy for one of those vacancies and entered his name instead for one of the vacancies arising from the expansion of the Committee.

3. Upon 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 three candidates for three vacancies.

4. The Fifth Committee then decided by acclamation to recommend Mr. R. V. Hennes (United States of America), Mr. J. Kato (Japan) and Mr. D. Serbănescu (Romania) to the General Assembly for appointment as members of the Committee on Contributions for a three-year term commencing 1 January 1977 (see para. 11 below, draft resolution A).

5. At the same meeting, pursuant to the decision taken by the General Assembly in resolution 31/96 of 14 December 1976 under which the membership of the Committee on Contributions was increased from 13 to 18, the members of the Fifth Committee had been invited to suggest the names of persons who might be recommended to the Assembly for appointment to the Committee on Contributions in accordance with the provisions of rules 158, as amended, and 159 of the rules of procedure. Six names were submitted for the consideration of the Committee (see A/C.5/31/97). Subsequently, one of the persons named withdrew his candidacy and two other persons were added to the list of candidates.

6. The Fifth Committee voted by secret ballot to decide on its recommendations. The result of the voting was as follows:

| | |
|----------------------------------|-----|
| <i>Number of ballot papers:</i> | 109 |
| <i>Invalid ballots:</i> | 1 |
| <i>Number of valid ballots:</i> | 108 |
| <i>Abstentions:</i> | 2 |
| <i>Number of members voting:</i> | 106 |
| <i>Required majority:</i> | 54 |

| | |
|--|----|
| <i>Number of votes obtained:</i> | |
| Mr. Gbadebo Oladeinde George | 81 |
| Mr. Talib El-Shibib | 73 |
| Mr. Bernal Vargas Saborío | 64 |
| Mr. Wilfried Koschorreck | 57 |
| Mr. Euthimios Stoforopoulos | 56 |

Mr. Jagdish P. Sharma 53
 Mr. Václav Tylner 49

*Appointments to fill vacancies in the membership
 of the Committee on Contributions*

Seven other persons received a total of 10 votes.

A

The General Assembly

Appoints the following persons as members of the Committee on Contributions for a three-year term beginning on 1 January 1977:

Mr. Richard V. Hennes,
 Mr. Junpei Kato,
 Mr. Dragoș Serbănescu.

B

The General Assembly

1. *Appoints* the following persons as members of the Committee on Contributions for a three-year term beginning on 1 January 1977:

Mr. Talib El-Shibib,
 Mr. Gbadebo Oladeinde George,
 Mr. Euthimios Stoforopoulos;

2. *Appoints* the following person as a member of the Committee on Contributions for a two-year period beginning on 1 January 1977:

Mr. Wilfried Koschorreck;

3. *Appoints* the following person as a member of the Committee on Contributions for a one-year term beginning on 1 January 1977:

Mr. Bernal Vargas Saborío.

7. The Fifth Committee decided to recommend that Mr. El-Shibib (Iraq), Mr. George (Nigeria), Mr. Koschorreck (Federal Republic of Germany), Mr. Stoforopoulos (Greece) and Mr. Vargas Saborío (Costa Rica), having received the required majority, be appointed as members of the Committee on Contributions.

8. The Committee then proceeded to decide by lot which of the five persons recommended for appointment should serve for the normal period of three years, beginning on 1 January 1977, which should serve for a period of two years and which should serve for only one year.

9. As a result of this procedure, Mr. El-Shibib, Mr. George and Mr. Stoforopoulos have been recommended for a three-year term, Mr. Koschorreck for a two-year term and Mr. Vargas Saborío for a one-term term (see para. 11 below, draft resolution B).

10. Comments expressed by some delegations with respect to the foregoing are reflected in the summary record of the meeting of the Committee (A/C.5/31/SR.57).

Recommendations of the Fifth Committee

11. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

(c) Board of Auditors

DOCUMENT A/31/313

Report of the Fifth Committee

*[Original: English]
 [17 November 1976]*

1. At its 28th meeting, on 12 November 1976, the Fifth Committee considered a note by the Secretary-General (A/31/129) 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 1977.

2. The members of the Committee were 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 Government of Canada proposed the Auditor-General of Canada to fill the vacancy (see A/C.5/31/46).

3. On the proposal of the Chairman, the Committee decided, without objection, to dispense with the secret ballot in view of the fact that there was no contest, there being one candidate for one vacancy.

4. The Committee then decided, by acclamation, to recommend the Auditor-General of Canada for appointment as a member of the Board of Auditors for a further three-year period beginning on 1 July 1977.

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

*Appointment to fill a vacancy in the membership of the
 Board of Auditors*

The General Assembly

Appoints the Auditor-General of Canada as a member of the Board of Auditors for a three-year term beginning on 1 July 1977.

(d) Investments Committee: confirmation of the appointments made by the Secretary-General**DOCUMENT A/31/314****Report of the Fifth Committee**

*[Original: English]
[21 December 1976]*

1. Pursuant to the decision to amend article 20 of the Regulations of the United Nations Joint Staff Pension Fund,¹ which provides for an increase from 6 to 9 in the membership of its Investments Committee, and following the consultations required by article 20 with the United Nations Joint Staff Pension Board and the Advisory Committee on Administrative and Budgetary Questions, the Secretary-General appointed and requested confirmation of the following persons as members of the Investments Committee (see A/C.5/31/99); one was a reappointment on expiration of his term of office on 31 December 1976, and the three others would be new members. Their terms of office would be the following:

For three-year terms of office, beginning on 1 January 1977

Mr. B. K. Nehru (reappointment),
Mr. Aloysio de Andrade Faria,
Mr. Stanislaw Raczkowski;

For a two-year term of office, beginning on 1 January 1977

Mr. Toshio Shishido.

2. At its 57th meeting, on 20 December 1976, the Fifth Committee decided, without objection, to recommend to the General Assembly that it confirm the appointment of

¹ See resolution 31/196, section II, adopted by the General Assembly on 21 December 1976, on the recommendation of the Fifth Committee.

Mr. Faria, Mr. Nehru and Mr. Raczkowski for a three-year term beginning on 1 January 1977 and of Mr. Shishido for a two-year term beginning on 1 January 1977 (see para. 3 below).

Recommendation of the Fifth Committee

3. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Confirmation of the appointments made by the Secretary-General to fill vacancies in the membership of the Investments Committee

The General Assembly

1. *Confirms* 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 1977:

Mr. Aloysio de Andrade Faria,
Mr. B. K. Nehru,
Mr. Stanislaw Raczkowski;

2. *Confirms* the appointment by the Secretary-General of the following person as a member of the Investments Committee for a two-year term beginning on 1 January 1977:

Mr. Toshio Shishido.

(e) United Nations Administrative Tribunal**DOCUMENT A/31/315****Report of the Fifth Committee**

*[Original: English]
[3 November 1976]*

1. At its 19th meeting, on 29 October 1976, the Fifth Committee considered a note by the Secretary-General (A/31/131 and Corr.1) concerning the vacancies which would occur in the membership of the United Nations Administrative Tribunal as a result of the expiration on 31 December 1976 of the terms of office of three of its members.

2. The members of the 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)). Three names were submitted to the Committee (see A/C.5/31/32).

3. The Committee voted by secret ballot to decide on its recommendations. The result of the voting was as follows:

| | |
|----------------------------------|----|
| <i>Number of ballot papers:</i> | 93 |
| <i>Invalid ballots:</i> | 0 |
| <i>Number of valid ballots:</i> | 93 |
| <i>Abstentions:</i> | 0 |
| <i>Number of members voting:</i> | 93 |
| <i>Required majority:</i> | 47 |

Number of votes obtained:

| | |
|------------------------|----|
| Mr. Mutuale Tshikankie | 88 |
| Mrs. Paul Bastid | 87 |
| Mr. R. Venkataraman | 85 |

Six other persons received one vote each.

4. The Committee decided to recommend that Mrs. Bastid (France), Mr. Mutuale Tshikankie (Zaire) and Mr. Venkataraman (India), having received the required majority, be appointed as members of the Administrative Tribunal for a three-year-term beginning on 1 January 1977.

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

*Appointments to fill vacancies in the membership of the United Nations Administrative Tribunal**The General Assembly*

Appoints the following persons as members of the United Nations Administrative Tribunal for a three-year term beginning on 1 January 1977:

Mrs. Paul Bastid,
Mr. Mutuale Tshikankie,
Mr. R. Venkataraman.

(f) International Civil Service Commission**DOCUMENT A/31/316****Report of the Fifth Committee**

*[Original: English]
[16 December 1976]*

1. At its 46th meeting, on 10 December 1976, the Fifth Committee considered a note by the Secretary-General (A/31/132/Rev.1) concerning the vacancies which would occur in the membership of the International Civil Service Commission as a result of the expiration on 31 December 1976 of the terms of office of five of its members.

2. In compliance with the procedure set forth in article 4 of the statute of the Commission, the Secretary-General carried out the prescribed consultations, as a result of which he proposed (A/C.5/31/75, para. 4) that the Fifth Committee recommend to the General Assembly that it appoint the following persons as members of the International Civil Service Commission for terms of office of four years, beginning on 1 January 1977: Mr. Amjad Ali (Pakistan), Mr. Michael O. Ani (Nigeria), Mr. Anatoly Semënovich Chistyakov (Union of Soviet Socialist Republics), Mr. P. N. Haksar (India), and Mrs. Halima Warzazi (Morocco).

3. The Fifth Committee decided, without objection, to recommend to the General Assembly that it appoint

Mr. Ali, Mr. Ani, Mr. Chistyakov, Mr. Haksar and Mrs. Warzazi as members of the International Civil Service Commission for terms of office of four years, beginning on 1 January 1977 (see para. 4 below).

Recommendation of the Fifth Committee

4. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

*Appointments to fill vacancies in the membership of the International Civil Service Commission**The General Assembly*

Appoints the following persons as members of the International Civil Service Commission for a four-year term beginning on 1 January 1977:

Mr. Amjad Ali,
Mr. Michael O. Ani,
Mr. Anatoly Semënovich Chistyakov,
Mr. P. N. Haksar,
Mrs. Halima Warzazi.

(g) United Nations Staff Pension Committee**DOCUMENT A/31/317****Report of the Fifth Committee**

*[Original: English]
[21 December 1976]*

1. At its 57th meeting, on 20 December 1976, the Fifth Committee considered a note by the Secretary-General (A/31/133) concerning the vacancies which would occur in the membership of the United Nations Staff Pension Committee as a result of the expiration of the terms of

office of three of its members and three alternate members as at 31 December 1976.

2. The members of the Fifth Committee had been invited to suggest the names of persons who might be

recommended to the General Assembly for appointment to the Pension Committee. The Secretary-General received nominations from seven Governments (see A/C.5/31/98), one of which was subsequently withdrawn.

3. The Committee voted by secret ballot to decide on its recommendations. The result of the voting was as follows:

| | |
|----------------------------------|-----|
| <i>Number of ballot papers:</i> | 102 |
| <i>Invalid ballots:</i> | 2 |
| <i>Number of valid ballots:</i> | 100 |
| <i>Abstentions:</i> | 1 |
| <i>Number of members voting:</i> | 99 |
| <i>Required majority:</i> | 50 |
| <i>Number of votes obtained:</i> | |
| Mr. Mario Majoli | 71 |
| Mr. Ernesto Garrido | 65 |
| Mr. Michael G. Okeyo | 62 |
| Mr. Sol Kuttner | 47 |
| Mr. August Marpaung | 41 |

Two other persons received 1 vote each.

4. The Committee decided to recommend that Mr. Garrido (Philippines), Mr. Majoli (Italy) and Mr. Okeyo (Kenya), having received the required majority, be appointed as members of the United Nations Staff Pension Committee for a three-year term beginning on 1 January 1977.

5. The Committee then decided, by acclamation, to recommend the three remaining candidates, that is,

Mr. Kuttner (United States of America), Mr. Marpaung (Indonesia) and Mr. Rudolf Schmidt (Federal Republic of Germany) for appointment as alternate members of the Pension Committee for a three-year term beginning on 1 January 1977 (see para. 6 below).

Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Appointments to fill vacancies in the membership of the United Nations Staff Pension Committee

The General Assembly

1. *Appoints* the following persons as members of the United Nations Staff Pension Committee for a three-year term beginning on 1 January 1977:

Mr. Ernesto Garrido,
Mr. Mario Majoli,
Mr. Michael G. Okeyo;

2. *Appoints* the following persons as alternate members of the United Nations Staff Pension Committee for a three-year term beginning on 1 January 1977:

Mr. Sol Kuttner,
Mr. August Marpaung,
Mr. Rudolf Schmidt.

ACTION TAKEN BY THE GENERAL ASSEMBLY

(a) Advisory Committee on Administrative and Budgetary Questions

At its 81st plenary meeting, on 29 November 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/311, para. 5). For the final text, see resolution 31/23.²

(b) Committee on Contributions

At its 107th plenary meeting, on 22 December 1976, the General Assembly voted on draft resolutions A and B submitted by the Fifth Committee in its report (A/31/312, para. 11). It adopted draft resolution A without objection and draft resolution B by 119 votes to 12. For the final text, see resolutions 31/198 A and B.²

(c) Board of Auditors

At its 81st plenary meeting, on 29 November 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/313, para. 5). For the final text, see resolution 31/24.²

(d) Investments Committee: confirmation of the appointments made by the Secretary-General

At its 107th plenary meeting, on 22 December 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/314, para. 3). For the final text, see resolution 31/199.²

(e) United Nations Administrative Tribunal

At its 81st plenary meeting, on 29 November 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/315, para. 5). For the final text, see resolution 31/25.²

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

(f) *International Civil Service Commission*

At its 107th plenary meeting, on 22 December 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/316, para. 4). For the final text, see resolution 31/200.²

(g) *United Nations Staff Pension Committee*

At its 107th plenary meeting, on 22 December 1976, the General Assembly adopted the draft resolution submitted by the Fifth Committee in its report (A/31/317, para. 6). For the final text, see resolution 31/201.²

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents relating 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> |
|--|---|------------------------------------|
| <i>(a) Advisory Committee on Administrative and Budgetary Questions</i> | | |
| A/31/127 | Note by the Secretary-General, dated 9 July 1976 | See A/31/311, para. 1 |
| A/C.5/31/38 | Note by the Secretary-General, dated 1 November 1976 | <i>Ibid.</i> , para. 2 |
| <i>(b) Committee on Contributions</i> | | |
| A/31/128 | Note by the Secretary-General, dated 9 July 1976 | See A/31/312, para. 1 |
| A/C.5/31/97 | Note by the Secretary-General, dated 18 December 1976 | <i>Ibid.</i> , para. 2 |
| <i>(c) Board of Auditors</i> | | |
| A/31/129 | Note by the Secretary-General, dated 9 July 1976 | See A/31/313, para. 1 |
| A/C.5/31/46 | Note by the Secretary-General, dated 11 November 1976 | <i>Ibid.</i> , para. 2 |
| <i>(d) Investments Committee: confirmation of the appointments made by the Secretary-General</i> | | |
| A/31/130 | Note by the Secretary-General, dated 15 July 1976 | Mimeographed |
| A/C.5/31/99 | Note by the Secretary-General, dated 15 December 1976 | See A/31/314, para. 1 |
| <i>(e) United Nations Administrative Tribunal</i> | | |
| A/31/131 and Corr.1 | Note by the Secretary-General, dated 9 July 1976 | See A/31/315, para. 1 |
| A/C.5/31/32 | Note by the Secretary-General, dated 25 October 1976 | <i>Ibid.</i> , para. 2 |
| <i>(f) International Civil Service Commission</i> | | |
| A/31/132 | Note by the Secretary-General, dated 15 July 1976 | Replaced by A/31/132/Rev.1 |
| A/31/132/Rev.1 | Note by the Secretary-General, dated 25 August 1976 | See A/31/316, para. 1 |
| A/C.5/31/75 | Note by the Secretary-General, dated 7 December 1976 | <i>Ibid.</i> , para. 2 |
| <i>(g) United Nations Staff Pension Committee</i> | | |
| A/31/133 | Note by the Secretary-General, dated 9 July 1976 | See A/31/317, para. 1 |
| A/C.5/31/98 | Note by the Secretary-General, dated 18 December 1976 | <i>Ibid.</i> , para. 2 |



Agenda item 102: * 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-first Session, Fifth Committee*, 3rd to 6th, 8th, 9th, 11th, 12th, 15th, 22nd, 28th, 30th, 32nd, 33rd and 37th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 81st meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 84), twenty-seventh session (item 81), twenty-eighth session (item 86), twenty-ninth session (item 81) and thirtieth session (item 104).

DOCUMENT A/31/358

Report of the Fifth Committee

*[Original: English]
[26 November 1976]*

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Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first 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 3rd to 6th, 8th, 9th, 11th, 12th, 15th, 22nd, 28th, 30th, 32nd and 33rd meetings, held from 1 October to 19 November 1976.

I. Composition of the Secretariat

A. DOCUMENTATION BEFORE THE COMMITTEE

3. For its consideration of subitem (a), the Committee had before it the report of the Secretary-General on the composition of the Secretariat (A/31/154 and Corr.2) and the customary list showing, by office, department and organizational unit, the name, functional title, nationality and salary level of all staff members of the United Nations Secretariat (A/C.5/31/L.2).

4. In his report, the Secretary-General dealt with the system of desirable ranges of posts applied to gauge the equitable geographical distribution of the staff. The method followed in calculating those ranges—which was based on the three factors of membership in the Organization, population and contribution to the budget—had, over the years, produced several anomalies. The Secretary-General therefore proposed the introduction of a method which would remove irregularities in the sizes of the ranges and provide for a constant flexibility. Furthermore, the Secre-

tary-General proposed that the desirable range for Member States with the minimum assessed contribution to the budget should be 2 to 7.

5. Pursuant to General Assembly resolution 3417 (XXX) of 8 December 1975, the report included information on the recruitment of candidates from unrepresented or under-represented countries and on the geographical distribution of the staff at the senior level. It also provided data on the composition of the staff by age.

6. On the question of the employment of women in the Secretariat, the Secretary-General outlined the measures taken to achieve an equitable balance between men and women at all levels in the Secretariat. Efforts were also being made to improve the conditions of service, training and career development for women staff members.

7. The report contained three recommendations for the consideration of the General Assembly. The first recommendation was that the Assembly should adopt the proposed new method of establishing the desirable ranges of Member States. The second recommendation was that the desirable range of Member States with the minimum assessment in the apportionment of the expenses of the United Nations should be increased to 2 to 7. The last recommendation was that the method of determining the population factor should remain unchanged until the next review of the scale of assessments.

B. DISCUSSION

8. The discussion under subitem (a) covered the following subjects:

(a) Geographical and age distribution of the staff;

(b) New method for calculating desirable ranges proposed by the Secretary-General in his report;

(c) Employment of women in the Secretariat.

1. *Geographical and age distribution*

9. Several representatives noted that, although the privileged position of some countries in the Secretariat had been reduced, there was much to be done to achieve an equitable geographical composition of its staff. A number of countries and two regions, those of Asia and the Far East and of Eastern Europe, continued to be under-represented, while 22 Member States were not represented at all in the Secretariat. Some delegations stressed that, in spite of that still unsatisfactory situation, 105 of the 292 staff members who had been recruited to posts subject to geographical distribution during the previous year were from over-represented countries. Furthermore, 61.4 per cent of all posts subject to geographical distribution were held by staff members with permanent appointments, while the contracts of a number of staff who had reached retirement age had been extended. Such practices prevented the employment of many well-qualified candidates from unrepresented and under-represented countries all over the world. They urged a vigorous implementation of General Assembly resolution 3417 B (XXX). It was suggested that the next report by the Secretary-General should list separately all

under-represented and over-represented countries, with the related recruitment figures.

10. While certain delegations favoured a simple reduction in the recruitment from over-represented countries, others believed that it should be stopped altogether. A number of representatives felt that the geographical composition of the Secretariat would also be improved by favouring the use of fixed-term rather than permanent appointments, most of which were currently held by staff members from over-represented countries. An increase in fixed-term appointments would bring about a continuous inflow of new talent and a better composition of the Secretariat by age and sex. Moreover, it would make it easier for developing countries to benefit from the experience gained by their nationals who, after serving with the Organization, would return to their civil services. Thus, some delegations proposed the discontinuation of the use of permanent appointments, while one representative felt that they should constitute only one third of all contracts. Finally, a number of delegations believed that the appointments of staff members who had reached pensionable age should not be extended. One representative requested that the next report of the Secretary-General contain information on the nationality and level of staff members who, having reached retirement age, had left the service, and of those whose services had been extended.

11. A number of representatives felt that not enough effort had been made to implement General Assembly resolution 3417 A (XXX) on the recruitment of nationals of developing countries for senior posts in the Secretariat. It was noted that 151 of the 317 senior posts subject to geographical distribution were still occupied by nationals of Western European and two North American countries. Attention was drawn to a decision of the Fifth Committee¹ approved by the General Assembly at its twenty-ninth session² that no post in the Secretariat should be considered as the exclusive preserve of any individual Member State or any region. At the request of one delegation, the Secretariat provided the Committee with a breakdown of staff at the senior level who had been separated from service during the previous two years showing their nationality and the nationality of their replacements. Further questions were raised on the specific personnel policies and practices applied in evaluating candidates from developing countries, the number of nationals of developing countries who had been considered for senior posts, and the number of posts that would become vacant in the next 12 months as a result of retirement and expiration of contracts. One delegation wanted a system to be introduced by which all developing countries which were unrepresented or under-represented at the senior level would be systematically notified of all impending vacancies and consulted about the possibility of presenting candidates.

12. The Assistant Secretary-General for Personnel Services said that the procedure followed when there was a vacancy at the Professional level or above involved first determining in advance whether there was a suitable

¹ *Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 81, document A/9980, para. 45 (b).*

² *Ibid., Twenty-ninth Session, Supplement No. 31 and corrigendum, p. 139, item 81, para. (b).*

candidate inside the Organization. When it was not possible to fill the post from inside, the roster of candidates was examined to determine whether there was a qualified candidate from an unrepresented or under-represented country or a candidate from a group to which the General Assembly had directed the Secretary-General to give preference. If no candidates were available from the roster, a vacancy notice was issued and transmitted simultaneously to all delegations, with a deadline for the receipt of applications. No appointment action could precede that date. The Office of Personnel Services intended to continue to follow that procedure in the future, but he considered that it would be useful, in the next report of the Secretary-General on the composition of the Secretariat, to provide information on the posts occupied on 30 June 1977 by staff members who had reached the age of retirement or who would reach that age in the course of the following year.

13. Several representatives believed that a truly independent international civil service responsive to the needs of the international community had to be, first and foremost, competent, efficient and highly motivated. They stressed that geographical desirable ranges should not become a more significant selection criterion than professional suitability and considered that seemingly conflicting considerations of geography and personal competence could and must be reconciled. They upheld the necessity of a clear career structure in the international civil service, which should be established with minimum interference by national interests and maximum flexibility of choice. Thus, they opposed the view expressed by some delegations that the consent of Member States should always be asked before one of their nationals was appointed to work in the Secretariat. One delegation wished to see a reversal of the trend towards filling more and more high-ranking posts by outside appointments.

14. One representative emphasized that the fact that a political organization such as the United Nations was naturally subjected to intense pressures from Member States concerning recruitment of their nationals did not excuse the Secretary-General from fully complying with his paramount obligation under Article 101, paragraph 3, of the Charter of the United Nations. Member States should, on their part, put forward only well-qualified candidates. The Assistant Secretary-General for Personnel Services indicated that the Secretary-General attached the highest importance to Article 101, paragraph 3, of the Charter, which he regarded as the primary basis for the establishment and strengthening of a truly independent international civil service. The Secretary-General had never considered that the principle of equitable geographical distribution of staff conflicted with the requirement concerning the efficiency, competence and integrity of the Secretariat. As a consequence of the very high standards which had been set for the recruitment of staff, over 98 per cent of all Professionals recruited during the previous year had at least a first-level university education—a bachelor's degree or equivalent. More than 51 per cent had acquired a second-level degree, equivalent to an M.A., and 34 per cent had been awarded a third-level degree, equivalent to the Ph.D. In addition to their professional experience, 73 per cent of the new Professional recruits had at least a good working knowledge of two or more of the official lan-

guages. The Committee was provided with further information on the characteristics of candidates recommended for appointment to posts subject to geographical distribution between 1 July 1975 and 30 June 1976.

15. Several delegations felt that the Secretariat continued to be an overaged and still aging organization. Over 450 of the 2,616 staff members in posts subject to geographical distribution were 55 years of age or older. It was also noted that the average age of appointees to junior posts was excessively high and that the Organization was losing something very important by not employing enough young people who were full of new ideas and enthusiasm. One representative hoped that, in the future, the Committee would be provided with data on the age of appointees to posts subject to geographical distribution - by nationality and level. The Assistant Secretary-General for Personnel Services said that the educational and experience qualifications required of all Professional staff were such as to make it difficult to find many candidates, even for entrance level (P-1 and P-2) posts, who were younger than their late twenties or early thirties.

16. Information was requested on the implementation of a decision of the Fifth Committee³ approved by the General Assembly at its twenty-ninth session² concerning the flexible application of language requirements for the promotion of staff at levels P-1 to D-2. The Assistant Secretary-General for Personnel Services said that, since the decision referred to the continuation of a policy which was already being followed at that time, he had seen no reason to change the text of a memorandum that he addressed every year to the heads of departments on their recommendations for promotion of staff. He assured the Committee, however, that the members of the Appointment and Promotion Board were made aware of all relevant decisions taken by the Fifth Committee. He would ensure that heads of departments were also fully informed. The representative who had asked for those clarifications expressed the dissatisfaction of his delegation with the procedure which had been followed in the past and hoped that the above-mentioned decision of the Fifth Committee would be reflected in future procedures.

2. *New desirable ranges*

17. The adoption of the new method for calculating the desirable range of posts for Member States, as set out in the Secretary-General's report, was generally welcomed. The proposed system, while having the advantage of greater simplicity, safeguarded the basic objectives intended by the General Assembly. Some representatives, however, felt that the establishment of a single figure, instead of a range, for each Member State, would serve even better the aim of achieving an equitable geographical distribution of the staff. Others expressed the view that a larger number of Secretariat posts should be subject to that principle. Two delegations also believed that Member States should be divided into five rather than seven geographical regions.

18. A number of representatives endorsed an increase to 2 to 7 of the desirable range of posts for Member States

³ *Ibid.*, Twenty-ninth Session, Annexes, agenda item 81, document A/9980, para. 47.

with the minimum assessment in the apportionment of the expenses of the United Nations. Some delegations found that proposal difficult, because it would raise the relative weight of the membership factor at the expense of the factor of contribution to the budget. However, they would not object to it provided that no further increase in the membership factor was foreseen. While it was generally agreed that the population factor should, for the time being, remain unchanged, a few representatives favoured its decrease while others favoured its increase.

19. Some delegations felt that, even if the change in the membership factor were to be adopted, too much weight would still be given to the factor of contribution, which continued to be the real determinant in Professional staff representation, particularly in the higher echelons of the Secretariat. They believed that a ceiling of 50 per cent of all posts should be established for the contribution factor. The view was also expressed that, in the long run, every Member State should be represented in the Secretariat by a minimum of 12 Professional staff members. One delegation considered that the contribution factor should have no more effect on the distribution of posts than it did on the voting rights of the equal and sovereign States Members.

20. One representative noted that, since no reason whatsoever had been given for a sharp increase of the membership factor from 1 to 6 to 2 to 7, it could not accept it. Such an increase, together with the unjustifiably high level of the population factor and the continuous addition of new Member States to the United Nations, would contribute to the progressive watering-down of the percentage entitlement of the larger contributors. The Secretary-General should have offered additional options, including one providing for retention of the current weight of the three factors and another providing for preservation of the current weight of the membership factor and a reduction in the weight of the population factor. The Assistant Secretary-General for Personnel Services indicated that changes in the system of desirable ranges were part of continued efforts to assure that more than a token number of staff from all Member States would be recruited. He believed that those initiatives responded to the views expressed on the membership factor during previous debates in the Fifth Committee.

3. *Employment of women*

21. Several delegations expressed the view that, during the previous year, there had been some improvement in the recruitment of women. It was felt, however, that the over-all 1 per cent increase in the number of women Professionals in the Secretariat was not enough, and that the situation was even less satisfactory with regard to their representation in senior and decision-making posts. One representative noted that, according to General Assembly resolution 3416 (XXX) of 8 December 1975, during 1976 the Secretary-General should have made every effort to recruit 65 women to posts subject to geographical distribution. In the first six months of that year, however, only 18 women had been appointed to such posts. Another delegation pointed out that, during the previous year, no African women had been recruited. Much more determination was therefore needed to actually achieve a better balance between the sexes in the Secretariat. The Secre-

tary-General's intention to attract more women to work for the Organization could be further publicized by the United Nations information centres by means of a co-ordinated campaign to be worked out by the Office of Personnel Services and the Office of Public Information. Member States should also support the Secretary-General's efforts by submitting more women among their candidates for recruitment. In order to have a clearer picture of the situation, it was suggested that the Secretary-General's next report should indicate the net increase in their number by taking into account not just recruitment figures, but also the number of women whose service with the Organization had ended. The Secretariat provided the Committee with that information for the period from 1 July 1975 to 30 June 1976 and with other recent data on the recruitment of women to Professional posts.

22. Some delegations felt that, whatever action was decided upon in order to increase the number of women in the Secretariat, it should be taken within the framework of the principle of equitable geographical distribution. The major efforts should therefore be directed towards the recruitment of women from unrepresented or under-represented countries. It was also noted that all those initiatives should not imply the establishment of any mathematical ratio between men and women staff members.

23. As regards the conditions of service of women in the Secretariat, some delegations stressed the need for equal opportunities in career and promotion. The fact that the D-1 (Principal Officer) promotion register for 1976 contained only men indicated that the situation was still unsatisfactory. Several representatives expressed their interest in the actions recommended by the Joint Advisory Committee of the Secretariat in order to eliminate all possible discrimination based on sex. They supported the proposal of appointing an ombudsman or a panel of the same nature to deal with the complaints and grievances of staff who felt that they had been discriminated against because of their sex or for any other reason not related to their service. A few delegations had some reservations about that initiative. It was pointed out that in the Secretariat there were already consultative and appeal bodies as well as groups representing the interests of the staff. Some representatives wished to know more about the other measures proposed by the Joint Advisory Committee which had been accepted by the Secretary-General. Among the various steps that could be taken to improve the status of women in the Secretariat were facilitating the employment—either within or outside the Organization—of the spouse who was not a staff member, establishment of day-care centres for the children of staff members, and increased access of women to staff development training programmes.

24. The Assistant Secretary-General for Personnel Services stated that, in the current circumstances, such a day-care centre could not be set up in New York for the benefit of the staff without very considerable subventions from the Organization. He also said that none of the recommendations made by the *Ad Hoc* Group on Equal Rights for Women, a self-organized group of staff members concerned with the status of women in the Secretariat, or by the Joint Advisory Committee, had been rejected by the Secretary-General. However, those recommendations had to be seen in the light of the relevant decisions of the General

Assembly. He added that a statement of policy on the employment of women in the Secretariat would be issued in a bulletin to the staff and automatically distributed to the missions of all Member States.

C. PROPOSALS AND VOTING

25. At the 30th meeting of the Committee, the representative of Trinidad and Tobago introduced a revised version (A/C.5/31/L.11/Rev.1) of the draft resolution (A/C.5/31/L.11) which he had submitted to the Committee at its 28th meeting. The revised draft resolution, which had the same sponsors—India, Iran and Trinidad and Tobago read as follows:

“The General Assembly,

“... [same text as draft resolution I in paragraph 52 below, with the exception of operative paragraphs 2 and 7 which read as follows:

“2. Reaffirms its request to the Secretary-General to take effective measures either by recruitment or promotion or both to implement resolution 3417 A (XXX) to increase the number of staff from developing countries in senior and policy-making posts in the Secretariat so as to ensure their appropriate representation at those levels;”

“7. Further requests the Secretary-General to appoint as soon as possible an ombudsman or panel to investigate allegations of discriminatory treatment and to recommend appropriate action;”].”

26. At the same meeting, the representative of Barbados introduced an amendment (A/C.5/31/L.18), which would replace subparagraph (b) of operative paragraph 1 of the draft resolution by the following text:

“(b) A new desirable range of 2 to 8, with 5 as the number representing the mid-point and a flexibility of 15 per cent, for Member States with the minimum assessment in the apportionment of United Nations expenses, thus providing for a wider distribution of posts in the Secretariat”.⁴

27. The representative of Greece proposed that the word “all” be added before the words “developing countries” in operative paragraph 2, so as to make it clear that Greece and other similar countries would not be excluded for the purposes of that paragraph, since the economic structure and degree of industrialization of those countries were such that they shared the problems and concerns of members of the Group of 77.

28. The representative of the Upper Volta proposed the deletion of the words “an ombudsman or” and the insertion of the article “a” before the word “panel” in operative paragraph 7 of the draft resolution.

29. At the same meeting, the sponsors indicated that they wanted the Committee to decide on the amendment

submitted by Barbados. They accepted the amendment proposed by the representative of Greece as interpreted by him.

30. At the 32nd meeting, the representative of Iran introduced a second revised text (A/C.5/31/L.11/Rev.2) of the draft resolution (see para. 52 below, draft resolution I) which, *inter alia*, incorporated the amendments by Greece and the Upper Volta. He announced that the Bahamas and Nicaragua had joined the sponsors.

31. The Director of the Budget Division said that the provisions of paragraph 7 of the revised draft resolution would require the establishment of a G-4 post, the financial implications of which would be about \$14,000. The Chairman of the Advisory Committee on Administrative and Budgetary Questions stated that it had decided not to recommend that additional appropriation, since there were already more General Service staff than Professionals in the Office of Personnel Services. A secretary for the panel should be found among the existing staff.

32. At the same meeting, the representative of the Philippines proposed that, in operative paragraph 7 of the draft resolution, the words “against women” be inserted after the word “treatment” and the word “appropriate” be replaced by the word “remedial”.

33. At the same meeting, the representatives of Barbados and the Philippines withdrew their amendments. The representative of the United States of America asked for a separate vote on operative paragraph 2 of the draft resolution.

34. The Committee then voted on the draft resolution (A/C.5/31/L.11/Rev.2) as follows:

(a) Operative paragraph 2 was adopted by 80 votes to 7, with 16 abstentions:

(b) The draft resolution as a whole was adopted by 95 votes to none, with 6 abstentions (see para. 52 below, draft resolution I).

II. Other personnel questions

A. DOCUMENTATION BEFORE THE COMMITTEE

35. For its consideration of subitem (b), the Committee had before it the following documents

(a) Note by the Secretary-General (A/C.5/31/4) on the amendments made to the Staff Rules during the period from 1 July 1975 to 30 June 1976;

(b) Report of the Secretary-General (A/C.5/31/9) on the 1971 report of the Joint Inspection Unit on personnel problems in the United Nations and major recommendations of the Administrative Management Service;⁵

(c) Note by the Secretary-General (A/31/264 and Corr.1) transmitting to the General Assembly a report by the Joint

⁴ At the request of one delegation, the Secretariat provided the Committee with information on the consequences that the adoption of that amendment would have on the calculation of the desirable ranges for Member States.

⁵ See document A/34/54 of 5 October 1971.

Inspection Unit on the implementation of the personnel policy reforms approved by the Assembly in 1974.

36. The Secretary-General's report (A/C.5/31/9) contained information on the implementation of personnel policy reforms which had been approved by the General Assembly at its twenty-ninth session.⁶ Those reforms had been adopted following consideration by the Assembly of the 1971 report by the Joint Inspection Unit on personnel problems in the United Nations⁵ and of the recommendations made in 1972 by the Administrative Management Service after it had surveyed the Office of Personnel Services of the Secretariat.⁷ The Secretary-General indicated that, while a large number of the steps recommended by the Unit and the Administrative Management Service had been taken, with considerable benefit to the Organization, much further action was needed before all their recommendations adopted by the Assembly were fully implemented. The Secretary-General intended to continue his efforts to that end.

37. In the Joint Inspection Unit's report (see A/31/264 and Corr.1), the Inspector commented on the slowness of the implementation of the measures outlined in the Secretary-General's report and suggested the adoption of a time-table which would enable the Secretariat to complete nearly all reforms by the end of 1978.

B. DISCUSSION

38. The discussion under subitem (b) covered the basic staff structure of the Secretariat, the recruitment system, and staff management.

1. Staff structure of the Secretariat

39. Several delegations expressed concern over the slow pace of implementation of the personnel reforms and, subject to minor reservations, some representatives endorsed the plan of execution for them which had been proposed by the Joint Inspection Unit in paragraph 33 of its report (*ibid.*). One representative urged the Secretary-General to issue a specific time-table early in 1977 for the implementation of actions; it could follow the Unit's format, although the content would not necessarily be the same.

40. Although a sound job classification structure was essential for good staff/management relations, a number of representatives noted that several efforts to restructure the General Service category had been frustrated because of disagreement on the part of the staff. It was pointed out that the staff's right to be consulted on those reforms did not convey with it any responsibility for decision-making, which rested with the Secretary-General. Some representatives felt that, had the job classification exercise been completed, the strike of General Service staff, which had occurred at Geneva last spring, might have been averted. A restructuring of the General Service category at all duty

stations deserved absolute priority and should be completed before the next session of the General Assembly.

41. The Assistant Secretary-General for Personnel Services said that the problems which had accumulated over the past 30 years were not susceptible of such simple and speedy solutions as the Joint Inspection Unit seemed sometimes to believe. However, he felt that the Secretary-General's report (A/C.5/31/9) had already clearly indicated the general direction of the measures that he intended to take on a number of reforms. With respect to the restructuring of the General Service category at Headquarters, the Secretary-General considered that, if he had tried to implement such a major reform without at least the acquiescence of the staff, there would have been a direct confrontation which would have been contrary to the interests of the Organization. In his view, the immediate cause of the current difficulties was the lack of a satisfactory foundation for the Organization's policy with regard to General Service salaries at the various duty stations, and that was why the Secretary-General had proposed to transmit to the International Civil Service Commission the reports of the Chairman of the Working Group on the restructuring of the General Service category at Headquarters.

42. Replying to questions asked by one representative, the Assistant Secretary-General for Personnel Services added that it would take at least nine months from the date on which the task was entrusted to the competent personnel to complete the preparation of a job classification system applicable to General Service staff in New York and at Geneva. With regard to Professional staff, he said that the basis of the system would be established by the end of 1977. However, it would take another two years to classify all the Professional and General Service jobs at Geneva and in New York in accordance with the appropriate system so that all that would then remain to be done would be to put the system into effect. The financial implications for 1977 of the job classification would be submitted for the consideration of the Committee in a separate document under agenda item 92.

2. Recruitment system

43. Some representatives believed that the recruitment process in the Secretariat was too slow, a fact which sometimes prompted qualified people to withdraw their applications. Such was the case with some successful candidates from the junior competitive examinations which had been recently held in three under-represented countries. As the Office of Personnel Services seemed to have difficulties in finding posts for those people, one delegation felt that there was a need for a radical change in the relationship between that Office and the substantive departments, in which the former needed to be strengthened. Some representatives agreed with the Joint Inspection Unit that that problem did not justify spacing future competitive examinations at longer intervals. One representative, however, suggested that the examinations should be held to fill existing vacancies. He also wished to see an increase in the use of the roster of candidates.

44. Some delegations emphasized the fact that information about job openings should receive the greatest

⁶ Official Records of the General Assembly, Twenty-ninth Session, Supplement No 31 and corrigendum, p. 139, item 81, para. (c).

⁷ See document A/C.5/1601/Add.1 of 14 October 1974.

possible circulation, particularly to safeguard the interests of unrepresented or under-represented countries. Two representatives had some doubts about the practice followed in distributing vacancy announcements, and referred to cases where they had been circulated when appointments had, in fact, already been more or less decided upon.

3. Staff management

45. Two representatives felt that the General Assembly needed to be fully informed on the major management problems facing the United Nations Administration and on the obstacles which had been encountered in personnel reform. With reference to the difficult situation at Geneva, it was noted that the Secretary-General had not given enough indication of what he had done or intended to do to improve it.

46. Some representatives noted that no drastic changes had taken place in the methods of promoting General Service staff to the Professional category towards the end of their careers. Junior Professional grades should be reserved for qualified bright young applicants from universities and elsewhere. One delegation found inexplicable the delay in developing a system of assignment planning, including a scheme for rotation between duty stations.

47. The Assistant Secretary-General for Personnel Services informed the Committee of the recent completion of a list of several occupational groups, both for General Service and Professional staff, and indicated that career planning committees would be set up during 1977 and 1978. He also recalled that the Joint Inspection Unit had proposed to reduce gradually by two thirds the number of promotions from the General Service to the Professional category, since many of the staff concerned did not possess a sufficiently high level of training. He questioned that conclusion with regard to recent promotions and pointed out that, of the General Service staff promoted to the Professional category in 1975, 8 had the equivalent of a master's degree, 14 the equivalent of a bachelor's degree, and 6 had continued their studies at the university level. Only 14 had not continued their education beyond the secondary level and, of those, only 7 were over 45 years of age. The Secretariat was currently undertaking a survey of the capabilities and experience of all staff in the General Service category who had pursued studies in some form beyond the secondary level, and was preparing competitive examinations to identify those possessing appropriate qualifications for advancement to the Professional category. Commenting on that statement, one delegation noted that less than 20 per cent of General Service staff recently promoted to the Professional category held masters' degrees—a normal requirement for junior Professional candidates.

48. One delegation would have liked to see greater effort made to train staff in the principles and methods of modern management. Two others had reservations with regard to the proposal of the Joint Inspection Unit of establishing by the end of 1977 a preliminary project for pre-recruitment training for countries interested in a particular occupational group. One representative felt that that task should be assigned to the United Nations Institute for Training and Research.

C. PROPOSALS AND VOTING

49. At the 33rd meeting of the Committee, the representative of Algeria introduced a draft resolution (A/C.5/31/L.14), sponsored by Algeria, Germany, Federal Republic of, Iran, Japan, Trinidad and Tobago, United States of America and Yugoslavia.

50. At the same meeting, the Committee adopted the draft resolution by consensus (see para. 52 below, draft resolution II).

51. At the same meeting, the Chairman proposed that the Committee should recommend to the General Assembly that it take note of the amendments to the Staff Rules made by the Secretary-General (see A/C.5/31/4). The Committee decided, without objection, to adopt the Chairman's proposal (see para. 53 below).

* * *

Recommendations of the Fifth Committee

52. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Composition of the Secretariat

The General Assembly,

Recalling its resolutions 1852 (XVII) of 19 December 1962, 2539 (XXIV) of 11 December 1969, 2736 (XXV) of 17 December 1970 and 3417 (XXX) of 8 December 1975 on the composition of the Secretariat and resolutions 3009 (XXVII) of 18 December 1972, 3352 (XXIX) of 18 December 1974 and 3416 (XXX) of 8 December 1975 on the employment of women in the Secretariat,

Having considered the report of the Secretary-General on the composition of the Secretariat (A/31/154 and Corr.2),

Having examined the report of the Secretary-General concerning the report of the Joint Inspection Unit on personnel problems in the United Nations and major recommendations of the Administrative Management Service (A/C.5/31/9) and the report of the Joint Inspection Unit on the implementation of the personnel policy reforms approved by the General Assembly in 1974 (A/31/264 and Corr.1), and having heard the statements on these reports by the representative of the Secretary-General (see A/C.5/31/SR.15 and 22),

Noting the efforts of the Secretary-General to achieve an equitable geographical distribution of the staff of the Secretariat in the Professional category and above,

Noting with concern that the progress achieved in the implementation of resolution 3417 (XXX) on the composition of the Secretariat and resolution 3416 (XXX) on the employment of women in the Secretariat has been limited,

Reaffirming that the considerations of efficiency, competence and integrity in the employment of staff, as laid down in Article 101, paragraph 3, of the Charter of the

United Nations, do not conflict with the principle of an equitable geographical distribution in the composition of the Secretariat,

Concerned that the reforms of personnel policy approved by the General Assembly are proceeding too slowly,

Recognizing that the highest standards of efficiency, competence and integrity are not exclusively restricted to nationals of any particular Member State or group of Member States,

Reaffirming that the principle of equitable geographical distribution should be applied to the Secretariat as a whole and that, to this end, no post, individual, department, division or unit in the Secretariat should be considered as the exclusive preserve of any individual Member State or any region,

Desirous of strengthening the role of the Office of Personnel Services of the Secretariat in the implementation of the numerous resolutions adopted on this subject,

Convinced that to achieve the objectives and goals of the United Nations, especially with regard to the new international economic order, the developing countries should be adequately represented at all levels in the Secretariat and in particular at the senior levels,

1. *Adopts:*

(a) The new method of establishing the desirable ranges of posts for Member States as described in paragraph 11 of the report of the Secretary-General on the composition of the Secretariat (A/31/154 and Corr.2);

(b) The new desirable range of 2 to 7, as proposed by the Secretary-General in paragraph 14 of his report, for Member States with the minimum assessment in the apportionment of United Nations expenses, thus providing for a wider distribution of posts in the Secretariat;

2. *Reaffirms* its resolution 3417 A (XXX) and requests the Secretary-General, in the implementation of that resolution, to take effective measures, either by recruitment or promotion, or both, to increase the number of staff from all developing countries in senior and policy-making posts in the Secretariat so as to ensure their appropriate representation at those levels;

3. *Requests* the Secretary-General to give priority to the recruitment of candidates from among nationals of unrepresented and under-represented Member States;

4. *Urges* the Secretary-General to increase his efforts to attract younger people to the service of the United Nations, thus increasing the proportion of youth and achieving a better age balance in the Secretariat;

5. *Urges* Member States to intensify their efforts to seek and to put forward for consideration qualified women candidates for Professional positions, particularly at the policy-making level, within the United Nations and specialized agencies, in order to improve the proportion of women in senior positions within the context of equitable geographical distribution;

6. *Requests* the Secretary-General to ensure, through all appropriate measures, equal opportunity for the promotion of women in the Secretariat, without any discrimination based on sex;

7. *Also requests* the Secretary-General to appoint as soon as possible a panel to investigate allegations of discriminatory treatment and to recommend appropriate action;

8. *Further requests* the Secretary-General to provide the General Assembly at its thirty-third session with precise data showing the result of his efforts to realize the objectives of the present resolution.

DRAFT RESOLUTION II

Implementation of personnel policy reforms

The General Assembly,

Recalling its decision at the twenty-ninth session authorizing the Secretary-General to proceed with the implementation of the proposals for the improvement of the personnel policies and practices of the United Nations contained in his report and requesting him to report to the General Assembly at its thirty-first session on the progress made in the implementation of those proposals,⁸

Having considered the report of the Secretary-General on the progress made up to 30 June 1976 (A/C.5/31/9) and the report of the Joint Inspection Unit on the implementation of the personnel policy reforms approved by the General Assembly in 1974 (A/31/264 and Corr.1),

Concerned about the slow pace of the implementation of these reforms,

Taking note of the statement that, in the opinion of the Secretary-General, the reforms should be substantially put into effect in 1977 and 1978,

1. *Requests* the Secretary-General to take all necessary steps to accelerate the implementation of the reforms;

2. *Invites* the Secretary-General to submit to the General Assembly at its thirty-third session a report on the application of his proposals, drawing attention in particular to any of those proposals that may not yet have been fully implemented.

* * *

53. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decision:

The General Assembly takes note of the amendments made by the Secretary-General to the Staff Rules of the United Nations during the period from 1 July 1975 to 30 June 1976 (see A/C.5/31/4).

⁸ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31 and corrigendum, p. 139, item 81, para. (c) (i) and ii.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 81st plenary meeting, on 29 November 1976, the General Assembly voted on draft resolutions I and II submitted by the Fifth Committee in its report (A/31/358, para. 52). It adopted operative paragraph 2 of draft resolution I by 85 votes to 5, with 16 abstentions, after which it adopted the draft resolution as a whole by 102 votes to none, with 5 abstentions. It then adopted draft resolution II. For the final text, see resolutions 31/26 and 31/27.⁹

At the same meeting, the General Assembly adopted the draft decision submitted by the Fifth Committee (*ibid.*, para. 53) (see decision 31/405⁹).

⁹ *Ibid.*, Thirty-first Session, Supplement No. 39.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 102 that are not reproduced in the present fascicle.

| Document No. | Title or description | Observations and references |
|---------------------|--|---|
| A/31/8/Add.20 | Some aspects of the strike at the United Nations Office at Geneva from 25 February to 3 March 1976 and administrative and financial implications of proposals by the Secretary-General for the establishment of classification systems for posts: report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/154 and Corr.2 | Composition of the Secretariat: report of the Secretary-General | Mimeographed |
| A/31/264 and Corr.1 | Report of the Joint Inspection Unit on the implementation of the personnel policy reforms approved by the General Assembly in 1974: note by the Secretary-General transmitting the report | Ditto |
| A/C.5/31/4 | Amendments to the Staff Rules: note by the Secretary-General | Ditto |
| A/C.5/31/9 | Report of the Joint Inspection Unit on personnel problems in the United Nations and major recommendations of the Administrative Management Service: report of the Secretary-General | Ditto |
| A/C.5/31/47 | Administrative and financial implications of proposals by the Secretary-General for the establishment of classification systems for posts in the Professional category in the Secretariat and for General Service posts in Geneva: note by the Secretary-General | Ditto |
| A/C.5/31/L.2 | List of staff of the United Nations Secretariat as of 30 June 1976: report of the Secretary-General | Ditto |
| A/C.5/31/L.11 | India, Iran and Trinidad and Tobago: draft resolution | Replaced by A/C.5/31/L.11/Rev.1 |
| A/C.5/31/L.11/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/358, para. 25 |
| A/C.5/31/L.11/Rev.2 | <i>Idem</i> | <i>Idem</i> , para. 30 and para. 52, draft resolution I |
| A/C.5/31/L.14 | Draft resolution | <i>Idem</i> , para. 49 and para. 52, draft resolution II |
| A/C.5/31/L.18 | Amendment to document A/C.5/31/L.11/Rev.1 | <i>Idem</i> , para. 26 |
| A/C.5/31/L.22 | Draft report of the Fifth Committee | For the text of this document as amended by the Fifth Committee at its 37th meeting, see A/31/358 |



Agenda item 103:* 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-first Session, Fifth Committee, 27th, 29th, 32nd, 34th, 37th and 38th meetings, and ibid., Fifth Committee, Sessional Fascicle, corrigendum; and ibid., Plenary Meetings, 103rd meeting.*

** This question was previously discussed by the General Assembly at the thirtieth session (agenda item 105).

DOCUMENT A/31/449

Report of the Fifth Committee

[Original: English]
[16 December 1976]

Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first 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 27th, 29th, 32nd, 34th, 37th and 38th meetings, on 10, 15, 18, 22, 26 and 29 November 1976.

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

(a) Report of the International Civil Service Commission (A/31/30 and Add.1);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.6) on the financial implications for the United Nations regular budget of the recommendations made by the Commission in its report;

(c) Note by the Secretary-General (A/C.5/31/26) on the administrative and financial implications of the recommendations made by the Commission in its report;

(d) Note by the Secretary-General (A/31/239) transmitting the comments of the Administrative Committee on Co-ordination on the report of the Commission;

(e) Note by the Secretary-General (A/C.5/31/48) submitting amendments to the Staff Regulations of the United Nations which would be consequential to the adoption by the General Assembly of the Commission's recommendations.

4. In accordance with article 17 of its statute (General Assembly resolution 3357 (XXIX), annex) the Commission submitted its second annual report, covering its work in 1976, to the General Assembly, and for transmission to the governing organs of the other or-

ganizations in the United Nations system participating in its work, through their executive heads, and to staff representatives.

5. In the first part of its report, the Commission summarized its work during 1976 and described its future plan of work, in particular the way in which it proposed to assume its responsibilities under articles 11 and 12 of its statute with respect to the salaries of the General Service category. The Commission devoted the second and main part of its report to the provisions of paragraph 3 of General Assembly resolution 3357 (XXIX), in which the Assembly requested the Commission to review, as a matter of priority, the United Nations salary system in accordance with its earlier decision in paragraph 5 of resolution 3042 (XXVII), and to submit a progress report to the Assembly at its thirtieth session. The conclusions and recommendations of the Commission on its review of the United Nations salary system and their budgetary implications were summarized in paragraphs 48 to 86 of its report.

6. The Chairman of the International Civil Service Commission introduced the Commission's report in an oral statement before the Fifth Committee at its 27th meeting. With respect to the Commission's mandate under article 12 of its statute regarding the salaries of the General Service category and other locally recruited categories, the Chairman explained that the Commission, mindful of the requests of two of the specialized agencies, had assumed, earlier than it had intended, its responsibilities in that respect and, as a first step, had included in the agenda of its next session, to be held in February 1977, the study of the principles and the methodology to be applied in establishing the salaries of the General Service category. He emphasized the importance of that function, considering that responsibility in that area had hitherto belonged to the administrations, subject to the arrangements existing in each organization.

7. In the course of reviewing the conclusions and recommendations reached by the Commission as a result of its review of the United Nations salary system, the Chairman stated, *inter alia*, that the review carried out by the Commission covered the principal aspects of the United Nations salary system which, in the opinion of the Commission, should not call for a further general review for five or six years. The Commission would continue to study other particular aspects of the salary system and would bring to the attention of the General Assembly any serious problems which might require its attention.

8. The Chairman went on to state that the Commission considered that, with the adjustments it was proposing, the salary system provided an adequate instrument for retaining and recruiting staff of a high level of competence. Adequate remuneration was an indispensable element in that regard. He expressed the opinion that it was nevertheless not in the area of salaries that the economies which the Member States rightly demanded in the face of ever-mounting staff costs should be sought. The Commission considered that it was rather in the utilization made of the staff that the organizations should seek a much-needed rationalization.

9. The Chairman noted that from the start the Commission sought and received the participation of the administrations and the staff representatives in the course of its review. In that connexion, he observed that in order for the participation of staff representatives to be effective they must act with a clear sense of unity; any division among them could not but weaken the active participation which the Commission had consistently sought to encourage.

10. The Chairman concluded by recalling that the Commission's task was to regulate and co-ordinate conditions of service for the whole of the United Nations common system. It had approached its review with that concern in mind, taking into account the needs and interests of all the organizations of the system and accordingly regarded the proposals contained in its report as a package designed to be applied as a whole.

General comments

11. In their general remarks, a number of delegations praised the Commission for its comprehensive and thorough report and for the highly professional way in which it had undertaken the task of fulfilling its mandate while at the same time striking a balance between the criteria called for under the principles laid down in Articles 100 and 101 of the Charter of the United Nations and their financial implications.

12. In paragraph 46 of its report, the Commission stated that it had not interpreted what was expected of it at the current stage to be a fundamental reform of the salary system, although it was of the opinion that such reform would perhaps be desirable in the future. Apart from the fact that the time available to it for such a task was limited, it would not, in its view, have been appropriate for it to attempt such fundamental reform without a fuller technical study and, above all, without policy guidelines which should be laid down by the political organs of the United Nations system.

Most delegations agreed with the Commission's view not to undertake a basic reform of the salary

system at the current stage, but to concentrate instead on improving the existing salary system. Although reservations were expressed in respect of some of the Commission's recommendations, it was agreed that, as a whole, they served to eliminate some of the anomalies and inequities of the existing system. It was hoped, however, that the Commission would continue to study the need for further more fundamental reforms. The view was expressed that the General Assembly should give clear and precise indications to the Commission before it embarked on a basic reform and that for that purpose the Commission should indicate to the Assembly any valid options.

14. Some delegations observed that, in considering the Commission's recommendations, the serious financial difficulties of the Organization should be kept in mind; in the light of the current world economic situation, international organizations, like national Governments, should moderate expenditures. Although the international civil service must be able to attract nationals from all countries, it should not offer higher levels of remuneration than were strictly necessary for that purpose.

15. Some delegations endorsed the view expressed by the Commission in paragraph 47 of its report that the salary system was only one of the means by which the utmost economy and efficiency in the carrying out by the secretariats of the work required of them by member States could be achieved. Of equal importance was administrative management. Greater economies could probably be realized through improved management than through action in the area of salaries.

Comments on the recommendations of the International Civil Service Commission with respect to Professional and higher categories

16. In paragraphs 48 and 49 of its report, the Commission concluded that no change should be made in the existing division of the staff of the organizations of the United Nations system into two categories. It also concluded that no change should be made in the number of grades in the Professional and higher categories, but noted, for further study in that regard the possible extension of the use of a P-6 grade. Delegations commenting on that recommendation endorsed the conclusion that no change should be made in the number of grades; they were not convinced of the necessity and the logic of introducing a P-6 grade. The view was expressed that introduction of a new grade could be regarded as encouragement for "grade creep". In that connexion it was pointed out that "grade creep" was not a solution to grade congestion and that the introduction of a P-6 grade might simply transfer the congestion from grades P-4 and P-5 to grades P-5 and P-6.

17. In paragraphs 50 and 51 of its report, the Commission concluded that no acceptable alternative could be found to the existing practice of establishing the level of United Nations remuneration by comparison with that of the national civil service whose levels were found to be highest and which otherwise lent itself to significant comparison (the *Noblemaire* principle). It also concluded that the Federal Civil Service of the United States of America should continue to be used for this purpose. The Commission intended to keep the question of which was the highest-paid national civil service under review and to pursue studies with

a view to arriving at a methodology for comparison of "total compensation".

18. In paragraph 57 of its report, the Commission recommended that the General Assembly should instruct the Commission to keep under continual review the relationship between the levels of remuneration of the United States Federal Civil Service and the United Nations system, having due regard to all relevant factors, including the differences between the two services and recruitment experience. When the Commission at any time considered corrective action to be necessary, it would recommend such action to the General Assembly. If urgent action was necessary in order to prevent an undue widening of the margin of United Nations remuneration over that of the United States, it would take appropriate measures itself within the operation of the post adjustment system.

19. A number of delegations expressed agreement with the Commission's conclusion with respect to the continued validity of the Noblemaire principle, but strongly recommended that the concept be kept under continued review. Some delegations expressed the opinion that in future the Commission should evaluate the over-all conditions of service of the international civil service and of the civil service used for comparison purposes and not just the salaries. They endorsed the view of the Commission concerning the need for a methodology for comparison of "total compensation" and for a continual review of the relationship between the United Nations system and that of the United States Federal Civil Service. One delegation expressed reservations with regard to the single comparator approach and was of the opinion that the "total compensation" concept would be better served if the Commission studied the system of remuneration of a number of national civil services and devised a formula based on the most favourable service conditions.

20. After studying the traditional matching points for comparing equivalencies of grades between the United Nations system and the United States Federal Civil Service, the Commission, in paragraph 52 of its report, recommended certain changes. Some delegations believed that the evidence adduced by the Commission in reaching its conclusion was insufficient to warrant such changes currently, and agreed with the Commission that the matching points it had established were not to be considered permanent or immutable and should be verified periodically, preferably with the assistance of independent experts.

21. Some delegations questioned the conclusion of the Commission, in paragraph 54 of its report, that the comparison between United States civil service remuneration and that of the United Nations system should be made between the headquarters of the two systems, that is, between Washington, D.C. and New York, the difference in the cost of living between the two cities being taken into account in the comparison. One delegation, although agreeing with the Commission's conclusion, suggested that, currently, it would perhaps be more logical to draw a mean between New York and Geneva or Vienna, for example. Some delegations could not agree that Washington should be used as a basis for comparison and pointed out that a large number of United States government employees in New York City performed professional duties comparable to those performed by United Nations Professionals; a comparison made in New York showed a

margin of 31 to 59 per cent between the two salary systems.

22. In the latter connexion, some reservations were expressed regarding the Commission's conclusion, in paragraph 56 of its report, that the existing level of United Nations remuneration in relation to that of the United States civil service was satisfactory. Some delegations expressed the view that the existing level of United Nations remuneration was too generous and that the margin between the United Nations and the United States systems was excessive. It was generally agreed that measures should be taken to prevent an undue widening of the margin between the two systems. One delegation suggested that the difference in remuneration between the two systems should be reduced, particularly at those levels where it was most marked, and that a difference of approximately 10 per cent at each level would be adequate. Some delegations proposed that the Commission might set maximum and minimum limits to the margin between the two systems.

23. Delegations generally endorsed the Commission's recommendation, in paragraph 59 of its report, that the differentiation between the over-all net remuneration of staff members without dependants and that of those with dependants should be effected through differentiated rates of staff assessment rather than through the post adjustment system, which had in some cases resulted in excessive and anomalous differences in pay.

24. The Commission, in conjunction with other changes it recommended in the salary system, recommended that five classes of post adjustment should be consolidated into the base salary in order to restore pensionable remuneration to its normal par relationship to gross salary on 1 January 1977. Some delegations supported the Commission's recommendation as a means of restoring the balance between pensionable remuneration and gross salary. One delegation stated that it was opposed to the consolidation of five classes of post adjustment into base salary since it would involve unjustified financial implications, and because it considered such action resulted in a concealed increase in salary.

25. Pointing out that the post adjustment system, the purpose of which was to maintain equality of purchasing power of salaries between different duty stations, had also resulted in protecting salaries against increases in cost of living, one delegation favoured elimination of the cost-of-living indexation factor from the system. It was opposed to the practice of providing automatic protection against increases in the cost of living at the base of the system since it resulted in widening excessively the margin between United Nations remuneration and that of the United States Civil Service, the latter being related to comparable salary levels in the United States private sector which were in turn influenced by a number of other economic factors. Several delegations agreed with that view and endorsed the view expressed in paragraph 229 of the Commission's report that the concept of providing full protection for international civil servants against increases in the cost of living should be reviewed.

26. Commenting on the rate of post adjustment, one delegation observed that the report of the Commission lacked information on the proportion of spendable income on which the rate of post adjustment was calculated and asked for assurances that the real level

of spendable income was taken fully into account in calculating those rates. An alternative way of applying the post adjustment system suggested by that delegation was the establishment of a non-movable base, such as the cost of living in Washington; United Nations staff would then be compensated for cost-of-living increases in excess of those in Washington. Another delegation proposed that a careful study should be made of the post adjustment system and suggested that excessive increases should be avoided with respect to higher salaries and that adjustments should be made less frequently when the level of post adjustment exceeded 10 classes.

27. The view was also expressed that an upper limit should be placed on the pension entitlements of staff members, equal for example, to the entitlement of a staff member at D-2 level with 30 years' service.

28. In its examination of expatriation benefits, the Commission recommended, in paragraph 73 of its report, a revised scale of amounts of repatriation grants for staff members of the Professional and higher categories with effect from 1 January 1977. Some delegations stated that, although they had no objection to the introduction of the new scale, they believed that a ceiling should be established for such grants, seen in relation to other entitlements of a staff member upon separation. The view was also expressed that the Commission should consider whether staff members who did not return to their country of origin on retirement should be entitled to the grant.

29. The Commission, in paragraphs 75 and 76 of its report, recommended that the conditions of eligibility for education grants should be revised so as to enable an expatriate staff member to claim in respect of expenses of education of a child at a university in the country of the staff member's duty station. It also recommended a regressive scale of percentages of costs which would be reimbursable under the provisions of the grant. It noted that it had not recommended any change in the existing age limit of eligibility for the grant, but might re-examine that question at some future date.

30. Some delegations supported the Commission's recommendation and believed that the expatriation factor justified extension of the grant to cover university studies in the country of the duty station. One delegation expressed the view that a more realistic cut-off date for the education grant would be the twenty-first birthday. Other delegations, however, were of the opinion that the series of concessions made to the education grant over the years since its institution in 1946 had resulted in a departure from its original purpose, which was to facilitate an education that would enable the children of expatriate staff to assimilate in their own country when they returned to it. They believed that the original justification had been abandoned since the grant was payable for attendance at schools or universities in any country, thus constituting discrimination against non-expatriate staff members. It was suggested that the Commission reconsider the justification for the allowance in relation to its original purpose, taking into account the practice of other national systems and that of the best-paid national civil service.

31. The Commission, in paragraphs 78 and 79 of its report, recommended that the scale of termination indemnities be revised and that an end-of-service grant be payable to a staff member holding a fixed-term ap-

pointment where appointment was not renewed after six years of continuous service.

32. Although the principle of "agreed termination" was generally supported, some delegations expressed doubts as to the need to increase the maximum amount of the indemnities, considering that the level of salary on which they would be based would itself be increased as a result of consolidation. Doubts were also expressed with regard to the Commission's recommendation, in paragraph 65 of its report, that the amounts of termination indemnities, together with those of other payments on separation, should be based on pensionable remuneration less staff assessment rather than on base pay.

33. The proposed new end-of-service grant was opposed by some delegations on the grounds both of principle and of its financial implications. It was pointed out that the Organization's responsibility to the holders of fixed-term contracts should be limited to ensuring that the terms of employment agreed upon were met. Moreover, many staff members holding such contracts were seconded by their national civil services and resumed their work after serving at the United Nations. Other delegations agreed that some form of compensation should be provided in such cases in the light of the increasing use made by organizations in the United Nations system of fixed-term appointments, and one delegation considered that entitlement to the grant should begin at less than six years of service and be applied on a *pro rata* basis.

34. One delegation called attention to the desirability of improving the provisions for payments due upon the death of a staff member in service, and expressed the view that the maximum should be increased to 12 months in alignment with the proposed new scales for termination indemnity. The same delegation stressed the importance of the question of day-care facilities for children of staff members—which was discussed in paragraphs 18 to 21 of the Commission's report—and urged that it be pursued within the context of a progressive personnel policy.

35. Some delegations, referring to paragraphs 316 to 321 of the report, reiterated their opposition to the current "language incentive" system, which they considered to be discriminatory, and urged that it be re-examined as soon as possible.

General Service category

36. Most delegations expressed satisfaction with the Commission's intention to assume, as a matter of priority in 1977, its responsibilities under article 12 of its statute with respect to the salary scales of the General Service category. The need for a thorough review of the guiding principles and methodology applied in determining the salaries and allowances of the General Service category, particularly at Geneva, was emphasized. Some delegations expressed the view that, pending such a review by the Commission, further increases in salaries at Geneva under the existing arrangements should be kept to a minimum or be suspended.

* * *

Decision of the Committee

37. At the 37th meeting, the representative of Japan introduced a draft resolution (A/C.5/31/L.23) on behalf of Algeria, Argentina, Austria, Ghana, Japan,

Nigeria and Uruguay. In so doing, he announced that Costa Rica, the Federal Republic of Germany, and the United Kingdom of Great Britain and Northern Ireland had joined as sponsors of the draft resolution. Nicaragua later joined the sponsors of the draft resolution, which read:

[Same text as paragraph 46 below except that it was divided into three parts, A, B and C, part C corresponding to section II of part B of the text below, and that the beginning of paragraph 1 of part C read:

"1. Recommends that the International Civil Service Commission carry forward its study of possible fundamental reforms in the international civil service and, . . ."]

38. The representative of Japan, in introducing the draft resolution, stated, *inter alia*, that the debate in the Committee had proved that, on the whole, Member States supported the conclusions and recommendations in the report of the Commission, despite their questions and reservations on individual recommendations; the draft resolution represented a common denominator of the views expressed and he therefore urged that it be supported unanimously.

39. The Secretary of the Committee orally announced certain changes in the amendments to the Staff Regulations of the United Nations—amendments which were set out in document A/C.5/31/48 and would be consequential to the adoption of draft resolution A/C.5/31/L.23—as well as some small editorial changes in the draft text itself.

40. The representative of the Philippines suggested that, in the draft resolution, the words "methodology to be applied in establishing" be added before the word "salaries" in part A, paragraph 2, which concerned the salaries of the General Service category.

41. One delegation stated that its understanding of the intention of paragraph 3 (b) of part C of the draft resolution, dealing with the end-of-service grant, was that the General Assembly would not be accepting the grant in principle but rather that it would be requesting further study of the question.

42. The representative of the Secretary-General, in reply to a query raised regarding the effect on the financial implications of the adoption of the draft resolution for the United Nations system as a whole, announced the decreases which would occur as a result of the decisions with respect to the education grant and the end-of-service grant.

43. At the 38th meeting, the representative of the Philippines announced that his delegation would not insist on its amendment after having heard an explanation from the representative of the Secretary-General.

44. The sponsors of draft resolution A/C.5/31/L.23 then accepted an oral amendment proposed by the representative of Turkey that the word "fundamental" appearing in part C, paragraph 1, of the draft resolution be replaced by the word "further".

45. At the same meeting, the Committee adopted draft resolution A/C.5/31/L.23, as amended, by 78 votes to 11, with 2 abstentions (see para. 46 below).

Recommendations of the Fifth Committee

46. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Report of the International Civil Service Commission

A

Second annual report of the International Civil Service Commission

The General Assembly

1. Takes note with appreciation of the second annual report of the International Civil Service Commission (A/31/30, part one);

2. Approves the intention of the Commission to assume forthwith its functions under article 12 of its statute¹ regarding the salaries of the General Service category and requests it to submit its conclusions and recommendations in time to be considered by the General Assembly at its thirty-second session.

B

Review of the United Nations salary system: amendments to the Staff Regulations of the United Nations

The General Assembly,

Recalling its resolutions 3042 (XXVII) of 19 December 1972, 3357 (XXIX) of 18 December 1974 and 3418 (XXX) of 8 December 1975 by which it requested the International Civil Service Commission to review, as a matter of priority, the United Nations salary system,

Noting with satisfaction the timely completion by the Commission of the major part of this review,

Having considered the report of the Commission thereon (A/31/30, part two, and A/31/30/Add.1), together with the comments transmitted by the Secretary-General as Chairman of the Administrative Committee on Co-ordination (A/31/239) and those of the Advisory Committee on Administrative and Budgetary Questions (A/31/8/Add.6),

Noting the conclusions reached by the Commission as set out in chapter II of its report,

I

1. Decides that the International Civil Service Commission, as a standing body, should keep under continual review the relationship between the levels of remuneration of the comparator civil service, at present the United States Civil Service, and the United Nations system, having due regard to all relevant factors, including the differences between the two services, and decides that at any time when the Commission considers corrective action is necessary it should either recommend such action to the General Assembly or, if urgent conservatory action is necessary between sessions of the Assembly to prevent an undue widening of the margin of United Nations remuneration over that of the comparator civil service, take appropriate measures itself within the operation of the post adjustment system;

2. Decides that:

(a) The equivalent of five classes of post adjustment shall be consolidated into the base salaries of the Professional and higher categories;

(b) The base of the post adjustment system shall be changed from New York at 100 as at December 1969 to New York at 100 as at November 1973;

¹ General Assembly resolution 3357 (XXIX), annex.

3. *Approves* the revised scales of staff assessment rates, post adjustment rates and gross and net salaries for the Professional and higher categories as set out in the annex to the present resolution;

4. *Authorizes* temporary transitional payments, which shall not be pensionable, to be made to staff members whose remuneration under the revised scales would be less than under the existing scales, the amounts of these payments and the modalities for their gradual reduction and ultimate elimination to be determined by the Commission;

5. *Decides* that, in cases where the revised level of pensionable remuneration would be less than the level which would otherwise exist on 1 January 1977, the latter level shall be maintained temporarily until it is overtaken by the revised level;

6. *Decides* that terminal payments (termination indemnities, repatriation grants, payments in lieu of accrued annual leave, death grants) which are defined in terms of "base salary or wage" shall henceforth be defined in terms of "pensionable remuneration less staff assessment";

7. *Decides* to abolish for the Professional and higher categories the existing allowance for a dependent spouse, the prevailing amount of the allowance being incorporated into the revised base salary;

8. *Decides* to increase for the Professional and higher categories the amount of the allowance for a secondary dependant to \$300 per year;

9. *Decides* to amend the scales of amounts of the repatriation grant for staff members of the Professional and higher categories with and without dependants as set out in the annex to the present resolution;

10. *Decides*:

(a) To revise the percentage of approved costs reimbursable under the provisions of the education grant as follows:

| | |
|--|-------------|
| Expenses up to \$2,000 | 75 per cent |
| Expenses between \$2,001 and \$3,000 | 50 per cent |
| Expenses between \$3,001 and \$4,000 | 25 per cent |

(b) To increase the flat amount allowable for boarding expenses, in case of attendance at an educational institution outside the duty station where the institution does not provide board, to \$750;

11. *Decides* to amend the conditions and rates of the termination indemnity as set out in the annex to the present resolution;

12. *Decides* that, pending the results of further study by the Commission of the remuneration of the General Service category and to avoid in the meanwhile any reduction in the level of General Service pensionable remuneration which might result from the application to General Service salaries of the revised staff assessment rates established under paragraph 3 above for the Professional and higher categories, the existing rates of staff assessment shall continue, as a temporary measure, to apply to General Service category;

13. *Approves* the amendments to the Staff Regulations of the United Nations necessary to give effect to the above decisions, as set out in the annex to the present resolution;

14. *Invites* the Secretary-General to make such consequential changes as are necessary in the Staff Rules and to report thereon to the General Assembly at its

thirty-second session in accordance with the provisions of regulation 12.2 of the Staff Regulations;

15. *Decides* that the date of entry into effect of the above decisions shall be 1 January 1977;

II

1. *Recommends* that the International Civil Service Commission should carry forward its duty of possible further reforms in the international civil service salary system and, in that connexion, requests the Commission to report to the General Assembly on the feasibility of establishing a modified system of post adjustments, taking into account the views expressed in paragraph 229 of its report (A/31/30);

2. *Notes* the intention of the Commission to pursue studies with a view to arriving at a methodology permitting comparison of "total compensation" between the comparator civil service and the United Nations salary system and requests the Commission to carry out this comparison at all levels and to report its findings to the General Assembly no later than at its thirty-third session;

3. *Requests* the Commission to re-examine, in the light of the views expressed in the Fifth Committee at the current session;

(a) The conditions for the provision of terminal payments (for example, repatriation grant, termination indemnities), in particular on retirement, and the possibility of establishing a ceiling for the maximum aggregate of entitlements to these payments;

(b) The possible introduction of an "end-of-service" grant with particular attention to the conditions in which such payment might be justified;

(c) The need for an allowance for post-secondary education of children of expatriate staff and, in particular, the need for an allowance to cover education in countries other than the home country of the staff member;

4. *Requests* the Commission to consider and propose to the General Assembly at its thirty-second session measures by which the maximum amount of the lump sum payable to the dependent spouse or dependent child of a staff member who dies in service would be aligned on the scale for termination indemnities approved under paragraph 11 of section I above.

ANNEX

Amendments to the Staff Regulations of the United Nations

Regulation 3.2

Replace the second sentence in the present text of the regulation by the following:

"The amount of the grant per scholastic year for each child shall be the sum of 75 per cent of the first \$2,000 of admissible educational expenses, 50 per cent of the next \$1,000 of such expenses and 25 per cent of the next \$1,000, up to a maximum grant of \$2,250."

Regulation 3.3

Replace paragraph (b) by the following:

"(b) (i) The assessment shall be calculated at the following rates for staff whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations:

| <i>Total assessable payments (US dollars)</i> | <i>Assessment (per cent)</i> | |
|---|--|---|
| | <i>Staff member with a dependent spouse or a dependent child</i> | <i>Staff member with neither a dependent spouse nor a dependent child</i> |
| First \$10,000 per year | 12.3 | 17.3 |
| Next \$ 2,000 per year | 25 | 29.7 |
| Next \$ 2,000 per year | 28 | 32.7 |
| Next \$ 2,000 per year | 31 | 35.6 |
| Next \$ 4,000 per year | 34 | 39.5 |
| Next \$ 4,000 per year | 37 | 42.5 |
| Next \$ 4,000 per year | 40 | 45.5 |
| Next \$ 5,000 per year | 43 | 48.5 |
| Next \$ 5,000 per year | 46 | 51.5 |
| Next \$ 5,000 per year | 48 | 53.5 |
| Next \$ 6,000 per year | 50 | 55.5 |
| Next \$ 6,000 per year | 52 | 57.5 |
| Next \$ 6,000 per year | 54 | 59.5 |
| Next \$ 7,000 per year | 56 | 61.5 |
| Next \$ 7,000 per year | 58 | 63.5 |
| Remaining assessable payments . | 60 | 64.5 |

- “(ii) The assessment shall be calculated at the following rates for staff whose salary rates are established under paragraph 7 of annex I to the present regulations:

| <i>Total assessable payments (US dollars)</i> | <i>Assessment (per cent)</i> |
|---|----------------------------------|
| First \$1,000 per year | 5 |
| Next \$1,000 per year | 10 |
| Next \$1,000 per year | 15 |
| Next \$1,000 per year | 20 |
| Next \$6,000 per year | 25 |
| Next \$6,000 per year | 30 |
| Next \$8,000 per year | 35 |
| Next \$8,000 per year | 40 |
| Next \$8,000 per year | 45 |
| Remaining assessable payments | 50 |

- “(iii) The Secretary-General shall determine which of the scales of assessment set out in subparagraphs (i) and (ii) above shall apply to each of the groups of personnel whose salary rates are established under paragraph 6 of annex I to the present Regulations.
- “(iv) In the case of staff whose salary scales are established in currencies other than United States dollars, the relevant amounts to which the assessment applies shall be fixed at the local currency equivalent of the above-mentioned dollar amounts at

the time the salary scales of the staff concerned are approved.”

Regulation 3.4

Replace paragraph (a) by the following:

“(a) Staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations shall be entitled to receive dependency allowances as follows:

- “(i) At \$450 per year for each dependent child, except that the allowance shall not be paid in respect of the first dependent child if the staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate of staff assessment under subparagraph (b) (i) of regulation 3.3;
- “(ii) Where there is no dependent spouse, a single annual allowance of \$300 per year for either a dependent parent, a dependent brother or a dependent sister;”

ANNEX I

Salary scales and related provisions

Replace the present text of paragraph 1 by the following:

“1. The Administrator of the United Nations Development Programme, having a status equivalent to that of the executive head of a major specialized agency, shall receive a salary of \$US 99,350 per year, an Under-Secretary-General shall receive a salary of \$US 76,030 per year and an Assistant Secretary-General shall receive a salary of \$US 67,430 per year, subject to the staff assessment plan provided in 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.”

Replace the present text of paragraph 3 by the following:

“3. Except as provided in paragraph 6 of the present annex, the salary scales for staff members in the Director and Principal Officer category and in the Professional category shall be as shown in the present annex.”

Replace the present text of paragraph 9 by the following:

“9. In order to preserve equivalent standards of living at different offices, the Secretary-General may adjust the basic salaries set forth in paragraphs 1 and 3 of the present annex by the application of non-pensionable adjustments based on relative costs of living, standards of living and related factors at the office concerned as compared to New York. Such post adjustments shall not be subject to staff assessment. Their amounts shall be as shown in the present annex.”

Add, at the end of annex I, the following tables:

**SALARY SCALES FOR PROFESSIONAL AND HIGHER CATEGORIES SHOWING ANNUAL
GROSS AND THE NET EQUIVALENT AFTER APPLICATION OF STAFF ASSESSMENT**

(US dollars)

(Effective 1 January 1977)

| Level | Steps | | | | | | | | | | | | |
|-----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII |
| USG Gross | 76 030 | | | | | | | | | | | | |
| Net D | 43 872 | | | | | | | | | | | | |
| Net S | 39 800.65 | | | | | | | | | | | | |
| ASG Gross | 67 430 | | | | | | | | | | | | |
| Net D | 40 269.20 | | | | | | | | | | | | |
| Net S | 36 660.55 | | | | | | | | | | | | |
| D-2 Gross | 52 650 | 54 160 | 55 700 | 57 300 | | | | | | | | | |
| Net D | 33 552 | 34 276.80 | 35 002 | 35 738 | | | | | | | | | |
| Net S | 30 756.25 | 31 398 | 32 038.50 | 32 686.50 | | | | | | | | | |
| D-1 Gross | 43 890 | 45 320 | 46 760 | 48 190 | 49 650 | 51 070 | 52 450 | | | | | | |
| Net D | 29 245 | 29 960 | 30 680 | 31 395 | 32 112 | 32 793.60 | 33 456 | | | | | | |
| Net S | 29 931.05 | 27 567.40 | 28 208.20 | 28 844.55 | 29 481.25 | 30 084.75 | 30 671.25 | | | | | | |
| P-5 Gross | 38 190 | 39 340 | 40 460 | 41 530 | 42 600 | 43 690 | 44 790 | 45 890 | 47 000 | 48 110 | | | |
| Net D | 26 298.80 | 26 896.80 | 27 479.20 | 28 035.60 | 28 592 | 29 145 | 29 695 | 30 245 | 30 800 | 31 355 | | | |
| Net S | 24 298.35 | 24 833.10 | 25 353.90 | 25 851.45 | 26 349 | 26 842.05 | 27 331.55 | 27 821.05 | 28 315 | 28 808.95 | | | |
| P-4 Gross | 29 940 | 30 910 | 31 880 | 32 860 | 33 860 | 34 860 | 35 850 | 36 840 | 37 880 | 38 930 | 39 980 | 40 980 | |
| Net D | 21 755.80 | 22 308.70 | 22 861.60 | 23 420.20 | 23 964.40 | 24 504.40 | 25 039 | 25 573.60 | 26 135.20 | 26 683.60 | 27 229.60 | 27 749.60 | |
| Net S | 20 209.10 | 20 708.65 | 21 208.20 | 21 712.90 | 22 202.10 | 22 687.10 | 23 167.25 | 23 647.40 | 24 151.80 | 24 642.45 | 25 130.70 | 25 595.70 | |
| P-3 Gross | 23 910 | 24 760 | 25 620 | 26 460 | 27 300 | 27 170 | 29 060 | 29 940 | 30 760 | 31 580 | 32 400 | 33 230 | 34 080 |
| Net D | 18 193.30 | 18 706 | 19 222 | 19 726 | 20 230 | 20 746.90 | 21 254.20 | 21 755.80 | 22 223.20 | 22 690.60 | 23 158 | 23 624.20 | 24 083.20 |
| Net S | 16 978.25 | 17 444.20 | 17 912.90 | 18 370.70 | 18 828.50 | 19 297.55 | 19 755.90 | 20 209.10 | 20 631.40 | 21 053.70 | 21 476 | 21 896.55 | 22 308.80 |
| P-2 Gross | 19 040 | 19 710 | 20 390 | 21 070 | 21 760 | 22 440 | 23 130 | 23 820 | 24 530 | 25 250 | 25 970 | | |
| Net D | 15 096.40 | 15 538.60 | 15 975.70 | 16 404.10 | 16 838.80 | 17 267.20 | 17 701.90 | 18 136.60 | 18 568 | 19 000 | 19 432 | | |
| Net S | 14 149.20 | 14 554.55 | 14 954.25 | 15 345.25 | 15 742 | 16 133 | 16 529.75 | 16 926.50 | 17 318.85 | 17 711.25 | 18 103.65 | | |
| P-1 Gross | 14 300 | 14 900 | 15 510 | 16 120 | 16 750 | 17 380 | 18 020 | 18 640 | 19 260 | 19 860 | | | |
| Net D | 11 917 | 12 331 | 12 751.90 | 13 169.20 | 13 585 | 14 000.80 | 14 423.20 | 14 832.40 | 15 241.60 | 15 637.60 | | | |
| Net S | 11 215.20 | 11 601.60 | 11 994.44 | 12 382.60 | 12 763.75 | 13 144.90 | 13 532.10 | 13 907.20 | 14 282.30 | 14 645.30 | | | |

D=Salary rates applicable to staff members with a dependent spouse or child.
S=Salary rates applicable to staff members with no dependent spouse or child.

SCHEDULES OF POST ADJUSTMENTS (AMOUNT PER CLASS IN US DOLLARS)

(Effective 1 January 1977)

(i) 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 | 1 810 | | | | | | | | | | | | |
| S | 1 642 | | | | | | | | | | | | |
| ASG D | 1 661 | | | | | | | | | | | | |
| S | 1 512 | | | | | | | | | | | | |
| D-2 D | 1 384 | 1 414 | 1 444 | 1 474 | | | | | | | | | |
| S | 1 269 | 1 295 | 1 322 | 1 348 | | | | | | | | | |
| D-1 D | 1 249 | 1 272 | 1 294 | 1 317 | 1 339 | 1 362 | 1 384 | | | | | | |
| S | 1 150 | 1 171 | 1 190 | 1 210 | 1 229 | 1 249 | 1 269 | | | | | | |
| P-5 D | 1 144 | 1 163 | 1 181 | 1 199 | 1 219 | 1 236 | 1 256 | 1 275 | 1 294 | 1 312 | | | |
| S | 1 057 | 1 074 | 1 090 | 1 106 | 1 124 | 1 138 | 1 156 | 1 173 | 1 189 | 1 206 | | | |
| P-4 D | 957 | 979 | 1 001 | 1 022 | 1 046 | 1 065 | 1 084 | 1 103 | 1 123 | 1 147 | 1 170 | 1 192 | |
| S | 889 | 909 | 929 | 948 | 969 | 986 | 1 003 | 1 020 | 1 038 | 1 059 | 1 080 | 1 100 | |
| P-3 D | 803 | 826 | 847 | 867 | 889 | 911 | 934 | 956 | 975 | 993 | 1 012 | 1 030 | 1 050 |
| S | 749 | 770 | 789 | 807 | 827 | 847 | 868 | 888 | 905 | 921 | 939 | 955 | 973 |
| P-2 D | 667 | 687 | 705 | 724 | 743 | 762 | 781 | 799 | 818 | 837 | 855 | | |
| S | 626 | 643 | 660 | 677 | 695 | 712 | 729 | 746 | 763 | 780 | 797 | | |
| P-1 D | 531 | 549 | 567 | 585 | 603 | 621 | 640 | 656 | 673 | 690 | | | |
| S | 499 | 516 | 533 | 550 | 567 | 583 | 600 | 615 | 631 | 646 | | | |

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.

(ii) Deductions (where cost of living is lower than at the base)

| Level | Steps | | | | | | | | | | | | |
|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------|
| | I | II | III | IV | V | VI | VII | IX | VIII | X | XI | XII | XIII |
| USG D | 1 755 | | | | | | | | | | | | |
| S | 1 592 | | | | | | | | | | | | |
| ASG D | 1 611 | | | | | | | | | | | | |
| S | 1 466 | | | | | | | | | | | | |
| D-2 D | 1 342 | 1 371 | 1 400 | 1 430 | | | | | | | | | |
| S | 1 230 | 1 256 | 1 282 | 1 307 | | | | | | | | | |
| D-1 D | 1 170 | 1 198 | 1 227 | 1 256 | 1 284 | 1 312 | 1 338 | | | | | | |
| S | 1 077 | 1 103 | 1 128 | 1 154 | 1 179 | 1 203 | 1 227 | | | | | | |
| P-5 D | 1 052 | 1 076 | 1 099 | 1 121 | 1 144 | 1 166 | 1 188 | 1 210 | 1 232 | 1 254 | | | |
| S | 972 | 993 | 1 014 | 1 034 | 1 054 | 1 074 | 1 093 | 1 113 | 1 133 | 1 152 | | | |
| P-4 D | 870 | 892 | 914 | 937 | 959 | 980 | 1 002 | 1 023 | 1 045 | 1 067 | 1 089 | 1 110 | |
| S | 808 | 828 | 848 | 869 | 888 | 907 | 927 | 946 | 966 | 986 | 1 005 | 1 024 | |
| P-3 D | 728 | 748 | 769 | 789 | 809 | 830 | 850 | 870 | 889 | 908 | 926 | 945 | 963 |
| S | 679 | 698 | 717 | 735 | 753 | 772 | 790 | 808 | 825 | 842 | 859 | 876 | 892 |
| P-2 D | 604 | 622 | 639 | 656 | 674 | 691 | 708 | 725 | 743 | 760 | 777 | | |
| S | 566 | 582 | 598 | 614 | 630 | 645 | 661 | 677 | 693 | 708 | 724 | | |
| P-1 D | 477 | 493 | 510 | 527 | 543 | 560 | 577 | 593 | 610 | 626 | | | |
| S | 449 | 464 | 480 | 495 | 511 | 526 | 541 | 556 | 571 | 586 | | | |

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.

ANNEX III

Termination indemnity

Replace the present text of annex III by the following:

"Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

"(a) Except as provided in paragraphs (b), (c) and (e) below and in regulation 9.3 (b), the termination indemnity shall be paid in accordance with the following schedule:

| <i>Months of pensionable remuneration less staff assessment, where applicable</i> | | | |
|---|-------------------------------|--|---|
| <i>Completed years of service</i> | <i>Permanent appointments</i> | <i>Temporary appointments which are not for a fixed term</i> | <i>Temporary appointments for a fixed-term exceeding six months</i> |
| Less than 1 ... | Not applicable | Nil | One week for each |
| 1 | Not applicable | 1 | month of uncom- |
| 2 | 3 | 1 | pleted service sub- |
| 3 | 3 | 2 | ject to a minimum |
| 4 | 4 | 3 | of six weeks' in- |
| 5 | 5 | 4 | demnity pay |
| 6 | 6 | 5 | 3 |
| 7 | 7 | 6 | 5 |
| 8 | 8 | 7 | 7 |
| 9 | 9 | 9 | 9 |
| 10 | 9.5 | 9.5 | 9.5 |
| 11 | 10 | 10 | 10 |
| 12 | 10.5 | 10.5 | 10.5 |
| 13 | 11 | 11 | 11 |
| 14 | 11.5 | 11.5 | 11.5 |
| 15 or more ... | 12 | 12 | 12 |

"(b) A staff member whose appointment is terminated for reasons of health shall receive an indemnity equal to the indemnity provided under paragraph (a) of this annex reduced by the amount of any disability benefit that the staff member may receive under the Regulations of the United Nations Joint Staff Pension Fund for the number of months to which the indemnity rate corresponds.

"(c) A staff member whose appointment is terminated for unsatisfactory services or who for disciplinary reasons is dismissed for misconduct other than by summary dismissal may be paid, at the discretion of the Secretary-General, an indemnity not exceeding one half of the indemnity provided under paragraph (a) of this annex.

"(d) No indemnity payments shall be made to:

"A staff member who resigns, except where termination notice has been given and the termination date agreed upon;

"A staff member who has a temporary appointment which is not for a fixed term and which is terminated during the first year of service;

"A staff member who has a temporary appointment for a fixed term which is completed on the expiration date specified in the letter of appointment;

"A staff member who is summarily dismissed;

"A staff member who abandons his post;

"A staff member who is retired under the Regulations of the United Nations Joint Staff Pension Fund.

"(e) Staff members specifically engaged for conference and other short-term service or for service with a mission, as consultants or as experts, and staff members who are locally recruited for service in established offices away from Headquarters may be paid termination indemnity if and as provided in their letters of appointment."

ANNEX IV

Repatriation grant

Replace the last sentence of the annex and the schedule of rates by the following:

"The amount of the grant shall be proportional to the length of service with the United Nations, as follows:

| <i>Years of continuous service away from home country</i> | <i>Staff member with a spouse or dependent child at time of separation</i> | <i>Staff member with neither a spouse nor a dependent child at time of separation</i> | |
|--|--|---|---------------------------------|
| | | <i>Professional and higher categories</i> | <i>General Service category</i> |
| <i>(Weeks of pensionable remuneration less staff assessment, where applicable)</i> | | | |
| 1 | 4 | 3 | 2 |
| 2 | 8 | 5 | 4 |
| 3 | 10 | 6 | 5 |
| 4 | 12 | 7 | 6 |
| 5 | 14 | 8 | 7 |
| 6 | 16 | 9 | 8 |
| 7 | 18 | 10 | 9 |
| 8 | 20 | 11 | 10 |
| 9 | 22 | 13 | 11 |
| 10 | 24 | 14 | 12 |
| 11 | 26 | 15 | 13 |
| 12 or more .. | 28 | 16 | 14" |

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 103rd plenary meeting, on 17 December 1976, the General Assembly by a recorded vote of 119 to 11, with 2 abstentions, adopted the draft resolution submitted by the Fifth Committee in its report (A/31/449, para. 46). For the final text, see resolution 31/141.²

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/31/8/Add.6 | Administrative and financial implications of the recommendations made by the International Civil Service Commission in document A/31/30: report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/30 and Add.1 | Report of the International Civil Service Commission | <i>Ibid.</i> , Supplement No. 30 and addendum |
| A/31/239 | Report of the International Civil Service Commission: note by the Secretary-General transmitting the comments of the Administrative Committee on Co-ordination on the report | Mimeographed |
| A/C.5/31/26 | Administrative and financial implications of the recommendations made by the International Civil Service Commission in document A/31/30: note by the Secretary-General | Ditto |
| A/C.5/31/48 | Amendments to the Staff Regulations of the United Nations: note by the Secretary-General | Ditto |
| A/C.5/31/L.23 | Draft resolution | For the sponsors and the text, see A/31/449, para. 37 |



Agenda item 104: * United Nations pension system: report of the United Nations Joint Staff Pension Board**

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Fifth Committee*, 52nd to 55th and 58th meetings and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 107th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth session (agenda item 85), twenty-seventh session (item 82), twenty-eighth session (item 88), twenty-ninth session (item 83) and thirtieth session (item 106).

Abbreviations

| | |
|------|--------------------------------------|
| CPI | Consumer price index |
| UNDP | United Nations Development Programme |
| WAPA | Weighted average of post adjustments |

DOCUMENT A/31/455

Report of the Fifth Committee

*[Original: English]
[21 December 1976]*

Introduction

1. The item on the United Nations pension system was included in the provisional agenda of the thirty-first session of the General Assembly pursuant to its resolution 3526 (XXX) of 16 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Fifth Committee.

3. At its 52nd to 55th and 58th meetings, held from 15 to 20 December, the Fifth Committee considered the report of the United Nations Joint Staff Pension Board for 1976 (A/31/9 and Add.1), including the report of the Board of Auditors (A/31/9, annex IV) on the accounts of

the United Nations Joint Staff Pension Fund for the year ending 31 December 1975. For its consideration of the item, the Fifth Committee also had before it the following documents:

(a) Report of the Advisory Committee on Administrative and Budgetary Questions (A/31/409);

(b) Report of the Secretary-General on the investments of the Pension Fund in developing countries (A/C.5/31/16);

(c) Report of the Secretary-General on the membership of the Investments Committee (A/C.5/31/28);

(d) Note by the Secretary-General (A/C.5/31/35) transmitting to the General Assembly a statement of the Administrative Committee on Co-ordination on the Board's report.

Debate

4. The Chairman of the Advisory Committee, in an introductory statement, drew attention to the Advisory Committee's comments and recommendations on the Board's proposals, particularly those for action by the General Assembly at its current session.

5. The report of the Board (A/31/9 and Add.1), put forward a new scheme, to go into effect on 1 January 1977, for the adjustment of pensions. The scheme, which was endorsed by the majority of the Board's members but which did not have the support of the members representing the United Nations, sought to compensate pensioners for the losses in the purchasing power of their pensions arising from inflation and currency exchange rate fluctuations in those countries where the local currency had appreciated in relation to the United States dollar—the currency in which the base pension was calculated.

6. It would do so, *inter alia*, by the establishment of the initial pension in the currency of the pensioner's country of residence, to be adjusted subsequently in the light of cost-of-living movements in that country. If, however, the base pension calculated in United States dollars as adjusted by the United States consumer price index (CPI) and converted into local currency at the rate of exchange prevailing at the time of payment of the pension, should be higher, the latter amount would be payable instead.

7. The Board also proposed that the maximum number of years of reckonable contributory service for the accumulation of a pension be raised from 30 to 32, using a calculation factor for the thirty-first and thirty-second years of 1/100 of final average pensionable remuneration instead of 1/50, the factor used for 30 years or less of contributory service. In addition, the Board proposed improvements in the disability and survivors' benefits, and also that staff members recruited at the age of 60 or above into the United Nations system should be allowed to become participants in the Fund. These proposals, the Board suggested, should go into effect on 1 January 1977.

8. In its report (A/31/409), the Advisory Committee recommended postponing action on changing the pension adjustment scheme, because of the need for further study to eliminate anomalies in the Board's proposals and because of the need to examine any proposed adjustment scheme in the light of the next actuarial valuation of the Fund (as at 31 December 1976), bearing in mind also the results of the deliberations of the International Civil Service Commission, which was to undertake an in-depth study of pension benefits for staff in both the Professional and General Service categories. The Advisory Committee noted that the last actuarial valuation of the Fund, as at 31 December 1974, had shown an imbalance of \$116.6 million (or 0.55 per cent of payroll) and had antedated the current dual WAPA/CPI adjustment system introduced on 1 January 1975.

9. The Advisory Committee also suggested that the General Assembly might wish to give preliminary consideration to the question of principle raised by the Board's proposal on the introduction of an initial adjustment to compensate in part for country-to-country differences in

the cost of living. Also to be considered, for the guidance of the Board, were the following issues: the question whether any adjustment system at all could be institutionalized, and the possibility of devising less costly alternatives to the Board's proposals, such as applying the initial adjustment to pensions up to a given amount only, to give proportionately greater relief to those receiving smaller pensions, or disallowing, for the purpose of calculating the adjustment ratio, a given number of post adjustment classes above the classification for New York.

10. The Advisory Committee recommended postponing action until the General Assembly's thirty-third session on the Board's proposals to raise the maximum number of years of contributory service and to improve disability and survivors' benefits; at that time all proposals on benefit changes and others having cost implications could be considered together.

11. The Advisory Committee was unable to accept the Board's proposals to recommend changing the Regulations of the United Nations Joint Staff Pension Fund to permit persons aged 60 or more to become participants in the Fund, as that would be inconsistent with the staff regulations of most member organizations of the Pension Fund which provided that 60 would be the normal retirement age.

12. The Advisory Committee agreed to the Pension Board's remaining proposals: continuing for one year the Emergency Fund up to an annual amount of \$100,000; increasing the number of members of the Investments Committee from 6 to 9; and admitting the World Intellectual Property Organization to membership in the Pension Fund with effect from 1 January 1977.

13. In introducing the report of the United Nations Joint Staff Pension Board, the Chairman of the Board explained the reasons which had led the Board to prefer the adjustment scheme it proposed over the many alternatives it had examined, as well as the reasons for increasing maximum contributory service now and for the abolition of age 60 as a bar to entry into the Fund.

14. In the course of the ensuing discussion, general agreement was expressed on the need for an adjustment scheme that would mitigate the effects of erosion by inflation and, in some cases, by fluctuations in currency exchange rates on the purchasing power of pensions.

15. There was widespread agreement with the Advisory Committee's recommendations to defer action on changing the current adjustment system until the thirty-third session of the General Assembly and, in the meantime, to continue the current dual WAPA/CPI adjustment system. Some, however, favoured instead deferment until the Assembly's thirty-second session.

16. Others expressed regret over the need for postponement, particularly because of the urgent need for action to alleviate the hardship which those with low pensions were suffering because of the depreciation of the value of United Nations pensions owing to inflation in their countries of residence and to the effects of the realignment of currencies.

17. Several representatives expressed doubts about the feasibility and acceptability of the concept of equalizing the purchasing power of pensions in different countries, a concept which seemed to underlie the proposed adjustment scheme put forward by the Pension Board in its report. Others pointed to the large number of anomalies inherent in the Board's scheme and to the impression it gave of benefiting only some but not all pensioners. The need to take into account the effects of different national income taxes on the purchasing power of pensions was also stressed. Several representatives supported the views of the Pension Review Group (see A/31/409, annex) on the desirability of adjusting pension benefits on a "universal" basis, on the cost implications of fully compensating under all circumstances for unpredictable future cost-of-living increases and on the difficulties of automatic compensation for currency exchange rate variations.

18. A number of representatives maintained that consideration should be given to providing adjustments on a sliding scale to afford proportionately greater relief to those who needed it most.

19. At the 54th meeting, the text of a telegram addressed to the Chairman by the interorganization group on pensions at Geneva was read out. The telegram, protesting against proposals to postpone a decision on the pension adjustment question, contained statements to the effect that postponement would lead to concerted staff action. One representative, describing the telegram as intolerable pressure on the Committee, asked that the Secretary-General take disciplinary steps against the authors of the telegram.

20. At the 55th meeting, excerpts from a joint communication addressed to the Chairman of the Fifth Committee by the Chairman of the United Nations Staff Committee and the Chairman of the UNDP Staff Council were read out. On behalf of staff members in many countries whom they represented, they dissociated themselves from the views and threats contained in the telegram read out at the previous meeting.

21. Some representatives favoured, for reasons of equity, the Pension Board's proposal to increase the maximum number of years of reckonable contributory service from 30 to 32. Some, however, considered that that should be applied only to those who had not yet reached the age of 60 by the time they had 30 years of contributory service.

22. Others preferred the Advisory Committee's proposal to defer action on the matter until the General Assembly's thirty-third session, when it should be considered in the light of the results of the next actuarial valuation and in the context of proposals on the improvement and adjustment of pension benefits.

23. A similar division of opinion was evident in the discussion of the Board's proposals to improve disability and survivors' benefits.

24. Agreement was expressed with the Advisory Committee's recommendation to reject the Pension Board's proposal to permit staff members recruited after the age of 60 to enter the Fund.

25. The suggestion was made that a review be undertaken of the entitlements of participants who left the United Nations system before completing five years of contributory service.

Consideration of Proposals

26. The Fifth Committee had before it the following texts relating to the report of the United Nations Joint Staff Pension Board:

(a) Draft resolution recommended by the Pension Board to the General Assembly (A/31/9, annex VI);

(b) Amendments thereto submitted by the Advisory Committee (A/31/409, para. 56),

(c) Amendments to those texts:

(i) Amendment submitted by Algeria, Austria and Colombia (A/C.5/31/L.39) to the draft resolution:

(ii) Amendment submitted by the United Kingdom of Great Britain and Northern Ireland (A/C.5/31/L.40);

(iii) Amendment submitted by the Federal Republic of Germany (A/C.5/31/L.41) and an oral amendment to it proposed by the United Kingdom:

(d) Draft decision submitted by Belgium (A/C.5/31/L.47), which was subsequently replaced by a draft resolution submitted jointly by Belgium and France (A/C.5/31/L.53).

27. The draft resolution recommended by the Pension Board read as follows:

"The General Assembly,

"...[the preamble is the same as that of draft resolution I in paragraph 46 below],

"I

*"Adjustment of benefits in respect of
cost-of-living changes*

"Decides to revise the system of adjustment of benefits in payment contained in General Assembly resolution 3354 (XXIX) of 18 December 1974 and previous resolutions on the same subject, with effect from 1 January 1977, in accordance with the recommendations of the United Nations Joint Staff Pension Board contained in paragraphs 18 to 58 of its report to the Assembly for 1976 (A/31/9) and in annex V thereto;

"II

*"Amendments to the Regulations of the United Nations
Joint Staff Pension Fund*

"Decides that the Regulations of the United Nations Joint Staff Pension Fund shall be amended, without retroactive effect, from 1 January 1977, as set forth in annex VII to the report of the United Nations Joint Staff Pension Board;

"...[sections III and IV are the same as the corresponding sections of draft resolution I in paragraph 46 below];

“V

“Administrative expenses

“Approves expenses, chargeable directly to the United Nations Joint Staff Pension Fund, totalling \$3,144,400 (net) for 1977 and supplementary expenses totalling \$14,200 (net) for 1976 for the administration of the Fund, as estimated in annex III to the report of the United Nations Joint Staff Pension Board.”

28. The amendments submitted by the Advisory Committee (A/31/409, para. 56) to the draft resolution recommended by the Pension Board called for:

(a) The replacement of the text of section I by the following two paragraphs:

[Same text as section I, paragraphs 1 and 2, of draft resolution I in paragraph 46 below.]

(b) The insertion, in section II, after the words “Decides that”, of the words “articles 20 and 30 (b) of”.

(c) The replacement in section V, of the figure “\$3,144,400” by “\$3,129,400”, and, at the end of the sentence, the addition of the words “except that the provision for staff costs for 1977 shall be reduced by \$15,000”.

29. The amendment submitted by Algeria, Austria and Colombia (A/C.5/31/L.39) to the draft resolution read as follows:

“In section II, after the words ‘Decides that’ insert ‘articles 20, 29 (b) (i), 30 (b), 34 (c), 34 (d) and 35 (d) of.’”

30. Article 20, as thus amended, would provide for the increase in the membership of the Investments Committee from 6 to 9. The amendment to article 29 (b) (i) was intended to provide for the increase in the maximum number of years of reckonable contributory service from 30 to 32, with a factor of 1/100 to be used in calculating the benefits for the thirty-first and thirty-second years, instead of 1/50, the factor used for 30 years or less of contributory service. The amendment to article 30 (b) was intended to clarify the existing text in regard to the reduction factor applied in calculating the early retirement benefit of a participant leaving after less than 25 years of contributory service. The amendments to articles 34 (c) and 34 (d) were intended to provide for the improvement of the disability benefit, and the amendment to article 35 (d) was intended to improve the widow’s benefit.

31. The amendment submitted by the United Kingdom (A/C.5/31/L.40) read as follows:

“In section II, after the words ‘Decides that’ insert ‘articles 20, 29 (b) (i) and 30 (b) of.’”

That amendment was not put to the vote, the Fifth Committee, at its 54th meeting, having adopted the three-Power amendment (A/C.5/31/L.39).

32. The amendment submitted by the Federal Republic of Germany (A/C.5/31/L.41) called for the addition to section I of the draft resolution, as amended by the Advisory Committee, of a paragraph reading as follows:

“3. *Decides*, as a preliminary guideline for the future deliberations of the Board, that an adjustment system should contain an initial adjustment of the base pension in order to compensate in part for country-to-country differences in the cost of living, subject to the condition that the new scheme does not require an increase in the present or future financial liabilities of Member States.”

33. That amendment was subsequently withdrawn, in the light of the discussions in favour of an oral amendment, proposed at the 54th meeting by the United Kingdom, which would add the following paragraph to section I of the draft resolution, as amended in accordance with the proposals by the Advisory Committee and by Algeria, Austria and Colombia:

[Same text as section I, paragraph 3, of draft resolution I in paragraph 46 below.]

34. At its 54th meeting, the Fifth Committee considered a draft resolution (A/C.5/31/L.44) consolidating the draft resolution proposed by the Pension Board (A/31/9, annex VI) and the amendments thereto proposed by the Advisory Committee (A/31/409, para. 56); it read as follows:

“The General Assembly,

“... [same text as the preamble, section I, paragraphs 1 and 2, and sections III to VI of draft resolution I in paragraph 46 below; section II read as follows:

“II

‘Amendments to the Regulations of the United Nations Joint Staff Pension Fund

‘Decides that articles 20 and 30 (b) of the Regulations of the United Nations Joint Staff Pension Fund shall be amended, without retroactive effect, from 1 January 1977, as set forth in annex VII to the report of the United Nations Joint Staff Pension Board;’.”

35. At the same meeting, the Fifth Committee voted on draft resolution A/C.5/31/L.44, the amendment submitted by Algeria, Austria and Colombia (A/C.5/31/L.39) and the oral amendment submitted by the United Kingdom. The results of the voting were as follows:

(a) The proposals for amendments (A/C.5/31/L.39) to specific articles of the Regulations of the United Nations Joint Staff Pension Fund were voted on separately:

(i) The amendment to article 20 (on increasing the membership of the Investments Committee), the amendment to article 30 (b) (on the reduction factors to be applied in the calculation of early retirement benefits) and the amendment to article 34 (d) (on increasing the minimum amount of a disability benefit) were adopted by consensus;

- (ii) The amendment to article 29 (b) (i) (on the maximum number of years of reckonable contributory service) was adopted by 72 votes to 11, with 2 abstentions;
- (iii) The amendment to article 34 (c) (on increasing the disability benefit) was adopted by 68 votes to 12, with 4 abstentions;
- (iv) The amendment to article 35 (d) (on increasing the widow's benefit) was adopted by 82 votes to 1, with 5 abstentions;

(b) The United Kingdom amendment (A/C.5/31/L.40), proposing the revision of some of the same articles of the Regulations of the Fund, was superseded by the adoption of the amendment submitted by Algeria, Austria and Colombia (A/C.5/31/L.39);

(c) The oral amendment submitted by the United Kingdom (see para. 33 above) was adopted by consensus;

(d) Draft resolution A/C.5/31/L.44, as amended, was adopted by 79 votes to none, with 12 abstentions (see para. 46 below, draft resolution I, sects. I to VI).

36. At the 55th meeting, Belgium introduced a draft decision (A/C.5/31/L.47) which would provide, as an interim measure, relief from hardships suffered by those with low pensions. The draft decision read as follows:

"The General Assembly *further decides* that, as an interim measure until the Board's proposals on adjustments are acted upon at the thirty-third session of the General Assembly, the benefits of those beneficiaries whose basic benefits are less than \$US 5,000 per year should be increased by the ratio of final average remuneration of a P-3 on 31 December 1976 and on the date of their actual separation."

37. The sponsor stressed the urgent need to assist those pensioners who had experienced difficulties because of serious reductions in the purchasing power of their meagre pensions—calculated in United States dollars—especially those which had been severely affected by the devaluation of the United States dollar in relation to the currency of their respective countries of residence.

38. Other representatives, while agreeing on the need to provide relief in such cases to those with pensions below \$5,000, pointed out that adoption of the Belgian proposal as it stood could result in those with pensions somewhat below \$5,000 receiving considerably more than those with pensions slightly above \$5,000, which would mean that the latter would not be equitably treated.

39. At the 58th meeting, Belgium and France jointly submitted a draft resolution (A/C.5/31/L.53) to replace the text submitted earlier by Belgium (A/C.5/31/L.47).

40. At the same meeting, draft resolution A/C.5/31/L.53 was adopted by consensus (see para. 46 below, draft resolution I, sect. VII).

* * *

41. The Committee's discussion of the investments of the Joint Staff Pension Fund was based on the report of the

Secretary-General (A/C.5/31/16), requested by the General Assembly in its resolution 3527 (XXX) of 16 December 1975, and dealt mainly with its investments in developing countries.

42. At the 54th meeting, Cuba introduced a draft resolution (A/C.5/31/L.38) on the subject; at the 55th meeting, the draft resolution was adopted by 34 votes to 26, with 22 abstentions (see para. 46 below, draft resolution II).

43. Also at the 55th meeting, the Fifth Committee decided, by 33 votes to 29, with 22 abstentions, not to consider a draft resolution submitted by Nicaragua (A/C.5/31/L.48), the text of which read as follows:

"*The General Assembly,*

"*Noting with concern* that direct investments by the United Nations Joint Staff Pension Fund in developing countries are still very small,

"*Recalling* the resolutions adopted by the General Assembly and other international organizations concerning the new international economic order,

"*Considering* that the percentage allocated by the United Nations Joint Staff Pension Fund to the financing of developing countries is disproportionate to the other allocations of such funds,

"1. *Requests* the Secretary-General to take suitable measures to achieve better and greater direct investment of the resources of the United Nations Joint Staff Pension Fund in developing countries, on safe and profitable terms;

"2. *Further requests* the Secretary-General to report to the General Assembly at its thirty-second session on the progress achieved in accordance with the provisions of the present resolution."

44. A number of delegations explained that they had voted in favour of the Cuban text on the understanding that it did not conflict with the requirements that the Fund's investments should be made only on safe and profitable terms. Other representatives who voted against the text or who abstained explained that, while they were in favour of increasing safe and profitable investments in developing countries where terms and conditions were appropriate for the Pension Fund, the method proposed in the draft resolution submitted by Cuba was a drastic one which might lead to considerable losses in the value of the Fund's assets. They further stated that the draft resolution failed to provide discretionary authority to the Secretary-General, and that they would have preferred a formulation that would have had the Secretary-General deal with the matter, as appropriate. Accordingly, they relied on the phrase "safe and profitable" as providing for the exercise of discretion by the Secretary-General and the Investments Committee. Some delegations pointed out that the Investments Committee was being expanded to provide for wider and more equitable geographical distribution and that that Committee would be expected to advise the Secretary-General on suitable investments in developing countries. Still others stressed that the assets of the Fund were legally

the property of its participants and pensioners and that the Fund was, therefore, a "sacred trust" of the Secretary-General.

45. Other aspects of investments which were dealt with in the discussions related to the fees paid to the institutional investment advisers, and also to the placement of securities transactions. In addition, some representatives asked questions about the progress made in obtaining remission of transfer taxes on investments in those countries where they were still levied and about losses realized on the sale of securities in 1975. With regard to the latter point, the Controller reported that, in 1975, the Fund had realized a net gain of \$11 million on the sale of securities.

Recommendations of the Fifth Committee

46. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

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 1976 (A/31/9 and Add.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/409),

I

Adjustment of benefits in respect of cost-of-living changes

1. *Requests* the United Nations Joint Staff Pension Board to continue its study of the system of adjustment of benefits in respect of cost-of-living changes, bearing in mind the views expressed on this question at the thirty-first session of the General Assembly and in the light of the actuarial valuation of the United Nations Joint Staff Pension Fund as at 31 December 1976, and to submit its recommendations to the General Assembly at its thirty-third session;

2. *Decides* that the system of adjustment of benefits approved pursuant to section I of General Assembly resolution 3354 (XXIX) of 18 December 1974 shall remain in force until 31 December 1978;

3. *Further decides* that one of the guidelines for the future deliberations of the United Nations Joint Staff Pension Board should be that the principle of compensating by whatever means for country-to-country differences in the cost of living should be given limited recognition falling short of equality of purchasing power so as to ensure that the new scheme does not require an increase in the present or future financial liabilities of Member States;

II

Amendments to the Regulations of the United Nations Joint Staff Pension Fund

Decides that articles 20, 29 (b) (i), 30 (b), 34 (c), 34 (d) and 35 (d) of the Regulations of the United Nations Joint

Staff Pension Fund shall be amended, without retroactive effect, from 1 January 1977, as set forth in annex VII to the report of the United Nations Joint Staff Pension Board (A/31/9);

III

Admission to membership of the World Intellectual Property Organization

Decides to admit the World Intellectual Property Organization to membership in the United Nations Joint Staff Pension Fund with effect from 1 January 1977, in accordance with article 3 of the Regulations of the Fund;

IV

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;

V

Administrative expenses

Approves expenses, chargeable directly to the United Nations Joint Staff Pension Fund, totalling \$3,129,400 (net) for 1977 and supplementary expenses totalling \$14,200 (net) for 1976 for the administration of the Fund, as estimated in annex III to the report of the United Nations Joint Staff Pension Board (A/31/9), except that the provisions for staff costs for 1977 shall be reduced by \$15,000;

VI

Observations of the Advisory Committee on Administrative and Budgetary Questions

1. *Endorses* the view of the Advisory Committee on Administrative and Budgetary Questions that, in the study of adjustment proposals to be submitted to the General Assembly at its thirty-third session, the United Nations Joint Staff Pension Board should take into account not only the results of the actuarial valuation of the Fund as at 31 December 1976, but also all relevant findings of the International Civil Service Commission, as referred to in paragraph 22 of the Report of the Advisory Committee (A/31/409), together with all aspects of national taxation which may be pertinent;

2. *Also endorses* the view of the Advisory Committee that, in making its proposals on adjustment at that time, the United Nations Joint Staff Pension Board should take account of the questions of principle referred to in paragraph 27 of the report of the Advisory Committee and of the alternatives referred to in paragraph 28 thereof;

VII

Temporary measures to apply to existing pensioners in respect of the loss of purchasing power of their pensions

Decides to authorize payments during 1977, in an aggregate amount not to exceed \$500,000, to be made by

the United Nations Joint Staff Pension Fund to compensate those pensioners whose pensions in the country of their residence have decreased in purchasing power to a significant extent; the guidelines to be followed for such payments are that they shall be made only in respect of that part of the loss which exceeds 20 per cent and only with respect to pensions which, after such adjustment, do not exceed 50 per cent of the net base salary of a Professional staff member in the P-1, step 1, category, and a report on the expenditures thus made in pursuance of the present resolution shall be submitted by the Board to the General Assembly at its thirty-second session.

DRAFT RESOLUTION II

Investments of the United Nations Joint Staff Pension Fund

The General Assembly,

Noting with concern that the United Nations Joint Staff Pension Fund has long-term investments in transnational corporations amounting to approximately \$600 million,

Recalling the resolutions adopted by the United Nations and other international organizations concerning the new international economic order and the transnational corporations,

Taking into account that the financing by the United Nations Joint Staff Pension Fund of transnational corporations contradicts the objectives and purposes of the organizations of the United Nations system,

Considering that the investments made by the United Nations Joint Staff Pension Fund directly in the developing countries are extremely small,

1. *Requests* 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 directly in the developing countries, on safe and profitable terms;

2. *Also requests* the Secretary-General to inform the General Assembly at its thirty-second session on the implementation of the present resolution.

DOCUMENT A/31/L.36

Chile, Colombia, Costa Rica, Dominican Republic, Guatemala, Indonesia, Nicaragua, Panama and Paraguay: amendments to draft resolution II submitted by the Fifth Committee in document A/31/455

*/Original: English/Spanish/
[21 December 1976]*

1. Replace the third preambular paragraph in draft resolution II submitted by the Fifth Committee in paragraph 46 of its report (A/31/455) by the following:

"Taking into account that investments by the United Nations Joint Staff Pension Fund in shares of transnational corporations may contradict the objectives and purposes of the organizations of the United Nations system".

2. In the last preambular paragraph, after the word "countries", insert ", while increasing,".

3. In operative paragraph 1, make the following changes:

(a) Following the words "Secretary-General", insert ", in consultation with the Investments Committee, which is being enlarged at the current session to reflect wider and more equitable geographical distribution,";

(b) Following the words "are invested", delete "directly developing countries";

(c) At the end of the paragraph, add "and, to the greatest extent practicable, in sound investments in developing countries,".

The paragraph would thus read:

"1. *Requests* the Secretary-General, in consultation with the Investments Committee, which is being enlarged at the current session to reflect wider and more equitable geographical distribution, 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,".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 107th plenary meeting, on 22 December 1976, the General Assembly voted on draft resolutions I and II submitted by the Fifth Committee in its report (A/31/455, para. 46). It adopted draft resolution I, then the amendments (A/31/L.36) to draft resolution II, and, finally, draft resolution II, as amended, by a recorded vote of 106 to 1, with 24 abstentions. For the final text, see resolutions 31/196 and 31/197.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/31/9 and Add.1 | Report of the United Nations Joint Staff Pension Board | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 9 and addendum</i> |
| A/31/409 | Report of the Advisory Committee on Administrative and Budgetary Questions | Mimeographed |
| A/C.5/31/16 | United Nations Joint Staff Pension Fund investments in developing countries: report of the Secretary-General | Ditto |
| A/C.5/31/28 | Membership of the Investments Committee: report of the Secretary-General | Ditto |
| A/C.5/31/30 | Question of pension coverage for members of the Joint Inspection Unit: report of the Secretary-General | Ditto |
| A/C.5/31/35 | Note by the Secretary-General transmitting a statement of the Administrative Committee on Co-ordination | Ditto |
| A/C.5/31/L.38 | Draft resolution | For the sponsors and the text, see A/31/455, para. 42, and para. 46, draft resolution II |
| A/C.5/31/L.39 | Amendment to the draft resolution contained in annex VI of document A/31/9 | <i>Idem</i> , para. 29 |
| A/C.5/31/L.40 | <i>Idem</i> | <i>Idem</i> , para. 31 |
| A/C.5/31/L.41 | <i>Idem</i> | <i>Idem</i> , para. 32 |
| A/C.5/31/L.44 | Text of the draft resolution contained in annex VI of document A/31/9 as revised by the amendments in paragraph 56 of document A/31/409 | See A/31/455, para. 34 |
| A/C.5/31/L.47 | Draft decision | For the sponsors and the text, see A/31/455, para. 36 |
| A/C.5/31/L.48 | Draft resolution | <i>Idem</i> , para. 43 |
| A/C.5/31/L.53 | Draft resolution | <i>Idem</i> , para. 39 and para. 46, draft resolution I, sect. VII |
| A/C.5/31/L.60 | Note by the Secretary-General circulating the text of a telegram dated 20 December 1976 from the Secretary-General of the International Telecommunication Union | Mimeographed |



Agenda item 105: * 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-first Session, Fifth Committee*, 14th, 39th, 51st, 53rd and 59th meetings, and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 41st, 84th and 107th meetings.

** This question was previously discussed by the General Assembly at its twenty-ninth session (agenda item 84) and thirtieth session (item 107).

DOCUMENTS A/31/278 AND ADD.1 AND 2

Report of the Fifth Committee

DOCUMENT A/31/278

*[Original: English]
[22 October 1976]*

PART I

1. At its 14th meeting, on 22 October 1976, the Fifth Committee considered agenda item 105.

2. The Security Council, by its resolution 396 (1976) of 22 October 1976, decided to renew the mandate of the United Nations Emergency Force for the period from 25 October 1976 to 24 October 1977 inclusive. The mandate of the United Nations Disengagement Observer Force, which was renewed by the Security Council by resolution 390 (1976) of 28 May 1976, would continue until 30 November 1976 inclusive.

3. In view of the fact that the current appropriation for UNEF, as provided by section II, paragraph 1, of General Assembly resolution 3374 B (XXX) of 28 November 1975, did not extend beyond 24 October 1976 and that the current authorization of the Secretary-General to enter into commitments for UNDOF, as provided by section III of Assembly resolution 3374 C (XXX) of 2 December 1975, would expire on 31 October 1976, the Fifth Committee, following a number of oral amendments, adopted without objection a draft resolution (see A/C.5/31/L.5) which would authorize the Secretary-General to enter into com-

mitments for UNEF for the period from 25 October to 30 November 1976 inclusive and for UNDOF for one additional month beyond 31 October 1976, 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 are reflected in the summary record of the meeting (A/C.5/31/SR.14).

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling that the present appropriation for the United Nations Emergency Force, as provided by section II, paragraph 1, of General Assembly resolution 3374 B (XXX) of 28 November 1975, does not extend to periods beyond 24 October 1976,

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 3374 C (XXX) of 2 December 1975, expires on 31 October 1976,

Taking note of Security Council resolution 396 (1976) of 22 October 1976, which renewed the mandate of the United Nations Emergency Force for the period from 25 October 1976 to 24 October 1977 inclusive.

Noting further that the present mandate of the United Nations Disengagement Observer Force, which was renewed by the Security Council in resolution 390 (1976) of 28 May 1976, continues until 30 November 1976 inclusive,

1. *Decides* to authorize the Secretary-General to enter into commitments for the United Nations Emergency Force at a rate not to exceed \$6,916,666 per month for the period from 25 October to 30 November 1976 inclusive, and for the United Nations Disengagement Observer Force in an amount not to exceed \$1,288,636 for the period from 1 to 30 November 1976 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 resolution 3374 B and C (XXX).

DOCUMENT A/31/278/ADD.1

*[Original: English]
[30 November 1976]*

PART II

1. At its 39th meeting, on 30 November 1976, the Fifth Committee considered a draft resolution (see A/C.5/31/L.24) submitted by the Chairman, in consultation with the Secretariat, on the financing of UNEF and of UNDOF.

2. As provided by paragraph 1 of General Assembly resolution 31/5 of 26 October 1976, the authority of the Secretary-General to enter into commitments for UNEF and UNDOF would expire on 30 November 1976. In view of the decisions taken by the Security Council—in its resolutions 396 (1976) of 22 October 1976 and 398 (1976) of 30 November 1976—to renew the mandates of the two Forces, and in order to allow time for consideration by the General Assembly of the report of the Secretary-General on the financing of the Forces (A/31/288), the draft resolution submitted by the Chairman would, *inter alia*, authorize the Secretary-General to enter into commitments for UNEF and UNDOF for a further period, from 1 to 21 December 1976 inclusive.

3. The reservations stated as well as explanations of vote are reflected in the summary record of the meeting (A/C.5/31/SR.39).

4. At the same meeting, the Committee adopted the draft resolution by 81 votes to 2, with 3 abstentions (see para. 5 below).

Recommendation of the Fifth Committee

5. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling that the present authority of the Secretary-General to enter into commitments for the United Nations Emergency Force and for the United Nations Disengagement Observer Force, as provided by paragraph 1 of General Assembly resolution 31/5 of 26 October 1976, expires on 30 November 1976.

Taking note of Security Council resolution 396 (1976) of 22 October 1976, which renewed the mandate of the United Nations Emergency Force for the period from 25 October 1976 to 24 October 1977 inclusive, and of Council resolution 398 (1976) of 30 November 1976, which renewed the mandate of the United Nations Disengagement Observer Force for the period from 1 December 1976 to 31 May 1977 inclusive,

1. *Decides* to authorize the Secretary-General to enter into commitments for the United Nations Emergency Force and for the United Nations Disengagement Observer Force at a rate not to exceed \$6,739,205 and \$1,393,607 per month, respectively, for the period from 1 to 21 December 1976 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 (A/31/288);

2. *Also decides* to apportion the above-mentioned expenses among Member States in accordance with the scheme set forth in General Assembly resolutions 3374 B (XXX) of 28 November 1975 and 3374 C (XXX) of 2 December 1975.

DOCUMENT A/31/278/ADD.2

*[Original: English]
[21 December 1976]*

PART III

1. The recommendations of the Fifth Committee to the General Assembly heretofore made during the current session are reflected in parts I and II (A/31/278 and A/31/278/Add.1) of the present report. Pursuant to those recommendations, the General Assembly, at its 41st plenary meeting on 26 October 1976, adopted resolution 31/5 A and, at its 84th plenary meeting, on 1 December 1976, adopted resolution 31/5 B.

2. The Committee discussed the financing of UNEF and of UNDOF at its 14th, 39th, 51st, 53rd and 59th meetings on 22 October, 30 November and 15, 16 and 21 December 1976.

3. When the Committee considered the question at its 51st and 53rd meetings, it had before it the report of the Secretary-General (A/31/288) on the financing of UNEF and of UNDOF, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/410).

4. In section III of his report, the Secretary-General reviewed the expenditures and obligations of UNEF and

UNDOF during the third financial period of their existence, namely, from 25 October 1975 to 24 October 1976 inclusive. In section V of his report, the Secretary-General submitted estimates for the Force for the financial period 25 October 1976 to 24 October 1977 inclusive. The Secretary-General estimated the cost of UNEF during the current mandate, which would expire on 24 October 1977, at \$81.1 million. In paragraphs 18 and 19 of his report, he indicated that that estimate did not provide for the costs of relocating UNEF headquarters, and that a suitable provision would therefore be necessary in the 1976-1977 appropriations in the event that the General Assembly did not accept the proposal that he be authorized to use the unencumbered balance of \$11 million for 1975-1976 to meet the costs of relocating UNEF headquarters. The estimated cost of UNDOF for the period 25 October 1976 to 30 November 1976 inclusive was \$1.6 million and, conditional upon its mandate being extended by the Security Council beyond that date, the related costs were estimated at nearly \$1.4 million per month. On that basis, the cost of UNDOF until 24 October 1977 was estimated at \$16.6 million, and the total for UNEF and UNDOF for the fourth year of the Force totalled \$97.7 million.

5. In its report, the Advisory Committee indicated a number of areas where savings totalling \$5 million could be achieved. It also recommended that an estimate of the reserve accruing from the sale of obsolete or surplus equipment, stores and so forth should be set at \$100,000. Subject to the proviso that actual requirements for the Force in 1976-1977 would depend on the decision to be taken by the Security Council regarding the mandate of UNDOF after 31 May 1977, the Advisory Committee was of the opinion that the cost of the Force in 1976-1977 should not exceed \$92.6 million.

6. In paragraph 8 of its report, the Advisory Committee, referring to paragraph 17 of the Secretary-General's report, wherein he stated that the average minimum cost of the new accommodation for UNEF headquarters would appear to be of the order of \$11 million, recommended that the Secretary-General should not enter into any commitment until the Advisory Committee had had the opportunity to review detailed plans and estimates, and recommended that the necessary legal action should be taken to ensure that ownership in whatever buildings were erected was properly vested in the United Nations.

7. The Chairman of the Advisory Committee introduced that Committee's report in an oral statement before the Fifth Committee at its 51st meeting.

8. At the 59th meeting, the representative of Argentina introduced a draft resolution (A/C.5/31/L.43) on behalf of Argentina, Austria, Canada, Colombia, Finland, Germany, Federal Republic of, Ghana, India, Indonesia, Ireland, Kenya, New Zealand, Nicaragua, Norway, Panama, Portugal, Sweden, Uruguay and Yugoslavia, and said that Costa Rica, Iran, Nepal, Peru and Venezuela had joined the sponsors. He also announced some changes in the draft resolution.

9. At the same meeting, the representative of the Union of Soviet Socialist Republics requested a recorded vote on paragraph 18 of the Secretary-General's report.

10. The Committee approved paragraph 18 of the Secretary-General's report (A/31/288) by 73 votes to 10, on the understanding that it was doing so in the light of the Advisory Committee's recommendations in paragraph 8 of its report (A/31/410). The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Burma, Burundi, Canada, Chile, Colombia, Congo, Costa Rica, Denmark, Ecuador, Egypt, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Liberia, Malaysia, Mali, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Oman, Philippines, Portugal, Romania, Rwanda, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, 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.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: None.

11. In the course of the discussion, certain Member States called attention to the decision taken by the General Assembly at its 2303rd plenary meeting, on 29 November 1974, which had established standard rates of reimbursement to troop-contributing countries for pay and allowances for their troops, subject to review.¹ Those delegations pointed out that a considerable rise in costs had occurred since the rates currently applied were determined and proposed that a review of those rates be undertaken by the Secretary-General together with the troop contributors, the results of which would be reported to the General Assembly at its thirty-second session.

12. At the same meeting, the representative of the Secretary-General stated that, in view of the fact that several delegations had raised the issue, such a review would be carried out in close co-operation with the troop-contributing countries and new proposals would possibly be forthcoming next year.

13. A number of delegations expressed the view that other Member States should also be able to participate in the above-mentioned review.

14. The Committee then adopted draft resolution A/C.5/31/L.43 by a recorded vote of 73 to 1, with 10 abstentions (see para. 16 below). The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Burma, Burundi, Canada, Chile, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, Egypt, Finland, France, Ger-

¹ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31* and corrigendum, p. 140, item 84.

many, Federal Republic of, Ghana, Greece, Guatemala, Guyana, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Liberia, Malaysia, Mali, Mexico, Morocco, Netherlands, New Zealand, Norway, Oman, Philippines, Poland, Portugal, Romania, Rwanda, Senegal, Singapore, Spain, Sri Lanka, Sudan, Surinam, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, 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, Zaïre.

Against Syrian Arab Republic.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Czechoslovakia, Gabon, German Democratic Republic, Hungary, Mongolia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

15. A full account of the Committee's consideration of the item, including reservations expressed by some delegations and explanations of vote, are reflected in the summary records of the Fifth Committee (A/C.5/31/SR.14, 39, 51, 53 and 59).

Recommendations of the Fifth Committee

16. The Fifth Committee 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/31/288) as well as the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/410),

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 and 396 (1976) of 22 October 1976,

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 A of 26 October 1976 and 31/5 B of 1 December 1976,

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 de-

veloped 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 \$76,276,000 for the operation of the United Nations Emergency Force for the period from 25 October 1976 to 24 October 1977 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 \$14,147,968, pertaining on a *pro rata* basis to the period from 25 October 1976 to 31 December 1976 inclusive, among Member States in the proportions determined by the scale of assessments for 1974-1976 and the amount of \$62,128,032, pertaining on a *pro rata* basis to the period from 1 January 1977 to 24 October 1977 inclusive, among Member States in the proportions determined by the scale of assessment for 1977, and notwithstanding the provisions of paragraphs 2 of Assembly resolutions 31/5 A of 26 October 1976 and 31/5 B of 1 December 1976:

(a) To apportion an amount of \$47,082,775 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 \$8,948,590 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$38,134,185 in the proportions determined by the scale of assessments for 1977;

(b) To apportion an amount of \$27,476,768 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 \$4,899,441 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$22,577,327 in the proportions determined by the scale of assessments for 1977;

(c) To apportion an amount of \$1,663,063 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 \$290,033 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$1,373,030 in the proportions determined by the scale of assessments for 1977;

(d) To apportion an amount of \$53,394 for the above-mentioned twelve-month period among the Member States referred to in paragraph 2 (d) of resolution 3101 (XXVIII) and section IV, paragraph 1, of resolution 3374 B (XXX),

of which \$9,904 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$43,490 in the proportions determined by the scale of assessments for 1977;

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 Cape Verde, the Comoros, Mozambique, Papua New Guinea, Sao Tome and Principe and Surinam 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 (g) of Assembly resolution 31/95 B of 14 December 1976;

2. *Decides further* that, in accordance with regulations 5.2(c) of the Financial Regulations of the United Nations, the contributions to the United Nations Emergency Force until 24 October 1976 of the Members 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/31/288) as well as the related report of the Advisory Committee on Administrative and Budgetary Questions (A/31/410),

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 and 398 (1976) of 30 November 1976,

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 of 26 October 1976 and 31/5 B of 1 December 1976,

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,

Recalling that, subsequent to the renewal of the mandate of the United Nations Disengagement Observer Force beyond 31 May 1976, the amount of \$6,443,180 was apportioned as authorized under section III of General Assembly resolution 3374 C (XXX) for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 31 October 1976 inclusive,

Bearing in mind that the financial year of the United Nations Disengagement Observer Force concludes on 24 October,

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 \$6,152,182 for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 24 October 1976 inclusive.

II

1. *Decides* to appropriate to the Special Account an amount of \$9,824,086 for the operation of the United Nations Disengagement Observer Force for the period from 25 October 1976 to 31 May 1977 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 \$3,026,169, pertaining on a *pro rata* basis to the period from 25 October 1976 to 31 December 1976 inclusive, among Member States in the proportions determined by the scale of assessments for 1974-1976 and the amount of \$6,797,917, pertaining on a *pro rata* basis to the period from 1 January 1977 to 31 May 1977 inclusive, among Member States in the proportions determined by the scale of assessments for 1977 and, notwithstanding the provisions of paragraphs 2 of Assembly resolutions 31/5 A of 26 October 1976 and 31/5 B of 1 December 1976

(a) To apportion an amount of \$6,086,613 for the period from 25 October 1976 to 31 May 1977 inclusive among the Member States referred to in paragraph 2(a) of General Assembly resolution 3101 (XXVIII), of which \$1,914,052 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$4,172,561 in the proportions determined by the scale of assessments for 1977;

(b) To apportion an amount of \$3,518,325 for the period from 25 October 1976 to 31 May 1977 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 \$1,047,962 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$2,470,363 in the proportions determined by the scale of assessments for 1977;

(c) To apportion an amount of \$212,271 for the period from 25 October 1976 to 31 May 1977 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 \$62,037 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$150,234 in the proportions determined by the scale of assessments for 1977;

(d) To apportion an amount of \$6,877 for the period from 25 October 1976 to 31 May 1977 inclusive among the Member States referred to in paragraph 2 (d) of resolution 3101 (XXVIII) and section V, paragraph 1, of resolution 3374 C (XXX), of which \$2,118 shall be apportioned in the proportions determined by the scale of assessments for 1974-1976 and \$4,759 in the proportions determined by the scale of assessments for 1977;

III

Authorizes the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed \$1,359,583 per month for the period from 1 June to 24 October 1977 inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 398 (1976) of 30 November 1976, 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 Cape Verde, the Comoros, Mozambique, Papua New Guinea, Sao Tome and Principe and Surinam 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 (g) of Assembly resolution 31/95 B of 14 December 1976;

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 1976 of the Members 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 41st plenary meeting, on 26 October 1976, the General Assembly adopted the draft resolution submitted by the fifth Committee in part I of its report (A/31/178, para. 5). For the final text, see resolution 31/5 A.²

At its 84th plenary meeting, on 1 December 1976, the General Assembly, by a recorded vote of 112 votes to 2, adopted the draft resolution submitted by the Fifth Committee in part II of its report (A/31/278/Add.1, para. 5). For the final text, see resolution 31/5 B.²

At its 107th plenary meeting, on 22 December 1976, the General Assembly voted on draft resolutions A and B submitted by the Fifth Committee in part III of its report (A/31/278/Add.2, para. 16). Draft resolution A was adopted by a recorded vote of 113 to 2, with 12 abstentions. Draft resolution B was orally revised by the Rapporteur of the Committee so that section I began after the sixth preambular paragraph and read as follows:

“1

“1. *Recalls* that, subsequent to the renewal of the mandate of the United Nations Disengagement Observer Force beyond 31 May 1976, the amount of \$6,443,180 was apportioned as authorized under section III of General Assembly resolution 3374 C (XXX) for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 31 October 1976 inclusive, and that the

² *Ibid.*, Thirty-first Session, Supplement No. 39.

financial year of the United Nations Disengagement Observer Force concludes on 24 October;

“2. *Decides* to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of \$6,152,182 for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 24 October 1976 inclusive, with apportionment as authorized under section III of Assembly resolution 3374 C (XXX).”.

The draft resolution was then adopted by a recorded vote of 112 to 2, with 12 abstentions. For the final text, see resolutions 31/5 C and D.²

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/31/288 | Report of the Secretary-General | Mimeographed |
| A/31/410 | Report of the Advisory Committee on Administrative and Budgetary Questions | Ditto |
| A/C.5/31/L.5 | Note by the Chairman of the Fifth Committee containing the text of a draft resolution | See A/31/278, para. 3 |
| A/C.5/31/L.24 | Ditto | See A/31/278/Add.1, paras. 1 and 2 |
| A/C.5/31/L.43 | Draft resolution | For the sponsors and the text, see A/31/278/Add.2, paras. 8 and 16 |



Agenda item 106: * Report of the International Law Commission on the work of its twenty-eighth session**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 13th, 14th, 16th to 35th, 42nd and 60th meetings; *ibid.*, *Fifth Committee*, 50th meeting; and *ibid.*, *Plenary Meetings*, 99th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 88), twenty-seventh (item 85), twenty-eighth (item 89), twenty-ninth (item 87) and thirtieth (item 108).

DOCUMENT A/31/370

Report of the Sixth Committee

*[Original: English]
[10 December 1976]*

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Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "Report of the International Law Commission on the work of its twenty-eighth session" and to allocate it to the Sixth Committee.

2. The Sixth Committee considered this item at its 13th, 14th, 16th to 35th, 42nd and 60th meetings, held on 7 and 12 October and from 13 October to 2 November and on 1 December 1976.

3. At its 13th meeting, on 7 October, Mr. Abdullah El-Erian, Chairman of the International Law Commission at its twenty-eighth session, introduced the Commission's report on the work of that session (A/39/10). At the 26th meeting, on 25 October, he commented on the observations which had been made during 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 six chapters entitled: I. Organization of the session; II. The most-favoured-nation clause; III. State responsibility; IV. Succession of States in respect of matters other than treaties; V. The law of the non-navigational uses of international watercourses; and VI. Other decisions and conclusions of the Commission. Chapter II contained a set of 27 draft articles provisionally adopted by the Commission in first reading on the most-favoured-nation clause. Chapters III and IV contained draft articles provisionally adopted by the Commission on State responsibility and on succession of States in respect of matters other than treaties, respectively. Chapter V contained a description of the Commission's work on the law of the non-navigational uses of international watercourses. Chapter VI concerned the question of treaties concluded between States and international organizations or between two or more international organizations, the conclusions of the Commission on the programme and organization of its work on the basis of recommendations

made by a planning group established by the Commission and a number of administrative and other matters.

5. At the 60th meeting, on 1 December, 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 the Netherlands introduced a draft resolution (A/C.6/31/L.9) sponsored by Algeria, Bolivia, Bulgaria, Germany, Federal Republic of, Ghana, Greece, Indonesia, Ireland, Kenya, Mexico, the Netherlands, New Zealand, Nigeria, Norway, Paraguay, Peru, the Philippines, Poland, Romania, Spain, Thailand, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia, subsequently joined by Egypt and Iran. The text of the draft resolution was the same as that in paragraph 251 below, with the exception of the following changes which were made orally at the same meeting and accepted by the sponsors: in operative paragraph 4 (*d*) the words "its study of" were replaced by "its work on" and in paragraph 9 the words "for its consideration" were replaced by "for its attention".

Debate

A. General comments on the work of the International Law Commission and the codification process

7. The representatives who participated in the debate congratulated the Commission for the substantial and

constructive work done at its twenty-eighth session which had enabled it to complete the first reading of the draft articles on the most-favoured-nation clause, to achieve considerable progress in the preparation of draft articles on State responsibility and succession of States in respect of matters other than treaties and to examine the first report by the Special Rapporteur on the law of the non-navigational uses of international watercourses (A/CN.4/295). The report of the Commission had great intrinsic merit and constituted a valuable source of information for the interpretation and application of international law and for future studies in that field. Both in format and content, it provided further evidence of the valuable role of the Commission in the codification and progressive development of international law.

8. The Commission was praised for its continued efforts to contribute to the fulfilment of the Assembly's responsibilities under Article 13, paragraph 1 *a*, of the Charter of the United Nations. The progressive development and codification of international law was not an easy task in the United Nations, which was constantly confronted by changes in international relations and profound political and ideological divisions among its Members. Against this background, in the Commission, the over-all standard during the past five years had been in the high tradition established by and expected from it. While some might complain about a certain lack of speed, the work of codification which had been entrusted to it called for extensive research in the fields of State practice, jurisprudence and doctrine. Moreover, States were often over-hesitant in replying to the questionnaires drawn up by the Commission. But there was no questioning that the draft articles resulting from the work of the Commission, together with the commentaries, had always constituted the basic device in the treaty-making process. The advantages of that method could be appreciated even more in some other instances, such as the United Nations Conference on the Law of the Sea which, at its series of sessions, had not succeeded in drawing up a convention for want of an advanced draft.

9. The practical achievements of the Commission in the field of international law derived from the interaction between the scholarly studies, the commentaries and the draft articles it submitted, the deliberations of the Sixth Committee and the written observations formulated by Governments. The functioning of that triangle—International Law Commission, Sixth Committee and legal departments of Member States—was one of the most important prerequisites for the United Nations contribution to the codification and progressive development of international law.

10. Several representatives indicated that their Governments attached the greatest importance to the Commission's work in the fields of progressive development and codification of international law. This was the more so since it was now to the Commission that the international community had to look to see reflected in new and generally acceptable legal norms the vast changes that were taking place in many spheres, especially that of international co-operation. The Commission's reports provided increasing evidence of the importance which the Commission's members attached to contemporary developments

which had a bearing on the subjects discussed. In this connexion, the particular significance that the International Law Commission had for the developing countries was stressed. It was only unfailing respect for the absolute inviolability of national sovereignty and territorial integrity which could secure to the poor and the militarily weak a climate of peace and stability, and there could not and must not be any erosion of that principle. It was gratifying, therefore, to note that the principle had found expression in the Commission's work. The Commission had also shown its awareness of the fact that all efforts directed towards the progressive development and codification of international law might remain sterile unless they led to economic hope and betterment and ultimately to true economic independence for all peoples throughout the world.

11. Some representatives stressed that the codification of international law had become an increasingly complex and sensitive task. The birth of a large number of States had created a new international climate in the legal sphere. The codification of international law should, therefore, take account of new demands and aspirations, as well as the ideas and legitimate interests of all States. The rules of international law which the International Law Commission was endeavouring to develop and codify should contribute to the solution of current problems between States in the interest of all States. Those rules should clearly define relations between States in accordance with the need to maintain peace and security, to build a new international economic order and to ensure the free and independent development of all peoples. By striving to achieve those objectives, the Commission would be contributing to the reshaping of contemporary international relations. The legal solutions formulated by the International Law Commission required the courage to look beyond traditional international law and take into account the opinions and practice of all States, as could be seen in the commentaries on the draft articles. The Commission was to be congratulated on the fact that some of the draft articles contained in its latest report, including article 21 of the draft articles on the most-favoured-nation clause and article 19 of the draft articles on State responsibility, showed political and social sensitivity to a new world order. The Commission should not be deterred from making further efforts in that direction by the fact that States might reproach it for its daring.

12. Some representatives stressed the importance of international law as the basis of relations between States and, in conformity with the current trend towards the relaxation of international tension, as a major factor in the solution of contemporary problems, including the prevention of a new world war. A period of lessened tension afforded favourable conditions for the progressive development of international law. The present era was marked by such trends as the irresistible advance of the forces of peace and progress, the liquidation of colonialism and the emergence of new States pursuing a policy of peace; those trends in themselves afforded yet further scope for the development of new principles and provisions of international law. Thus, the codification and progressive development of that law could be seen as one aspect of a complex of efforts directed towards the relaxation of international tension and the establishment of a new system

of international relations. The embodiment, as norms of international law, of the progressive principles of international life would lead to a strengthening of the international legal system.

13. Some representatives, referring to the election of the members of the Commission scheduled to take place at the current session of the General Assembly, stressed the great importance they attached to the election and, in particular, to the application of the principles laid down in article 8 of the statute of the Commission (see General Assembly resolution 174 (II)). It was extremely important for the international community and for the development of international law that the members of the Commission should not only fulfil the required conditions, but that the major civilizations and the main legal systems in the world should be represented. The aim of the codification and the progressive development of international law was to establish a law for the existing international community so that all States, large and small, old and new, might participate in the task and so that all nations would feel responsible for that law and feel confident that it expressed the needs of the world community.

B. *The most-favoured-nation clause*

14. Representatives who spoke on the chapter of the Commission's report devoted to the most-favoured-nation clause (see A/31/10, chap. II) expressed in general their satisfaction at the completion, in first reading, of the draft articles on the topic, as had been recommended by the General Assembly in resolution 3495 (XXX). A tribute was paid to the Special Rapporteur, Mr. Endre Ustor, and to the members of the Commission on their achievement, which represented one of the most important steps forward taken by the Commission at its twenty-eighth session.

15. In the opinion of some representatives, there could be no doubt of the timeliness of the Commission's work on the topic, for the principle of most-favored-nation treatment was of the greatest importance for co-operation among States in the sphere of economic relations in general and in the development of international trade in particular. This was shown by numerous international documents such as the Final Act of the Conference on Security and Co-operation in Europe and the Charter of Economic Rights and Duties of States. The view was also expressed that the most-favoured-nation clause was an important instrument for the promotion of equitable and mutually advantageous economic relations among all States regardless of existing differences in social systems and levels of development. It should be stressed, however, that the application of the clause was not limited to trade or economic relations but also applied to the most diverse inter-State relations. The fact that its application was no longer limited to commercial treaties but extended to such diverse fields as transport, the establishment of aliens, diplomatic and consular immunity, the administration of justice and intellectual property made it particularly necessary to regulate the clause on the legal level.

16. Many representatives commented on the set of draft articles adopted in first reading by the Commission, either as a whole or with reference to specific provisions. Some observations were also made on related aspects not covered by the draft.

1. COMMENTS ON THE DRAFT ARTICLES AS A WHOLE

17. Several representatives considered the set of 27 draft articles to be generally acceptable and a good basis for further work. The opinion was expressed that the set of articles on the most-favoured-nation clause met in general the requirements in respect of such articles, for it included all the questions the codification of which might be useful for the practical application of the clause. There would, of course, be further debate on many related questions which could not be fully settled at a first reading. But the draft represented an acceptable beginning of a solution on a subject that was in itself controversial owing to the conflicting interests at play; it contained several valuable provisions on the legal effects of the clause *inter partes* as well as for third States.

18. A number of representatives considered that the draft articles were simple, clear and concise. However, the view was expressed that the text of some of them was almost too condensed, so that it was necessary to refer to the commentary in order to find the answers to a number of important questions.

19. There was general agreement that the draft articles should be passed on to Governments for their comments in the form in which they had been submitted to the General Assembly. In this connexion, some representatives, noting the Commission's desire to base its study on the broadest possible foundations and in order that the draft articles would fully reflect the modern developments in the field of international trade, felt that it would be highly beneficial to submit them, prior to their adoption in second reading, also to the competent United Nations bodies which dealt with meta-legal issues that might impinge on the operation of the clause, such as the United Nations Conference on Trade and Development (UNCTAD). Those organs could make invaluable comments on the draft articles. It was also suggested that the draft articles should be transmitted to the various regional economic groups for their comments.

(a) *The most-favoured-nation clause and the principle of non-discrimination*

20. Some representatives quoted with approval from passages contained in paragraphs 37 to 40 of the Commission's report on the relationship between the clause and the principle of non-discrimination. It was said in this connexion that the definition of most-favoured-nation treatment given in draft article 5 covered the ideal case, in which the treatment which the granting State accorded to the beneficiary State was no less favourable than that it extended to any third State. There were, however, in practice cases in which States conducted their trade and other economic relations with specific countries on other bases and the Commission had included recognition of their sovereignty in that respect in draft article 26.

(b) *The most-favoured-nation clause and the different levels of economic development*

21. Some representatives considered that the draft rested on a firm foundation, for the Commission, in formulating the articles, had proceeded from the generally

recognized principles and rules of international law and from an evaluation of State practice, judicial decisions and legal writings. The articles took into account the fundamental changes that had taken place in international economic relations, and especially in international trade, during recent years, and also the need to abolish unjustified trade barriers and promote international co-operation on the basis of mutual respect and equity. In particular, they had the merit of taking into consideration United Nations resolutions on the new international economic order. Taken as a whole, they represented progress towards the establishment of development law in keeping with the requirements of that new order. At a time when efforts were being made to institute a new international economic order, the clause could obviously not be viewed in the same light as in the past, and due account must be taken of its negative impact on economically disadvantaged partners. There should therefore be some restrictions regarding its application. In this connexion, satisfaction was expressed at the elaboration by the Commission of new rules relating to exceptions to certain commitments in the most-favoured-nation clause which could go far to change the law relating to international trade. The Commission, whose size and composition were particularly conducive to disciplined and objective consideration of the issue, was to be commended on its courage in considering the question of the most-favoured-nation clause in the context of reality.

22. Certain representatives, nevertheless, wondered whether the Commission had given sufficient study to the interrelationship between the application of the clause and the position of the developing countries. That aspect of the draft should be given further study at the second reading, taking into account the specific measures that could be adopted in order to institute a new international economic order. Since this was the first time that the Commission was dealing with economic relations and international law, its efforts should extend to other aspects of economic international law and development law if it was to be responsive to the needs of the present-day world. The opinion was also expressed that the draft articles should take full account of new developments in international relations, particularly in the economic field. Given the fundamental changes which had occurred since the most-favoured-nation system had first become part of the practice of States, a complete reconsideration of the system might be necessary. For example, while the classical, non-conditional most-favoured-nation clause was non-discriminatory, abstract and automatic in its application, it was doubtful that a modern most-favoured-nation system, as adapted to current needs, could retain those characteristics. The draft would have better reflected modern-day reality if the traditional and outdated elements prejudicial to developing countries had been removed from the clause.

23. In the view of a number of representatives, owing to the Commission's wish not to be drawn into discussion of economic policy matters, the draft did not effectively reflect the spirit of new economic principles generated by recent international events and approved by various international legislative forums. Some of the articles formulated by the Commission did not adequately take account of the declarations and resolutions which had been adopted in the past years to preserve the interests of the developing countries. In that connexion, specific mention was made of

the Declaration on the Establishment of a New International Economic Order (General Assembly resolution 3201 (S-VI)), the Charter of Economic Rights and Duties of States (General Assembly resolution 3281 (XXIX)), the resolutions of the General Assembly concerning the permanent sovereignty of all peoples in relation to their wealth and their natural resources, and various resolutions of UNCTAD.

24. It was also added that the history of the most-favoured-nation clause was revealing in itself: the clause had been inserted especially in treaties of friendship, trade and navigation of the earliest type in order to ensure the enjoyment of the greatest benefits or of equality in the advantages accorded by the granting State to any other State. But in the past it had generally been the developing countries which could be identified as the granting States as opposed to the beneficiary States, although there was in principle reciprocity of treatment. The weaker members of the international community had often been asked to give equal maximum concessions to the stronger Powers. That practice had changed quite radically, as recognized by the Commission. Since the advent of UNCTAD it had become customary to refer to the different levels of economic development with a view to ensuring greater benefits for the developing countries.

25. The view was also expressed that most-favoured-nation treatment had evolved in response to the needs of the main trading nations and of international trade. The Commission's comments on the abandonment of the conditional clause revealed that instead of coherent development, there had been a series of oscillations in the positions of the main trading partners as a result of fluctuations in international trade and in the commercial strength of the States concerned. Thus the evolution of the clause had been a response to considerations other than strictly legal ones. The Commission had recognized that reality but had emphasized the legal character of the clause and the legal conditions governing its application. The Commission had stated on several occasions in its commentary that it was unwilling to bridge the gap between law and economics. Although it referred to developments in the General Agreement on Tariffs and Trade (GATT), UNCTAD and elsewhere, its draft articles did not reflect the progressive development of rules in international trade which would be beneficial to developing countries. Nevertheless, meta-legal realities did exist and, to a large extent, determined the shape and content of any legal principles which were the subject of efforts at codification, since neither the evolution nor the progressive development of international law could take place in isolation from the international, social, economic and political realities governing the relations between States.

26. The opinion was further expressed that the Commission, whose aim was to clarify the scope and practical effect of the clause as a legal institution, had elaborated a legal régime of the clause which affirmed most-favoured-nation treatment as the norm of international trade relations, from which only certain derogations were permitted. In so doing, the draft articles did not take account of the development of international trade relations since the Second World War. What the Commission regarded as exceptions to the clause were actually a modification of the

clause resulting from the changes which had occurred in international trade relations. That was true of the promotion of concessional trade advantages between developing countries, of the preferential treatment to be accorded the products of developing countries in the markets of the developed countries, and of the role of free-trade areas and customs unions and the question of the preferential or national treatment accorded to one another by members of such associations. It was, therefore, felt that the legal régime of the most-favoured-nation clause could not be elaborated by reaffirming the supremacy of the clause in trade relations between States, since, as far as the developing countries were concerned, UNCTAD had categorically stated that that would satisfy the demands of formal equality but would create grave inequality in its application. The Commission should review those provisions of its draft which did not take due account of different levels of economic development and should promote the development of contemporary international trade relations in conformity with the decisions of UNCTAD and other forums. It should take into account the pivotal role of regional economic integration movements in the development of the agricultural and industrial sectors of developing countries participating in such movements, the right of developing countries to accord advantages to one another without according them to developed third States, and their right to receive non-reciprocal and non-discriminatory preferential treatment for their products from the developed countries.

(c) *The general character of the draft articles*

27. Several representatives noted with satisfaction that the Commission had followed the Vienna Convention on the Law of Treaties closely in drafting the articles and that it considered that they should be interpreted in the light of that Convention. They agreed with the Commission that the draft articles should be an autonomous set and not an annex to the Vienna Convention.

(i) *Scope of the draft*

28. The opinion was expressed, with reference to paragraph 45 of the Commission's report, that the Commission had appropriately focused on the legal character of the clause and the effect of the clause as a legal institution in the context of all aspects of its practical application. It had therefore rightly studied the clause as a special aspect of the general law of treaties without considering the clause's different fields of application, since the question of when and to what degree the clause could and should be applied was not within its competence. It was said that, on the other hand, the Commission had studied, in accordance with its functions, the legal consequences of the application of the most-favoured-nation clause in the different fields of inter-State relations and in the different international treaties as well as the rules of interpretation to be adopted and, more generally, the legal problems involved in the application of the clause. That approach was to be welcomed since it had led the Commission to submit draft articles in which the clause was considered in a general manner and not in relation to the field in which it was applied. The Commission could not examine all aspects of the clause nor all individual cases; it must limit itself to the codifying general rules relating to the needs and

aspirations of the international community. The comment was also made that, in view of the important role the clause played in the field of international trade and of the difficulty in completely dissociating its legal and economic aspects, the Commission had had to solve interdisciplinary problems taking account not only of the legal aspects but also of the economic conditions in which the clause was applied, a fact that was welcomed. Although the clause was closely linked with international trade, the Commission had been particularly wise in declining to be drawn into a discussion of economic policy matters, which were best dealt with in other contexts and by other bodies of the United Nations.

29. Reference was made to the fact that the Commission had indicated it was aware that the provisions of the draft articles would not give an automatic solution to all questions which might arise in connexion with the interpretation and application of most-favoured-nation clauses. Some representatives, therefore, considered that the draft should contain an article on the settlement of disputes. Among the reasons in support of this position it was said that, in the absence of legal precedents, the implementation and interpretation of a future convention creating new rights and duties would inevitably give rise to disputes. It was asserted that, for example, the question of how to determine the conditions in which a State might claim benefit under a generalized system of preferences was likely to remain controversial for a long time. A State should not be the sole interpreter of the rules concerning the most-favoured-nation clause; without a uniform interpretation and the establishment of settlement procedures, the application of the rules might lead to the disintegration of carefully negotiated compromises designed to give balanced protection to competing rights and interests. The view was expressed that the settlement machinery should include a wide range of choices of settlement methods, including those specified in Article 33 of the Charter. If the parties failed to agree on a particular method of settlement, they should be entitled to refer the dispute to compulsory arbitration, a procedure which would be of great advantage in preventing States from being subjected, for example, to political or economic pressures from other States. Reference was made in this connexion to existing precedents such as the Protocol to the Montevideo Treaty which established the Latin American Free Trade Association. Emphasis was also placed on the right of a party to a dispute arising out of the application of a most-favoured-nation clause and involving the interpretation or application of the draft articles to refer the matter for judicial settlement to the International Court of Justice.

30. The view was also expressed with regard to the settlement of disputes that such arrangements could concern only disputes arising from the application of the future convention, for which measures provided by international law could be applied, and not disputes which might arise between parties to an agreement containing the most-favoured-nation clause.

31. Other representatives agreed with the Commission that it was not useful, at the present stage, to include a provision on the settlement of disputes and with its decision to refer the question to the General Assembly and Member States and, eventually, to the body entrusted with

the task of finalizing the draft articles. It was said in this connexion that, despite the special character of the clause, it should not be forgotten that treaties of that nature were treaties like others. Any problems which arose and the machinery for their settlement should be subject to the same régime applicable to other treaties, and there was no justification for departure from the approach adopted in the Vienna Convention on the Law of Treaties on that subject.

32. A number of representatives, addressing themselves to the specific case of the European Economic Community, considered that, as a whole, the draft articles did not take account of the reality of the Community, its requirements and concerns. The opinions expressed on this point by reference to some concrete aspects of the draft are reflected below under articles 15 and 21. In addition, it was suggested that the Commission should include in the draft a provision for the application of the clause to commercial relations between States or groups of States with different economic systems; the provision could be based on the Final Act of the Conference on Security and Co-operation in Europe.

(ii) *Form of the draft*

33. With respect to the final form of the codification of the topic, some representatives found the draft articles generally acceptable as a basis for the elaboration of a convention at a future date, which would be an effective instrument for promoting international trade on a non-discriminatory basis. Other representatives, however, reserved their position as to what the final form should be.

2. COMMENTS ON THE VARIOUS DRAFT ARTICLES

Article 1

34. It was suggested that the words "in written form" be added after the word "treaties".

Article 2

35. Some representatives favoured the elimination of paragraph (a) since the definition of the term "treaty", already laid down in the Vienna Convention on the Law of Treaties, was a broad definition the purpose of which was to restrict the meaning to treaties in written form between States.

36. Some representatives supported the inclusion of paragraph (e), as a definition of the term "material reciprocity" was essential to a proper understanding and interpretation of the articles, making it possible, in particular, to distinguish that term from "formal reciprocity". Other representatives considered that the meaning of the terms "material reciprocity" and "equivalent treatment" was not completely clear, even though the commentary to articles 8 to 10 shed some light on the point. It was said that neither paragraph (e) nor articles 9, 10, 18, paragraph 2, and 19, paragraph 2, clarified the relationship between the most-favoured-nation clause and material reciprocity, a question which should be given further attention by the Commission. It was also said that paragraph (e) was more of a substantive provision than a

definition. On the other hand, doubts were expressed about its usefulness.

Article 3

37. It was said that this article could be retained although its object was covered by article 1 and by the norms of general international law.

Article 4

38. The view was expressed that article 4 should state more explicitly that it was a question basically of a relationship between States deriving from the valid terms of a treaty in force because there were many treaties concluded in historical circumstances which no longer prevailed. The opinions were also expressed that articles 4 and 5 should be combined in a single article and that the provisions of those two articles should be incorporated in article 2 so as not to detract from the traditional importance of definitions.

Articles 5 and 7

39. The view was expressed that articles 5 and 7 should be reviewed to take into account that a beneficiary State should not automatically be entitled, under a most-favoured-nation clause, to all the privileges enjoyed by the third State when, due to the existence of a special relationship between the granting and third States, the extension of those privileges to the third State in a particular field was something more than an act of commerce.

Article 6

40. The view was expressed in support of the article that its provisions recognized the principle of the sovereignty and liberty of action of States.

Articles 8, 9 and 10

41. It was stated that articles 8, 9 and 10, by specifying that the clause was the exclusive source of the rights of the beneficiary State, were in accordance with State and judicial practice. Doubts were, however, expressed as to the reservation in article 8 whereby the parties could agree on conditions since it was said that a clause combined with material reciprocity was not conducive to the unification and simplification of international relations. The view was also expressed, with reference to paragraph (24) of the commentary to articles 8, 9 and 10, that the draft articles, by acknowledging the necessity of establishing equivalence, would offer the most disadvantaged countries an invaluable asset in their negotiations with their more developed counterparts.

Articles 11 and 12

42. The view was expressed that the threefold condition of similarity of subject-matter, category and relationship which, under articles 11 and 12, would apply to the granting of rights deriving under a most-favoured-nation clause, was in keeping with the free will of the parties and with judicial practice.

Articles 13 and 14

43. Some representatives supported articles 13 and 14 in general. With respect to article 13, it was said that the rule stated in that article was in conformity with modern thinking on the operation of the clause. One suggestion was made to add to article 13 a statement to the effect that the most-favoured-nation clause should either not mention any condition at all or should explicitly formulate such condition as a conditional clause. It was also suggested that article 13 should be linked with article 8 so as to be subject to the exception contained in this latter article regarding the principle of the independence of the contracting parties.

Article 15

44. In relation to article 15, representatives addressed themselves to the question whether or not the most-favoured-nation clause attracts benefits granted within customs unions and similar associations of States. In this respect, it was stressed that, as the Commission pointed out in paragraph (26) of its commentary on the article, that question was of special importance in cases where the granting State entered into a customs union or other association after the conclusion of an agreement containing a most-favoured-nation clause which was not coupled with an appropriate exception. The matter took on added importance in view of the growing trend towards regional economic integration in all areas of the world regardless of the level of economic development of the States in those areas. In the view of some representatives, as the decision whether or not to incorporate in the draft an exception referring to customs unions and similar associations had enormous political implications, the ultimate decision would have to be taken by the States to which the draft was submitted.

45. Many representatives agreed that the International Law Commission had been right not to attempt to formulate a rule establishing a general exception to the principle of application of the most-favoured-nation clause in the case of customs unions and other associations of States. It was said that although the right of Member States to conclude whatever agreements they wished was an inalienable element of their sovereignty, the most-favoured-nation clause should not, in principle, be subject to exception lest it lose its value. Broad exceptions to the clause were incompatible with its definition as set forth in article 4 and with the definition of "third State" set forth in article 2, subparagraph (d). There could, of course, be certain positive exceptions, such as those in favour of developing countries, as set forth in articles 21 and 22, or in favour of land-locked countries, as set forth in article 23, or in favour of neighbouring regions for the purpose of developing regional trade, but there should be no other exceptions.

46. In the opinion of several representatives, the Commission was right in assuming that the beneficiary of the most-favoured-nation clause was entitled to its benefits irrespective of whether the granting State extended the favoured treatment to a third State by a mere fact or a bilateral or multilateral agreement. Customs, political, and other associations were governed by the basic

principle of the continuation of treaty obligations. A State should not be permitted to evade its contractual responsibilities to certain States by entering into treaties with other States inconsistent with such obligations. The fact that customs unions and other such associations were important in the development of international trade and regional integration should not be taken as a justification for violating treaty commitments.

47. It was stated that there was no legal basis for the attempts by representatives of some exclusive economic groups to justify their discriminatory trading policies on the grounds that the rights and privileges accorded to the members of such groups could not be claimed by States which were the beneficiaries of a most-favoured-nation clause. In the opinion of some representatives, there was no general rule of contemporary international law providing for the implied exclusion of the benefits granted within a customs union from the scope of application of the most-favoured-nation clause. The fact that particular agreements contained provisions making specific exceptions to the operation of the clause confirmed the absence of a rule to that effect. Furthermore, the value of the draft would be considerably diminished were it to include a provision tending to exempt the benefits granted within a customs union from the scope of application of the clause, for such a provision would not be in keeping with the prevailing trend towards promotion of economic co-operation among all States, and particularly States with different economic and social systems and States at a different level of development. The principle of most-favoured-nation treatment was essentially general in character and presupposed an opportunity for all States to claim its benefits, while the aim of exclusive economic groups was to safeguard privileges for the most powerful countries at the expense of the international community and of their weaker partners. The policy and practice of such groups was incompatible with the Charter of Economic Rights and Duties of States, and particularly with article 12 thereof.

48. With reference in particular to the position of the European Economic Community (see paras. 56 and 57 below), it was said that the purpose of the articles on the most-favoured-nation clause was to codify the general rules concerning the clause and that the scope of the clause went far beyond the context of trade agreements. Besides, as stated in article 3, the scope of the draft articles was limited to clauses contained in treaties concluded between States and did not apply to clauses contained in treaties concluded by international organizations, of which EEC was an example. It was pointed out that article 234 of the Treaty establishing EEC¹ showed that the founding States had been fully conscious of the fact that the establishment of the Community did not exempt them from their obligations under most-favoured-nation clauses contained in trade agreements concluded previously with third countries. Furthermore, during the 20 years of EEC's existence, its members had frequently had recourse to the traditional practice of including exceptions in treaties.

49. In the opinion of some representatives, the question was one which should be solved through agreements between the States concerned, for practice had shown that

¹ See United Nations, *Treaty Series*, vol. 298, No. 4300.

in that way solutions could be found to all complicated problems arising when the obligations assumed by a State on the basis of the most-favoured-nation clause were to be harmonized with its obligations deriving from its membership in a customs union or an economic community. Attention was drawn in this respect to the provisions of articles 25 and 26 of the draft, which were deemed to furnish adequate guarantees. By virtue of article 25, which dealt with non-retroactivity, it was evident that the provisions of the draft articles did not directly affect the present positions and interests of States with regard to customs unions. Article 26, which dealt with the freedom of the parties to agree to provisions other than those in the draft, clearly expressed the residual character of the provisions of the draft.

50. Certain representatives stressed that the question whether a most-favoured-nation clause entitled a contracting State to certain benefits which another contracting State granted to its partners in a customs union or a free-trade area was basically one of treaty interpretation, and the conclusion to be drawn could differ from case to case. The view was expressed that to cater for instances where such interpretation was open to doubt, it would be advisable to include a new article stating a presumption based on the most probable case. If it were accepted that a new member of a customs union did not generally extend to a State benefiting from a most-favoured-nation clause the treatment it granted to other members of that union, then such a presumption would operate to exclude the application of the most-favoured-nation clause. It was felt that that approach was in keeping with the special nature of customs unions.

51. Many other representatives were of the view that the draft should allow for an exception from the operation of the most-favoured-nation clause in the cases of customs unions, free-trade areas and other similar associations of States. In the absence of such an exception article 15, as drafted, might be interpreted to mean that the most-favoured-nation clause would imply the extension to third countries of the advantages enjoyed by the member States of a customs union or other similar association, or in other words that the members of any such groupings should grant to States outside it the same treatment they accorded to those within it. Such an interpretation would not take account of the existence of customs unions and other similar associations of States and of their characteristic features. Regional integration was an increasingly important reality reflecting a special relationship of an objective character which did not lend itself to generalization through the application of a most-favoured-nation clause. It was not in conformity with customary law to equate, for the purpose of the most-favoured-nation clause, bilateral agreements with multilateral agreements establishing a customs union or other regional association of an economic nature.

52. It was stated that the so-called customs union issue could not be solved simply on the basis of the rule of *pacta sunt servanda* and the principle of *res inter alios acta*. The right of States to join together in any way they wished was a prerogative of their sovereignty. For some representatives the fact that there was no rule of customary international law which would relieve States upon their entering into a

customs union or other association from their obligations under a most-favoured-nation clause was not an insurmountable obstacle. The Commission did not merely codify existing law; although that role was very important, it should not be forgotten that it also innovated and in fact made law. The provisions of article 22 were of relevance in that regard. The view was also expressed that even though, according to article 25, the draft articles would not be retroactive and even though, according to article 26, derogations from them were permissible, it was clear that article 15, if retained in its present form, could make it difficult to complete the codification work.

53. It was emphasized that the question did not concern only EEC or other such associations of developed States, but affected all regional groupings. It was by no means an academic question since the promotion of the development and well-being of countries was at issue: the economically more advanced countries—and, with added reason, the weaker and smaller countries—were seeking to strengthen their economies by means of regional and subregional agreements. For that reason, third States should not as a general rule be able automatically to claim the benefits conferred upon the members of an integrated economic system. Although States participating in a process of integration could not simply ignore the legitimate interests of non-participating States, the automatic treatment of outsiders on an equal footing with participants would defeat the purpose of such integration. Application of the most-favoured-nation clause to customs unions or other such groups could harm States which were members of them and which had at the same time granted most-favoured-nation treatment to non-member States, for it would compel them to forgo the protection of the measures which the members of the groups had evolved to safeguard their foreign trade and industry. In the special case of developing countries, application of the most-favoured-nation clause could thus eliminate an important source of income in the form of customs duties. Furthermore, the other States in a customs union or similar association affected by the operation of a most-favoured-nation clause would suffer from the entry of the beneficiary State into the market of the granting State, for the concessions they enjoyed within the framework of the group would in effect be cancelled.

54. It was also stated that an additional reason for not applying the most-favoured-nation clause to customs unions and similar associations was the difference in the degree of freedom which States enjoyed according to whether or not they were members of such groups. Outside those groups, the only restriction on the right of a State to grant or refuse preferential treatment to any country was the restriction arising from the most-favoured-nation clause itself, whereas the mere fact of entering such a group limited a State to dealing only with the other members and compelled it to grant them what were often substantial concessions. Furthermore, a customs union or free-trade association in effect constituted an entity distinct from its members, in which the organized group of States to some extent succeeded to the individual member States so that, in the final analysis, it was not the member States but the group itself which benefited from the concessions, which could not be withdrawn without its consent. In such circumstances, the individual member States could hardly be

regarded as “most-favoured-nations” in respect of each other. Finally, even if a State which was the beneficiary of a most-favoured-nation clause could not claim the advantages which members of a customs union or similar association granted to each other, it could claim the benefits which such States granted to third States outside the group.

55. Several representatives supported the inclusion of an exception to the operation of the most-favoured-nation clause for customs unions or other similar associations when their members were developing States. It was said in this respect that exceptions for customs union agreements among developed countries were contrary to the principles of preferential and differentiated treatment of developing countries. Developing countries had increasingly used the device of establishing economic unions and other similar associations to accelerate their economic development. In order to integrate the market area of the members, internal benefits had been granted according to the level of development. The role these groupings had played in international trade relations during the past two decades showed that it was no mere practice of convenience that treaties provided for exceptions in their favour. While it was true that State practice and doctrine did not do much to facilitate codification, the extensive use of such exemptions in commercial treaties indicated that the parties to those treaties had not overlooked the possible effect of customs unions or other associations on any most-favoured-nation treatment previously granted. States wishing to establish a customs or similar union often resorted to the “customs union” exception with respect to the normal application of the most-favoured-nation clause. The most obvious example in current practice was article XXIV of GATT.² A number of other customs union agreements, many of them among developing countries, had been drawn up so as to make an exception with respect to the clause. References were made in this respect to the experiences of the Latin American Free Trade Association, the Andean Pact and the Central African Customs and Economic Union which proved the need for incorporating an express exception in the draft. (For a related comment, see para. 69 below.)

56. A number of representatives supported the inclusion of a customs-union exception with particular reference to EEC. It was recalled that the European Communities formed a customs union with a common customs tariff. Within the Community, not only had customs duties and other obstacles to trade been reduced or eliminated, but an active process of integration was taking place within the framework of community institutions, with a view to harmonizing economic and social conditions. The objective of the special treatment accorded by the member States of the Communities to each other within the framework of the Community treaties was not only the elimination of barriers to trade between the member States but also the equal treatment of the nationals of member States and the adoption of common policies and rules in relation to economic activities. It was impossible to separate the treatment which the member States accorded to each other from the general organization and institutional activity of

the European Communities as such. Accordingly, only States which were or became members of those Communities could benefit from such treatment. The Community and its member States had always considered that it was under a customary rule of international law that those States which formed customs unions or free-trade zones could ensure that the most-favoured-nation clause would not grant to third countries the concessions inherent in membership of such customs unions or zones. Membership in the Community was the result of a process of negotiations in which the States which acquired the advantages of membership agreed to accept the corresponding obligations, which were wider in scope than the obligations usually pertaining to a customs union. One such obligation was acceptance of the Community legal system which was applicable to member States, under the supervision of the Court of Justice of the European Communities.

57. In the view of some representatives, article 15 as drafted failed to take into consideration the fact that the members of the Community had vested in the Community all their powers relating to trade policy and retained, individually, only the necessary means to implement bilateral agreements in that field. Having neither a customs tariff nor customs regulations of their own, they could not grant customs or trade facilities not accorded under the common system. Consequently, there was a basic incompatibility between relations within the Community on the one hand, and the application of the most-favoured-nation clause to commercial transactions on the other. It was felt, therefore, that that particular situation must be recognized in any set of provisions relating to the most-favoured-nation clause, which purported to represent a codification and progressive development of international law on the topic.

Article 16

58. Some representatives supported in general the provisions of article 16. Other representatives, however, expressed certain reservations on the article. It was said that its title and text did not seem to be completely in harmony and that the article was unclear as the term “national treatment” had not been defined in the draft; also, that article 16 did not appear to be in accord with State practice since it would entitle a beneficiary State to claim national treatment if such treatment had been extended to a third State. In order to caution the granting State in this respect it was suggested that the words “unless the parties otherwise agree” should be inserted at the beginning of the article. It was stated that article 16 gave much too broad a scope to the most-favoured-nation clause and would not, in its present form, be in the interest of the vast majority of developing countries. The article assimilated the standards of national and most-favoured-nation treatment, but the national treatment standard was invariably the highest order of treatment granted by a State and invariably incorporated not only the standard of most-favoured-nation treatment but that of preferential treatment as well. It seemed paradoxical that, contrary to the intention of both parties, the most-favoured-nation standard, which was the low standard, should be interpreted to encompass national treatment, which carried the maximum number of rights.

² See General Agreement on Tariffs and Trade, *Basic Instruments and Selected Documents*, vol. IV (Sales No. GATT/1969-1), p. 41.

Articles 17, 18 and 19

59. Some representatives considered the provisions of articles 17, 18 and 19 acceptable in general. With reference to article 17, the view was expressed that the article was based on the assumption that national and most-favoured-nation treatment went beyond the beneficiary's State entitlement under the international minimum standard; since human rights were also involved a reference might be added to the commentary to article 17 to the effect that neither of those two forms of treatment could be invoked by a State as an excuse for behaviour that fell short of the international minimum standard. With regard to article 19, it was suggested that the words "to a third State" be inserted after the word "State" in paragraph 1 for reasons of clarity and to bring it into line with article 18, paragraph 1.

Article 20

60. Article 20 was supported in general by some representatives. It was said that the article protected the beneficiary State against any abuses on the part of the granting State and that its provisions constituted a prerequisite for the proper development of economic relations as a whole.

Article 21

61. Many representatives welcomed the fact that the Commission, taking into account the debate that had been held at the thirtieth session of the General Assembly, had retained article 21 in the draft. In so doing, it was said, the Commission had kept to its stated intention not to exceed its competence when considering the question of relationship between the most-favoured-nation clause and the different levels of economic development. The Commission had not used its work on the clause as a pretext for formulating a rule, under article 21, designed to make the generalized system of preferences a binding commitment on the part of developed countries, which matter was rightly being considered elsewhere. The value of article 21 for developing countries lay in the fact that it helped guarantee the implementation of the generalized system of preferences. Developed countries were thus assured that the preferential treatment which they extended to developing countries under the scheme would not benefit other developed countries in their capacity as beneficiaries of a most-favoured-nation clause.

62. A number of representatives supported the article in its present form as being in conformity with the efforts made by the international community to relieve the flagrant imbalance between developed and developing countries. As drafted, article 21 seemed to be based on a criterion of equity and to take due account of the disadvantaged situation of the developing countries, especially of the relatively least developed countries. The rule enunciated in that article was consistent with the resolutions on preferences adopted by most regional and inter-regional organizations and with those of the General Assembly and its competent organs. In particular, it faithfully reflected the practice of States regarding the generalized system of preferences applied within the framework of UNCTAD. It was also in agreement with article 12 of the Charter of Economic Rights and Duties of States.

63. Some representatives were of the opinion that it was not possible to include in the draft, at the present time, any rules other than those contained in article 21, in favour of the developing countries. It was said in this connexion that although there was a trend to promote trade between developing countries, it was not yet sufficiently crystallized to warrant the adoption of legal rules which generated obligations. For that reason, the view was expressed against the adoption of provisions additional to those of article 21 excepting from the operation of the most-favoured-nation clause any concessions which developing countries granted each other for the promotion of their international trade. Nevertheless, it was considered that there should be a general reservation concerning the possible establishment of new rules open to international law in favour of developing countries, for there were very few rules that were subject to such changes as the principles governing international economic relations. This, it was noted with approval, article 27 attempted to do. For some, therefore, the provisions of articles 21 and 27 should be combined in a single article.

64. A number of considerations were made which, it was felt, reduced the advantages of article 21. With particular reference to the present wording of the article, the view was expressed that it required further study since it was not quite clear how generalized the system of preferences should be in order to qualify for the exception. It was also said that, as drafted, the Commission's text would permit a developed State, under the most-favoured-nation clause, to extend to another developed State the preferential treatment granted to a developing country, but in a more restricted form than the generalized system of preferences. Besides, the belief was expressed that the article provided no secure exception in favour of the developing countries because of the residual character of the draft, which was confirmed in article 26. It would be desirable, therefore, to exempt article 21 from the effects of article 26 by adding at the beginning of article 26 the words "with the exception of article 21".

65. Many of the representatives who supported article 21 did so because the objective of the system of generalized non-reciprocal, non-discriminatory preferences was to give developing countries access to markets of developed countries for their manufactured and semi-manufactured products, thus helping developing countries to improve their trade capabilities and, hence, to promote their economic development. Nevertheless, they pointed out that the system suffered from a number of serious drawbacks. Mention was made, *inter alia*, of the following: first, it depended on the principle of selection of the beneficiaries by the donor country and consequently was inherently discriminatory against some developing countries. It allowed the developed State, on the basis of subjective criteria, to deny to one developing country the same treatment it granted to another developing country at a similar level of development, a practice which was common but should on no account be sanctified by law. Second, it was of limited duration; the Special Committee on Preferences established at the second session of UNCTAD had provided in its agreed conclusions that the initial duration of the generalized system of preferences would be 10 years,³ subject to a review, which in fact had resulted in a

³ See *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 15, decision 75 (S-IV), annex, sect. VI, p. 271.*

further extension. The problem was, however, far from transitory and such solutions were at best palliatives. Third, the grant of preferences did not constitute a binding agreement and they were consequently subject to unilateral withdrawal. Fourth, the preferences were only of limited value to the majority of developing countries, since they applied only to manufactured and semi-manufactured goods, which the developing countries, especially the least developed countries, did not produce.

66. Several representatives pointed out that developing countries also received preferential treatment outside the generalized system of preferences, both from developed countries and from other developing countries, which in many cases was intended to benefit the least developed among the developing countries. Since the saving clause under article 27 was lacking in legal force and would therefore have little effect in that connexion, it was considered that an explicit reference should be made in article 21 to the advantages other than those under the generalized system of preferences which were granted to developing countries. The inclusion of provisions additional to article 21 was indicated to reflect, in more effective terms, the exception it sought to establish in favour of developing countries by ensuring that no developed country could claim such preferential treatment as the beneficiary of a most-favoured-nation clause. In this connexion, it was stated that the principle of duality of standards, which was increasingly being invoked in international law to redress the imbalance between developed and developing countries, was a healthy sign, for the most favoured-nation clause should not operate automatically to extend to third States the advantages granted reciprocally by developing countries or received by those countries from developed States.

67. With regard to the preferential treatment given to developing countries by developed countries other than within the generalized system of preferences, it was recalled that the Tokyo Declaration adopted by the Ministerial Meeting of GATT on 14 September 1973⁴ had set forth the basis for the current multilateral trade negotiations consecrating a new principle to secure additional advantages for the developing countries, the principle of differentiated or more favourable treatment. The concept of differentiated treatment was broader than that of preferential treatment, which had been limited to tariffs. Unlike preferential treatment, differentiated treatment should be applicable to a vast range of areas of economic co-operation between developed and developing countries and should, therefore, in the opinion of many representatives, be reflected in the draft. A concrete suggestion was made in this respect to amend article 21 to read

"A beneficiary State is not entitled under a most-favoured-nation clause to any treatment of a preferential or differentiated nature extended by a developed granting State to a developing third State."

68. With respect to preferential treatment granted by developing countries among themselves, it was said that the promotion of trade among such countries, involving the

supply of primary materials and semi-processed agricultural commodities, which were currently excluded from the system of preferences, would be the only realistic way of helping the majority of developing countries, particularly the least developed. It was for that reason that developing countries had insisted on numerous occasions that other ways be found to increase and encourage trade and economic co-operation among themselves as a more realistic tool for development. Intensification of economic co-operation among developing countries was now the order of the day, as was reflected in article 21 of the Charter of Economic Rights and Duties of States and in the deliberations and documents adopted at all the recent conferences which had concerned themselves with economic issues, the Group of 77 meeting at Manila, the fourth session of UNCTAD at Nairobi, the Fifth Conference of Heads of State or Government of Non-Aligned Countries at Colombo and the Conference on Economic Co-operation among Developing Countries held at Mexico City. Reference was also made to developments which were already taking place in several regions such as the adoption of the Bangkok Agreement of 31 July 1975 under which the developing countries of the Economic and Social Commission for Asia and the Pacific (ESCAP) region had negotiated trade preferences as a first step towards liberalization and expansion of trade. It was, therefore, felt that the Commission, in view of its role to promote the progressive development of international law, could not afford to ignore the broad consensus on the development of trade among developing countries. Many representatives agreed that article 21 should be expanded or a supplementary article should be formulated to except from the operation of the most-favoured-nation clause any preferences or favours which developing countries granted to one another. Otherwise, that preferential treatment would be meaningless if it was extended to developed States which were beneficiaries of the clause.

69. Also in the framework of preferences granted by developing countries to one another, the view was expressed that the necessary additional provision should deal in particular with preferences granted by developing countries to each other as members of a customs union, free trade area or other similar association, since economic or customs unions as such would not justify the inclusion of such an exception in the draft. Although that exception might not be recognized as implied under customary international law, it ought to be acknowledged in cases where the paramount objective was the economic development of developing countries through trade expansion, economic co-operation and regional integration. In that connexion, it was pointed out that on 26 November 1971, the Contracting Parties to GATT had agreed to a waiver to article I, paragraph 1, of the General Agreement, which would operate to the extent necessary to allow each Developing Contracting Party participating in the arrangements set out in the relevant Protocol to accord preferential treatment as provided in the Protocol with respect to products originating in other developing countries parties to the Protocol. It was recalled that a similar waiver had been at the basis of the adoption by the Commission of the present text of article 21.

70. The same reference was also made in the context of preferences to the case of EEC. It was explained that its

⁴ See General Agreement on Tariffs and Trade, *Basic Instruments and Selected Documents*, *Vol. XVIII Supplement to Volume XIV* (GATT 1974-1), p. 19.

member States had transferred to the Community various powers which they had previously exercised and in particular, their powers relating to common trade policy. Consequently, the Community was the sole competent authority for matters concerning the application of the most-favoured-nation clause. The Community concluded preferential and non-preferential trade agreements with many States or groups of States and, since 1971, had applied a system of generalized preferences for the benefit of developing countries. With regard to preferences for those countries, the Community granted them most-favoured-nation status as well as preferences. In that connexion, the Community shared the concern of the International Law Commission regarding the particular interests of developing countries in their relations with the industrialized nations. Preferential treatment was granted by the Community mainly by means of agreements based on article 238 of the Treaty establishing the European Economic Community. In such agreements the Community generally granted conditions more favourable than those applied under a most-favoured-nation clause, while in return, the partner States applied the clause to the Community. As an example of the application of the clause to special preferences, reference was made to the Lomé Convention of 28 February 1975. It was also indicated that within the framework of UNCTAD the Community applied a system of tariff concessions on exports of finished and semi-finished goods from a large group of developing countries, the Group of 77. The system did not constitute a legal obligation for the Community and was theoretically of a temporary nature, but it did meet a concern which had been felt since the Second World War in the United Nations, and particularly in UNCTAD. The opinion was, therefore, expressed that in view of the Community's role in applying generalized preferences and in view also of the advantages which they conferred, it would be as well if the draft took account of the realities of the Community.

Article 22

71. Many representatives supported the exceptions embodied in article 22 which took account of the special situation of States having a common frontier and which was based on State practice. Some representatives welcomed in particular the provision that a beneficiary State other than a contiguous State was not entitled under a most-favoured-nation clause to the treatment extended by the granting State to a contiguous third State to facilitate frontier traffic. In this connexion, it was said that the Commission's remarks in paragraphs (22) and (23) of the commentary to articles 11 and 12 relating to the *ejusdem generis* rule did not apply in the cases covered by articles 22 and 23 since objective relationships such as those referred to in them could not be invoked by States which were not in the same objective position. Approval was voiced for the use of the expression "frontier traffic" rather than the more limiting "frontier trade".

Article 23

72. Many representatives agreed with the exception provided for in the article regarding special benefits accorded to land-locked countries on account of their geographical situation. It was said that the article dealt with concerns and needs of which the international community

had become increasingly aware so as to ensure greater equity in international relations. It was also said that its principle, which would henceforth be part of international law, had been embodied in instruments such as the 1958 Convention on the High Seas and the 1965 Convention on Transit Trade of Land-locked States. Reference was made in this connexion to the inclusion of the exception in article 110 of the "revised single negotiating text" prepared at the Third United Nations Conference on the Law of the Sea.⁵ It was also said that the article was based to some extent on principle VII adopted by UNCTAD at its first session⁶ and was in line with the special measures for land-locked countries adopted at the Fifth Conference of Heads of State or Government of Non-Aligned Countries. Nevertheless, it was said, article 23 did not make use of the term "right of access".

73. On the other hand, the view was expressed that neither the special treatment nor the transit facilities granted to land-locked countries by neighbouring States could be considered "rights" in international law, much less a "fundamental right"; those facilities arose out of bilateral agreements, not from any general rule of international law. It was also indicated that one of the basic elements currently under negotiation between land-locked and coastal transit States, particularly at the Third United Nations Conference on the Law of the Sea, was the incorporation of the element of reciprocity in their bilateral or regional arrangements for access to and from the sea. The article should be drafted in a manner which took into account the legitimate interests of the transit State while according access to and from the sea to a land-locked State.

74. Some representatives were of the opinion that since access of a land-locked State to and from the sea was only one aspect of the much broader problem concerning the treatment of land-locked States with regard to the uses of the sea, article 23 was too restrictive; the International Law Commission should give further consideration to a more comprehensive approach with regard to the rights and facilities extended to land-locked States. Reference was made in this connexion to article 58 of the "revised single negotiating text" mentioned above which granted preferential treatment to land-locked States for the purpose of exploiting natural resources situated in the waters of the exclusive economic zone of neighbouring States.

75. Some representatives emphasized the need for paragraph 2 of article 23 to be restricted to neighbouring land-locked States and not to be automatically applied to distant land-locked States. It was said that there was nothing in common between the needs of access to and from the sea of a neighbouring land-locked State and the interests of a distant land-locked State which might even be situated on a different continent but with which the transit State had entered into a trade or other agreement incorporating an unconditional most-favoured-nation clause. Other representatives, however, did not agree that a distant

⁵ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. IV (United Nations publication, Sales No. E.75.V.10), document A/CONF.62/WP.8/PART II, p. 168.

⁶ See *Proceedings of the United Nations Conference on Trade and Development*, vol. I, *Final Act and Report* (United Nations publication, Sales No. 64.II.B.11), p. 25.

land-locked beneficiary State, not bordering on a coastal transit State, should be treated differently from other beneficiary States with respect to rights and facilities granted to neighbouring land-locked third States.

76. Certain representatives considered that the International Law Commission should examine whether the scope of article 23 should not be widened so as to extend the same advantages in respect of the most-favoured-nation clause as were granted to land-locked States to other categories of States in particular economic situations, for instance the most disadvantaged States, referred to at the Third United Nations Conference on the Law of the Sea, and the 42 developing countries considered by the United Nations as the least developed.

77. With regard to terminology, the opinion was expressed that in order to avoid divergent interpretations of the same legal concept, agreement should be reached on a common formulation for the expressions currently used “right of free access to and from the sea” (in French “*droit de libre accès à la mer et à partir de la mer*”) and “right of access to and from the sea” (in French “*droit d'accès à la mer et depuis la mer*”).

Article 24

78. Some representatives agreed with the inclusion of article 24, which reproduced the text of article 73 of the Vienna Convention on the Law of Treaties,⁷ since the draft articles were supposed to be autonomous and since States bound by those articles might not necessarily be parties to the 1969 Vienna Convention. Other representatives expressed doubts as to the need for the article but did not oppose its retention.

Article 25

79. Some representatives approved of the adoption of article 25, which was based on article 4 of the Vienna Convention on the Law of Treaties and which, by operating *ex abundante cautela*, was designed to facilitate acceptance of the draft by Governments. Other representatives questioned the usefulness of the article since the rule of non-retroactivity of treaties was embodied in article 28 of the Vienna Convention, but they did not insist on its deletion. (For other comments relating to article 25, see paras. 49 and 52 above.)

Article 26

80. Many representatives expressed support for article 26, which underlined the residual character of the provisions contained in the draft. In this connexion it was said that those provisions would certainly have an interpretative value even in the circumstances provided for in article 26. It was necessary, as article 26 did, to allow in State practice for the requisite freedom of the parties to agree to different provisions. One of the effects of the article was to permit States to reserve the right to grant preferences to any other State, including developing States.

⁷ See *Official Records of the United Nations Conference on the Law of Treaties, Official Records* (United Nations publication, Sales No. E.70.V.5), document A/CONF.39/27, p. 299.

81. It was noted, with reference to paragraph (6) of the commentary on article 2 (*d*), that a proposal made by one member of the Commission to amend the definition of “third State” had been withdrawn on the understanding that the exclusion provided for in that proposal would be available under article 26. The view was expressed that article 26 should therefore be modified to ensure that it was not used as a pretext for discrimination, particularly in view of the recent attempts by States parties to multilateral conventions to avoid the establishment of treaty relations with other parties to the same conventions. Exclusionary provisions had even been applied under non-political instruments governing narcotics control and the allocation of radio frequencies. Neither the definition of “reservation” in the Vienna Convention on the Law of Treaties, nor the provisions relating to reservations in that Convention, could justify a State in acting in that way. The Commission should ensure that the draft articles did not lend themselves to any such interpretation. (For other comments relating to article 26, see paras. 49, 52 and 64 above.)

Article 27

82. Many representatives expressed satisfaction that article 27 had been added to the draft articles, for it contained a protective clause that left the way open for the evolution of rules of international law intended to benefit the developing countries and which should help to correct any inadequacies to article 21. In this connexion, it was stated that the purpose of article 27 was to assist developing countries by suggesting further exceptions from the operation of the most-favoured-nation clause which would benefit them. It was said that, from the commentary on article 27, it was clear that the Commission had started from the assumption that the only established principles of law benefiting the developing countries were those in article 21, and in order to study the possibility of devising more such principles, the Commission had included in the draft a general provision regarding the possibility of elaborating new principles for the benefit of the developing countries.

83. In the opinion of some representatives, with regard to developing countries, the exception to the application of the most-favoured-nation clause should not necessarily be limited to the case of the generalized system of preferences. The hope was expressed that new rules would soon be formulated to extend the generalized system of preferences to primary commodities and semi-processed agricultural commodities and to exempt from the operation of the most-favoured-nation clause any preferences which developing countries granted each other for the advancement of their international trade.

84. Some representatives considered that it was possible to improve the wording of article 27 and to supplement it by guarantees in favour of developing countries. It was suggested that the article would gain by being redrafted so as to state that the draft articles were without prejudice to the granting of preferential treatment to the developing countries in any other form than within the generalized system of preferences and that the developed countries could not claim the same treatment under the most-favoured-nation clause. In particular, it was stated that since many developing countries regarded regional economic groupings, integration and other forms of economic

co-operation as a means of expanding their intraregional and extraregional trade, article 27 should be made more precise in order to take account of such groupings and give legal expression to the principle that developing countries were in no way obliged to extend to industrialized countries the preferential treatment which they granted one another, particularly when they formed part of a free-trade area, a common market, a customs or monetary union or an economic union. The opinion was also expressed that article 27 was excessively terse and should be amplified by the addition of a second paragraph restating General Principle Eight adopted by UNCTAD at its first session.⁸ It was also said that the wording of article 27 might be improved since, as it stood, it appeared to close the door to any possible development of the most-favoured-nation clause in international law which was not specifically in favour of the developing countries.

85. Some representatives did not favour the inclusion of article 27 in the draft. It was considered that the article stated an obvious principle and was, therefore, unnecessary.

C. State responsibility

86. Several representatives who referred to the Commission's work on State responsibility (see A/31/10, chap. III) stressed the great importance of the progressive development and codification of the international law rules governing a topic which was at the very core of international law. Rules which applied in that sphere touched upon fundamental interests of States because the breaching by States of international obligations, particularly of especially important international obligations, might affect the very foundations of peaceful relations between States. Thus, in the contemporary world, the entire international community might be affected by certain internationally wrongful acts of States. A clear elaboration of the rules governing State responsibility would serve to enhance the respect of States for their international obligations to meet current needs of the international community, and would, therefore, be a positive factor in the development of peaceful relations and friendly co-operation between States. Some representatives stressed also that the draft articles should reflect the elements of progressive development required by the above-mentioned needs. It was necessary to harmonize *lex lata* and *lex ferenda* bearing in mind legal as well as political, economic and technological considerations.

87. Some representatives congratulated the Commission specifically on its approach, as well as on the inductive method it had followed in preparing the draft and, in particular, for reaching its conclusions on individual articles after a thorough analysis of State practice and international judicial decisions. Such an approach was considered essential by those representatives for the successful codification of the topic. Support was also expressed for the Commission's decision not to confine itself to any particular aspect but to define general rules to be applicable to State responsibility for the breach of any international obligation. In this connexion, the view was expressed that

the main aim to be achieved by codifying the topic was not to secure special guarantees to foreigners but to create a legal framework capable of strengthening international peace and security and co-operation between States, as well as the sovereignty and independent development of peoples. On the other hand, it was said that although the Commission's aim had presumably been to arrive at clear statements of principle regarding the action open to a State which sought to obtain compensation for a breach of an international obligation, and the measures required of the State found to be guilty, a consensus was not always possible on what constituted an international breach or on the degree of responsibility to be attributed to a given act. The view was, therefore, expressed that the Commission would be better advised to concentrate on matters which lent themselves to agreement and codification, such as the exhaustion of local remedies, *force majeure*, etc., rather than seeking to define breaches and obligations.

88. It was also said that three principles emerged from the draft articles so far provisionally adopted by the Commission: first, a State was responsible when it had breached its own obligation, by its own behaviour, either by acting or by negligence; second, the unity of the State, thus all organs had to be regarded as part of the State structure, as well as all bodies executing any part of the State power; third, the higher responsibility of the State for the breach of obligations which were particularly important for the international community, namely, the violation of cogent norms of international law.

89. Regarding the commentaries accompanying the articles, some representatives were of the opinion that they constituted a valuable contribution to the development of legal knowledge. But it was also stated, by one representative, that certain concepts might have been clarified if efforts had been made to provide briefer explanations.

90. The International Law Commission was congratulated for the work already done on the topic and several representatives noted with appreciation the learned reports and contributions of the Special Rapporteur on the question, Mr. Roberto Ago. While conceding that the work on the topic involved many political and technical difficulties, certain representatives, however, urged the Commission to pursue its study of the topic more rapidly in order to bring it to a successful conclusion as early as possible. They underlined that, notwithstanding the progress made, much remained to be done. Completion of the first reading was still some years away and an assessment of the draft articles already adopted by the Commission could not be properly made until the entire text had been completed. It was generally agreed that within the next five-year term of office of its members, the Commission should try to complete a first set of draft articles on the topic.

91. Some representatives advanced comments of a preliminary nature either on the draft as a whole or on certain specific articles, particularly on those adopted by the Commission at its twenty-eighth session (articles 16 through 19). Other representatives refrained from expressing comments at the present stage on the draft articles or indicated that their respective Governments would submit observations in due course after a fuller study of the matter.

⁸ See *Proceedings of the United Nations Conference on Trade and Development*, vol. I, *Final Act and Report* (United Nations publication, Sales No. 64.II.B.11), p. 20.

1. COMMENTS ON THE DRAFT ARTICLES AS A WHOLE

92. A number of representatives referred to questions relating to the draft articles as a whole, such as the terminology used and the scope and structure of the draft. Concerning terminology, some representatives stressed that terms having a particular connotation in municipal law should be avoided. A view was expressed that the Commission had reached a series of conclusions as to the method, substance and terminology which were essential for the continuation of its work on the subject. Nevertheless, in an endeavour to conduct a systematic and analytical treatment of the subject of State responsibility, the Commission would have to adopt new terminologies, or rather new definitions of existing terminologies, and undertake further classifications of the responsibility of States, not only in terms of international crimes and international delicts, but also legal classifications in relation to the standard of care, the strictness of absolute or imputed liability for injuries resulting from various acts or operations of States, including reparation as well as preventive, compensative and corrective measures in respect of injurious or harmful consequences of certain activities of States in various fields such as pollution of the ocean and airspace.

93. As to the scope of the draft articles, some representatives referred to the decision by the Commission to limit the draft articles to the responsibility of States for internationally wrongful acts. It was said that that approach should not prevent the Commission from future consideration of the topic of international liability for injurious consequences arising out of acts not prohibited by international law. The decision to exclude from the scope of the present draft articles the so-called question of risk was seen as having been taken out of a concern to place limits on a very broad subject. There was, however, no clear dichotomy between a wrongful act and risk. Those two concepts were related and a rule applicable to one could not be regarded as automatically inapplicable to the other. It might be preferable to suppose that behind all obligations, whether they had their origin in a wrongful act or in risk, there was a common element. A study of the question of risk would thus make a useful contribution to the work on State responsibility as a whole. It was also said that a general understanding had been adopted at the twenty-fifth session of the General Assembly to the effect that the work of the Commission was not limited to State responsibility for wrongful acts but also included responsibility for lawful acts. Although State responsibility in those areas was determined on the basis of special conventions and specific regulations drawn up in technical forums, the formulation of general legal norms would undoubtedly be beneficial. It was suggested that the Commission should, without further delay, nominate a special rapporteur on the question of international liability for injurious consequences arising out of acts not prohibited by international law.

94. On the structure of the draft articles, support was expressed for the International Law Commission's outline of its future work on the topic (*ibid.*, paras. 71 and 72). Those who spoke with reference to the planned part II of the draft ("The content, forms and degrees of international responsibility") did so mainly in the context of article 19.

As to the possible addition of a part III dealing with the "implementation" (*'mise en oeuvre'*) of international responsibility and settlement of disputes, certain representatives favoured the inclusion of such a part and referred in particular to a compulsory settlement of disputes procedure. The inclusion of part III constituted an essential element for the effectiveness of any regulation of the régime of international responsibility. The norms of parts I and II would be of little value if they were not accompanied by sufficiently effective regulations for their application.

2. COMMENTS ON THE VARIOUS DRAFT ARTICLES

95. Most of the observations on individual draft articles related to those adopted by the International Law Commission at its twenty-eighth session concerning chapter III (The breach of an international obligation), namely articles 16 to 19. A few observations were, however, also made on articles 8, 10, 11, 12 and 13 of chapter II (The act of the State under international law) adopted at previous sessions of the Commission.

CHAPTER II. THE ACT OF THE STATE UNDER INTERNATIONAL LAW

Article 8

96. One representative reiterated reservations previously made concerning article 8. The article, it was said, should take into account the real ties between the State and monopolies, since the activities undertaken by monopolies beyond the national frontiers were likely to involve the responsibility of the State which protected and helped them.

Article 10

97. One representative expressed reservations concerning this article. The State should not be held internationally responsible for the acts of a manifestly incompetent organ. In such cases, the injured party could institute procedures in internal law in order to secure recognition of his rights and to obtain reparation. Those questions should be resolved in accordance with the internal law of the State and by its courts. Only damages and losses sustained by foreigners as a result of the violation by the State of treaties in force were attributable to the latter on the international level. Furthermore, the conditions did not always exist to permit the application of a principle such as the one set out in article 10. It should be borne in mind that there were still situations in which certain Powers continued to interfere in the internal affairs of countries which had freed themselves from the colonial yoke.

Article 11

98. Regarding this article, one representative underlined that there were cases where some States hid behind the private activity of commercial or other companies. In such a case the behaviour of the State could consist in an omission or in negligence, failing to prevent an obstruction to the fulfilment of an international obligation, or in a positive act, or even in granting permission to the private person concerned for the commercial, cultural or other

activities in question. In these cases, the principle of the unity of the State assumed special importance.

Articles 12 and 13

99. In connexion with article 12, it was noted by one representative that the concept that acts committed by various organs or even by groups in its territory were attributable to the State should not result in attributions to the State of acts committed by other States or in the recognition of the effects of such acts as acts of the territorial State. Those attributions could be made only in accordance with the constitution of the State concerned. Moreover, article 13 should make reference to the case where the territorial State supported or connived in the commission of certain acts by an international organization, thus itself committing a wrongful act.

CHAPTER III. THE BREACH OF AN INTERNATIONAL OBLIGATION

100. Several representatives were pleased to note that at its last session the Commission adopted the initial four articles of chapter III (The breach of an international obligation) of part I of the draft. A number of those representatives considered the adoption of those articles as representing significant progress in the definition of the objective element of the internationally wrongful act and approved, in principle, its underlying concepts. Some of those representatives noted with satisfaction that, in drafting those articles, the Commission took duly into account the current level of development of international law as well as basic principles of international law embodied in the Charter of the United Nations.

101. While recognizing that the provisional adoption of the articles referred to above represented an important contribution, certain representatives stated that they could not, at the current stage of development of international law, subscribe to all the principles contained therein and, especially, to some of those included in articles 18 and 19. Some of those representatives also wondered whether the articles adopted by the Commission at its last session were essential for the codification of the rules of international law governing the topic and whether in going into too much detail, there was not a possibility of introducing into the final instrument elements so controversial that the chances of the draft gaining general acceptance might be compromised.

Article 16

102. The majority of representatives who referred to the article expressed general agreement, approval or support for its provision. For instance, it was said that the article expressed a clear statement of an existing principle of law and it excluded all possibility of justifying a breach of an international obligation by casuistry. As drafted, it covered as many potential instances of a breach of an international obligation by a State as was possible. That was so because the article stated that there was a breach of an obligation when the act of a State was "not in conformity" with what the obligation required of it and conformity could not be held to exist even when the act was only partially in contradiction with the obligation. It was likewise under-

lined that the article covered not only action on the part of the State, but also failure on the part of the State to act when action was necessary to comply with the obligation in question.

103. Certain representatives were of the view that the provision embodied in the article was a mere statement of the obvious. Some of them, however, considered its inclusion in the draft necessary. Others, however, did not share such a view, although they did not express objections regarding the substance of the rule set forth in the article.

104. It was noted by certain representatives that the Commission in its commentary affirmed that the international obligation whose breach was envisaged in the draft articles must be a legal obligation incumbent upon States under international law, and not a moral or international courtesy obligation.

Article 17

105. The majority of representatives who specifically referred to article 17 generally endorsed, approved or supported its contents. Certain representatives expressed the view that the rule stated in article 17 was incontrovertible and accurately reflected the state of international law on the point in question. The formal origin of the international obligation breached was irrelevant to establish the corresponding international responsibility of the obligation. It would be absurd to try to introduce in the present draft a distinction based on the differentiation made in other legal systems between "contractual" and "extra-contractual" obligations. The rules embodied in the article were also useful in the sense that they would make it unnecessary for the judge or arbitrator to undertake research in order to determine the degree of responsibility according to the origin of the international obligation breached and would enable the parties to a dispute to gain a better understanding of their rights and obligations. The view was expressed that the wording of article 17 precluded any attempt to justify a breach of an international obligation by relying on purely formal considerations.

106. Certain representatives were of the view that the rule reflected in article 17 was already implicit in the wording of article 3. Therefore, to one of those representatives, it was not clear why it was necessary to repeat the idea. According to another of those representatives, the article dealt with a non-question, since international jurisprudence, as pointed out in the commentary, had not often had occasion to consider the question explicitly. On the other hand, other representatives, while expressing doubts about the need for the article, believed that it should be maintained to avoid any confusion and to provide a better understanding of the general structure of chapter III.

107. As to its wording, the view was expressed by certain representatives that article 17 was less than concise and that its commentary was too lengthy. According to one view, since the origin of a rule of law might be different from the actual source of that rule, it would seem more appropriate to refer to the process by which the obligation arose in accordance with international law. According to another view, the article should be reduced to a single paragraph stating that the origin of the international

obligation breached did not affect the international responsibility of the State committing the breach, so as to emphasize, more clearly, the notions of “origin” and “responsibility”, which were in fact the essence of the article. Another representative noted that since an international obligation could arise from a customary, conventional or other rule, due reflection should be given to the position of resolutions interpretative of the Charter, and of declarations, adopted by the United Nations. Finally, the suggestion was made that article 17 should contain an express reservation concerning the provision in Article 103 of the Charter.

108. Lastly, certain representatives welcomed the use of the word “origin” in place of the word “source”, which, it was said, had a long tradition of controversy in international law. It was also said that although it would be preferable to use the word “source”, which was readily understood by lawyers, the word “origin” was acceptable as it was purely a matter of terminology and the sense of the article was clear.

Article 18

109. Some representatives approved in principle the basic underlying concept of article 18. It was said that the article was a reflection of reality and dealt with a principle common to all legal systems, namely that an act could be considered wrongful only if the obligation breached by it was in force at the time when the act was committed. It was also observed that while the form of the article might seem debatable, it was entirely satisfactory as to substance, since it set forth the indisputable principle of the “temporal element” in breaches of international obligations. One representative was, however, of the opinion that the principle posed in the article needed no restatement in the draft.

110. Reservations were expressed, however, by certain representatives concerning paragraphs other than paragraph 1 and, in particular, regarding paragraph 2. Some of them considered that the article should be limited to the present paragraph 1.

111. It was also stated that article 18 would require a thorough and careful examination in the light of parts II and III of the draft. The need to define the concept of “obligation in force” for the purposes of the draft articles was also stressed by one representative. An explicit definition of such an expression could be done either in an article on definitions or in an article in chapter I of part I in order to make it clear that the obligations concerned were obligations deriving from rules of international law in force at the time the wrongful act was committed.

Paragraph 1

112. All representatives who specifically mentioned paragraph 1 of article 18 spoke in favour of the rule reflected therein. The paragraph was viewed as representing the long-established and indisputably basic rule that there was no breach of an international obligation unless the obligation in question was in force for the State at the time when it performed the act not in conformity with what was required by that obligation.

Paragraph 2

113. A number of representatives made comments relating to the rule in this paragraph formulated by the Commission as an exception to the basic rule enunciated in paragraph 1. Some representatives expressed support and approval for paragraph 2. It was said that peremptory norms of general international law, or rules of *jus cogens*, derived from principles which must be respected if peaceful coexistence between nations was to be maintained and which served the fundamental interests of mankind and that paragraph 2 of article 18 took account of that situation. It was stressed that the paragraph was based on the general principle that any international legal norm should have a basis in the legal conscience of the international community which it served at any particular time. It acknowledged the need to provide for the effect on State conduct of the emergence of a peremptory norm of general international law, and to offer protection to a State which had acted contrary to what was required of it by an obligation incumbent upon it at the time when the act was committed but whose act had subsequently become compulsory under a rule of *jus cogens*. Paragraph 2 was seen as being essentially based on the moral force inherent in peremptory norms of general international law. It was also said that in accepting the existence of such an exception, the Commission had rightly sought to avoid any undue extension of it which might weaken the general rule laid down in paragraph 1. Indeed, the scope of the exception should be kept within strict limits.

114. Some of those representatives supported paragraph 2 purely because they understood it as strictly limited to cases where the former wrongful act of the State had subsequently become compulsory conduct by virtue of a peremptory norm of general international law. They stressed that the exception provided for in the paragraph was extremely narrow and sufficiently circumscribed to exempt only acts of the State prohibited by a rule of international law in force at the time of their commission but which had since become not only lawful but obligatory as a consequence of the *jus cogens* rule. Also, the paragraph would not, it was stated, have the retroactive effect of rendering non-compliance with the peremptory rule unlawful *ab initio*; nor would it affect disputes arising from an act that had been settled before the emergence of the *jus cogens* rule. Moreover, the concern expressed over the fact that a retroactive application of the peremptory rule mentioned in paragraph 2 would in effect deprive the injured State of any remedy, seemed exaggerated. If an internationally prohibited act changed to an obligatory one, that would be due to a fundamental change in the legal conscience of the international community and such a fundamental change must have also affected the behaviour of the injured State.

115. Other representatives who supported in principle the rule in paragraph 2 considered, however, that its scope was too limited. In this connexion, it was stated that before a rule of *jus cogens* emerged, the conduct later proscribed was normally viewed with moral disapprobation by a large segment of the international community and, while technically not unlawful, was normally considered wrong. It might therefore not be unduly harsh if a State engaging in such activities as *apartheid*, genocide, racial discrimination

or slavery, was held accountable for those acts before they became proscribed by a rule of *jus cogens*. It was also said that the question whether an act of a State in an area where *jus cogens* was in the process of emergence could be regarded as lawful if subsequently, after the *jus cogens* had evolved, it would be wrongful, should be examined by the Commission, and if necessary the wording of paragraph 2 should be revised.

116. Some representatives stressed that the retroactive application of *jus cogens* gave rise to extremely delicate problems and must be dealt with very carefully. It was questioned whether the limitation of the exception contained in paragraph 2 might not be narrow enough. Certain representatives doubted whether the subsequent validation of acts wrongful when committed would be justified in all cases by the emergence of a new peremptory norm of general international law. It was possible that in the future, particularly in the law relating to the protection of the environment, there would be new rules made necessary by population expansion and limited food supplies. Such rules, even if they had the character of peremptory norms, need not necessarily cast any doubt upon the validity of obligations assumed and broken in the past and did not, of necessity, have a retroactive effect. In its intention to give retroactive effect to some, if not all, peremptory norms of general international law, the Commission, it was said, was on very unsure ground. A State normally suffered injury from a breach by another State of an obligation towards it, and to deprive the first State of a remedy would be to impose a sanction on its behaviour. While it was conceivable that a norm of general international law might be designed to impose such a sanction on the past conduct of a State, even if such conduct was at the time not contrary to a rule of international law then in force, such a purpose could hardly be presupposed, let alone implied in all peremptory norms of general international law.

117. Other representatives expressed serious reservations concerning the inclusion of paragraph 2 in article 18, terming it highly speculative, and as giving rise, if implemented, to more difficulties than it resolved. It was said that the fact that the concept of peremptory norms had received a measure of acceptance in a wholly different context (the Vienna Convention on the Law of Treaties) hardly supported the imparting of the notion into article 18. There was a wide divergence of views among States concerning what rules they considered to be norms of *jus cogens* and concerning the new norms of *jus cogens* that they wanted to emerge. Besides, the Vienna Convention on the Law of Treaties provided for procedural, necessary safeguards concerning disputes involving *jus cogens* rules. Reference was made, in this connexion, to article 66 of that Convention by which, *inter alia*, any dispute as to whether a particular treaty was void on the ground of non-conformity with a new peremptory norm of general international law should be subject to the compulsory jurisdiction of the International Court of Justice. Another provision of the Vienna Convention noted was article 71, paragraph 2 (b), which did not provide for a general retroactive effect for a new norm of *jus cogens*. Those representatives believed that, in general, such provisions were essential in order to safeguard the authority and stability of the existing international order and were even more necessary if a provision such as article 18, paragraph 2, was eventually adopted.

118. Some representatives feared that the adoption of paragraph 2, as presently worded and without such safeguards, would compromise legal stability and tend to undermine the authority of existing law. The present draft might be taken as an incitement to States to perform an internationally wrongful act in the anticipation that such an act might subsequently be validated by the emergence of a rule of *jus cogens* to the opposite effect. Thus States would be tempted to concoct new exculpatory peremptory norms and a violator of the existing legal order would be given a chance to escape the consequences of his act. Furthermore, paragraph 2 was unlikely to be conducive to an expeditious settlement of disputes. In this connexion it was considered that the rule reflected in the paragraph ignored, *inter alia*, any reliance costs that an injured State might have suffered because of the breach. While an injured State might not be entitled to request specific performance of a contract deemed not in conformity with a new peremptory norm of general international law, it should be entitled to compensatory damages. Such an approach did not impair the new peremptory norm. On the other hand, imposing the losses on the innocent party undermined the certainty needed in all transactions. It was noted that the Commission had recognized the need for such certainty when it had refused to impose liability on a State for an act that later became unlawful. It had also affirmed in paragraph (18) of its commentary that "the act of the State is not retroactively considered as lawful *ab initio*, but only as lawful from the time when the new rule of *jus cogens* came into force". However, article 1 stated that every internationally wrongful act of a State entailed the international responsibility of that State; thus the complete defence seemed to make the act lawful *ab initio* or to have the same effect vis-à-vis the injured party. Finally, it was noted that in the case of international crimes, which were dealt with in article 19, the application of the principle of retroactivity could be very dangerous.

119. Certain representatives believed that the solution to the sensitive questions raised by paragraph 2 should be found not by way of an exception to the basic principle of paragraph 1, but rather in the context of the consideration of circumstances precluding wrongfulness and attenuating or aggravating circumstances, to be dealt with in the future chapter V of part I. It was said that it was too early to consider what final form such a provision as paragraph 2 should take and where it should belong in the draft. Another view expressed was that the subject-matter of paragraph 2 did not, as yet, form part of State experience and the prospects of its doing so in the future were slight.

120. As to the drafting of the paragraph, certain representatives said its wording was not absolutely clear. One representative stated that if paragraph 2 merely restated the adage that any later rule abolished an earlier rule in the absence of any special reservation, then the paragraph should preferably be deleted. Another representative stressed that the delicate nature of the question called for the greatest conceptual and terminological clarity. He suggested, therefore, that the words "[and] if the dispute concerning such an act has still to be settled", taken from paragraph (18) of the Commission's commentary and reflecting its approach, should be added either at the end of paragraph 2 of the draft article or following the word "subsequently" in that paragraph. It would then be possible

to rule out the retroactive application of the norm to all cases in which the wrongful nature of international acts had finally been established.

Paragraphs 3, 4 and 5

121. Certain representatives favourably commented upon paragraphs 3, 4 and 5 of article 18 which dealt with acts of a continuing, composite and complex character, respectively. It was said that those paragraphs, though elaborate, served to clarify the basic rule of paragraph 1. They were based on specific cases which demonstrated the need for adopting a specific legal régime in each case, and they set forth a series of assumptions and solutions. Other representatives, however, questioned whether the detailed and complicated elaboration in paragraphs 3, 4 and 5 of the basic rule enunciated in paragraph 1 was justified, as that approach, while seemingly complete, caused some doubt as to whether there should be exceptions.

122. As to paragraph 4 of article 18, relating to composite acts, a view was expressed placing emphasis on its importance. States were increasingly assuming obligations which involved a pattern of action, such as in the field of human rights. The treaties which existed on that subject required States not to discriminate. The same kind of obligation could arise from bilateral treaties relating to the nationals of the other party. In all those cases, it was important that the pattern of actions constituting a breach of an international obligation should exist while that obligation was in force. States were entitled to make their acceptance of new obligations dependent on such a condition. It was, however, stressed that in the case of the composite act, it was the nature of the international obligation itself which required that there should be a series of separate acts or omissions before it could be established that there had been a breach of that obligation. It was self-evident that only those acts or omissions which had occurred while the obligation was incumbent on the State should be taken into account. Thus, while the commentary relating to paragraph 4 of draft article 18 was not disputable, the basic rule stated in paragraph 1 of the draft article sufficiently covered the rather rare case envisaged by paragraph 4 and its commentary.

123. With regard to paragraph 5 of article 18, dealing with complex acts, certain representatives noted that the rule set out therein appeared closely connected to the concept of the exhaustion of local remedies, a subject still to be dealt with in the context of an article on breach of an obligation of result to be included in chapter III of part I. Thus, it was thought that paragraph 5 introduced unnecessary and undesirable complications into the text and would in any event have to be reviewed when the Commission had formulated provisions on the exhaustion of local remedies. On the other hand, it was believed that the rule set forth in paragraph 5 might not be without utility since, long before the question of the exhaustion of local remedies arose, there might be differences of opinion concerning the consequences of complex acts which were necessary to constitute a breach of an obligation. In the matter of State responsibility, more than in the case of other subjects embodied in the International Law Commission, it was possible for lawyers from quite different legal systems to hold different views on questions of

certain rules. For that reason, it was welcomed that paragraph 5 did not make it essential, from the point of view of determining an obligation in time, to resolve the question of whether a certain number of actions or omissions were necessary to constitute an offence. It was sufficient that one action or omission had occurred while the obligation was in force. Finally, the view was expressed that paragraph 5 seemed to fall within the purview of *tempus commissi delicti*, which the Commission was supposed to deal with later in connexion with another article of chapter III of part I. The relationship between that rule and the rule concerning the exhaustion of local remedies should be considered at that time.

Article 19

124. About 60 representatives, namely the great majority of those who spoke during the debate, made comments and observations on the matters dealt with in article 19, the cardinal importance and delicacy of which was emphasized by many speakers. Most of those comments and observations related to basic underlying concepts inspiring the article as a whole and, in particular, to the distinction made in the article between "international crimes" and "international delicts". Other comments and observations, more specific in nature, referred either to the merits of the provisions embodied in the various paragraphs of the article or to the wording of such provisions. Several representatives underlined that the comments and observations advanced were preliminary and tentative in character and should not be understood as jeopardizing in any way the final position to be taken on the matter, at a later stage, by their respective Governments.

(a) General comments on the distinction between "international crimes" and "international delicts" as two types of internationally wrongful acts

125. Three main trends of opinion emerged from the debate concerning the conclusion reached by the International Law Commission that contemporary international law distinguished, for normative purpose, between two different categories of internationally wrongful acts according to the importance attached by the international community to the subject-matter of the obligation breached and the seriousness of the breach itself.

126. A first group of representatives agreed with the distinction made by the International Law Commission in that respect between "international crimes" and "international delicts", as reflected in paragraphs 2 to 4 of article 19, and commended the Commission and its Special Rapporteur for the step so taken which was called a milestone in the codification of international law. A second trend of opinion was reflected in statements made by some representatives who were unable to agree with that distinction and asked the Commission to reconsider the approach adopted in article 19 so that the remainder of its work on State responsibility would not suffer. Lastly, the third position was represented by some other representatives who found some bases for or merits in the distinction but refrained from taking a definitive position on article 19 until knowing the Commission's proposals on subsequent provisions of the draft and, in particular, on those concerning the content, forms and degrees of international

responsibility (part II) and the implementation (*mise en oeuvre*) of international responsibility and peaceful settlement of disputes (part III).

127. A series of nuances were also noticeable within each of the above-mentioned trends of opinion. Thus, for instance, some of the representatives who endorsed the distinction in article 19, as made by the Commission, emphasized that it reflected positive international law, while others belonging to the same trend of opinion stressed that article 19 was a turning point in the progressive development of the rules of international law governing State responsibility. The considerations advanced by those who asked the Commission to reconsider article 19 varied also from case to case. Some of them based their criticism of article 19 on arguments related mainly to the nature of State responsibility in international law, including questions of method and approach, others on the scope of the draft articles and still others on both kinds of considerations. A series of differences in emphasis were also observable among those representatives who reserved their final position on article 19. Some, for example, felt that article 19 could become generally acceptable in a not too distant future. Others stated that, notwithstanding their reservations, article 19 was an acceptable point of departure. Others regarded article 19 as a working hypothesis. Finally, others refrained from any explicit endorsement. Independently of the position of principle adopted, practically all representatives who referred to article 19 underlined the relationship between the distinction made in the article and the content, forms and degrees of international responsibility and the implementation of international responsibility.

128. Certain representatives stated that the Commission was fully justified in comparing, as it did in its report, the importance of an express recognition of the distinction between "international crimes" and "international delicts" with the explicit recognition of the category of rules of *jus cogens* in the codification of the law of treaties.

(i) *The distinction made in the article in the light of international law*

129. Underlining the fundamental importance in international law of the distinction between "international crimes" and "international delicts", several representatives congratulated the International Law Commission for having embodied such a distinction in article 19 of the draft articles on State responsibility under preparation as well as for contemplating, in the course of its future work on the topic, different régimes of international responsibility for the two types of internationally wrongful acts so distinguished, bearing in mind, as appropriate, that those acts may adopt a variety of forms and that the legal consequences entailed by them could also vary. To classify internationally wrongful acts according to their degree of gravity for the international community illustrated, according to those representatives, mankind's developing awareness that breaches of major international obligations—of which those relating to the maintenance of international peace and security were undoubtedly the most important—could not be treated in the same manner as breaches of other international obligations. It illustrated also, together with the recognition of rules of international

law having a "peremptory" character (*jus cogens*), the increasing legal importance attached by international law to the subject-matter of its obligations. As pointed out by the Commission, the distinction between "international crimes" and "international delicts" had normative consequences inasmuch as it determined different régimes of international responsibility depending on whether an international crime or an international delict was involved. That was today the only reasonable approach to the matter since, under contemporary international law, the legal consequences of an "international crime", which in most of the cases would imply the violation of a norm of *jus cogens*, could hardly be reduced to a mere question of reparation between the author of the wrongful act and the injured State. The draft articles on State responsibility under preparation could not therefore but codify such a distinction as well as an appropriate régime of international responsibility for "international crimes". All those representatives subscribed to the underlying concepts of the article and approved, subject in some instances to drafting improvements, article 19 as formulated by the Commission. The commentary attached by the Commission to the article was also viewed as particularly valuable by those representatives.

130. For some of those representatives, the distinction between "international crimes" and "international delicts" was fully warranted in positive international law. They recalled in this connexion that the Charter itself attached some specific consequences, more grave in nature, to serious breaches of certain international obligations of essential importance for the protection of fundamental interests of the international community, such as those relating to the maintenance of international peace and security; that, as recognized in article 53 and other articles of the Vienna Convention on the Law of Treaties, some norms of international law had the character of *jus cogens* rules; and that breaches of certain international obligations had been characterized as "international crimes" in various conventions and other international written instruments. The very fact that the International Law Commission had adopted article 19 unanimously was also noted by those representatives as particularly significant in that respect. The concept of a single system of State responsibility was, in the view of those representatives, outdated. Contemporary international law distinguished, on the one hand, between international obligations of fundamental importance for the international community and other obligations and, on the other hand, between serious and less serious breaches of a given international obligation, and such distinctions entailed, under that system of law, different legal consequences in terms of State responsibility. Internationally wrongful acts such as aggression, the maintenance of colonial domination, slavery, genocide and *apartheid* referred to in paragraph 3 of article 19 constituted, according to those representatives, examples of particularly serious breaches of international obligations of fundamental importance to the international community as a whole which could not but be characterized as "international crimes". By stating it so, it was added, the draft articles on State responsibility would have a preventive and dissuasive effect beneficial for the maintenance of international peace and security and for the development of international co-operation between States on more friendly and just bases.

131. Other representatives, who also supported article 19 and its underlying basic concepts, considered it to be a major contribution to the progressive development of international law in the difficult and complex area of State responsibility. For those representatives the article was an important and necessary innovative advance in the development of the rules of international law governing State responsibility mainly because it broke with the traditional theory which viewed all internationally wrongful acts as belonging to a single and same type. They praised the International Law Commission for having recognized that that traditional theory had evolved so as to encompass two main types of internationally wrongful acts, each of them entailing a different régime of international responsibility. They shared also the view that the basic criteria to characterize a given wrongful act as an "international crime" or an "international delict" should be the vital or fundamental interest of the international community in respect of the international obligation breached as well as the gravity of the act itself. It was also added that the practice of States had shown a tendency since the end of the Second World War to recognize certain breaches of international law obligations as crimes *erga omnes*. All those representatives regarded aggression, colonialism and gross violations of human rights and fundamental freedoms, such as slavery, genocide and *apartheid*, as examples of international crimes that should be accorded more severe treatment than that given to internationally wrongful acts of less importance. Some of them added massive pollution to the enumeration. Broadly speaking, they agreed, therefore, with the examples of international crimes given by the International Law Commission in paragraph 3 of article 19 and considered them to be in keeping not only with the United Nations Charter, but also with article 53 of the Vienna Convention on the Law of Treaties, as well as with various resolutions adopted by the United Nations organs concerning maintenance of international peace and security, colonial situations and human rights and with international conventions prohibiting crimes such as genocide, *apartheid* and other inhuman practices. In this connexion, it was also recalled that the Political Declaration adopted at Colombo in August 1976⁹ asserted that *apartheid* was an international crime and reiterated the collective responsibility of States to extend effective support and assistance to peoples striving for self-determination.

132. Some representatives praised the Commission for having taken duly into account that violations amounting to an "international crime" were a matter of concern not only to the State or States directly affected but also to the international community as a whole. If the international community failed to impose on the perpetrators the sanctions that were called for, the international order would fall prey to anarchy and collapse. It was high time that the notion of collective international responsibility should be firmly established as an unequivocal principle. It had been given recognition by the international community in various ways since the adoption of the Charter of the United Nations. Under Article 24 of the Charter, the Security Council was given broad powers for the maintenance of international peace and security and was recognized as exercising those powers on behalf of the

Members of the United Nations. Article 6 of the Charter provided that a Member which persistently violated the principles contained in the Charter could be expelled. The notion of collective international responsibility had also been included in the Geneva Conventions of 1949 on the protection of victims of war which, by virtue of a common provision, obligated the parties not only to respect the provisions of those instruments but also to ensure that they were respected by third parties. Furthermore, that notion was also an integral part of the codification efforts presently being made in connexion with the sea bed, outer space and certain economic areas.

133. As indicated in paragraph 126 above, some representatives were unable to endorse the approach adopted by the International Law Commission regarding article 19 and asked the Commission to reconsider the matter carefully. They found no compelling arguments for the inclusion of the concept of "criminal responsibility" in the draft articles on State responsibility at the present stage of development of international legal institutions. Some of them rejected in that respect arguments by analogy with domestic law and with some aspects of the Vienna Convention on the Law of Treaties. Virtually all domestic law systems separated laws relating to reparation for damage from those relating to criminal responsibility. Moreover, criminal law was set forth in domestic legal systems in great detail and precision. In addition, domestic law systems protected the innocent from false accusations and hasty conviction by a variety of substantive and procedural safeguards. It was also inappropriate to take the articles on *jus cogens* of the Vienna Convention out of that particular context which, *inter alia*, included procedural safeguards.

134. It was also stated by some of those representatives that under paragraphs 2 to 4 of article 19, as drafted by the Commission, State responsibility took on a penal nature of doubtful interest and value for the international community and contrary to the body of relevant case law, the provisions of Article 36, paragraph 2, of the Statute of the International Court of Justice and the views of most writers. They pointed out that by stating that it was inconceivable to limit its task to establishing in the draft articles a supposedly general régime of responsibility valid for all internationally wrongful acts, leaving it to international custom or particular conventional instruments to lay down the régime or régimes of responsibility applicable to "crimes", the Commission had taken a position which favoured the existence of such crimes in international law and their imputability to States. By doing so, however, the Commission had espoused a trend which was far from constituting an established or generally recognized principle in international law. The text of article 19 submitted by the Commission presumed, therefore, the existence of well-established rules of international law in the fields referred to, while it was clear from the commentary itself that such was not the situation. In this connexion, the view was also expressed that the substance of article 19 would be better situated in a commentary indicating the topics which might be the subject of special studies concerning the establishment of rules of law and the consequences of a breach of those rules in the light of the developments of international law.

⁹ See A/31/197.

135. It was stated that in evaluating article 19 certain preliminary basic questions should be asked and, in particular, what was the purpose of establishing the distinction between "international crimes" and "international delicts" as well as what would be the consequences of identifying a particular act or omission as an international crime rather than as an international delict. In national law it was clear that criminal law protected the fundamental interests of the community and reflected to a large degree the prevailing moral views of the society in which it operated. Moreover, its sanction was markedly different from the sanction of a delict. Crime carried with it the notion of punishment, while delict carried that of reparation. Lastly, the concept of crime covered a wide range of human behaviour. Translating those elements into the sphere of international law was far from easy. The first problem was the difficulty of identifying objectively those acts which most offended the moral sense of international society. Secondly, in the case of individuals, personal sanctions, including corporal punishment, was a familiar concept, but that kind of sanction could not be applied to entities such as States, which were the only entities dealt with in the draft articles as the question of the responsibility of individuals for the commission of crimes under international law had been left aside. Lastly, while in the national sphere criminal law was applied by the judiciary with every guarantee of objectivity, in the scheme envisaged by the Commission criminal sanctions applicable to States would, to a large extent, be in the hands of political organs of the United Nations, where legal considerations often played a secondary role. The Commission could have reserved the possibility of establishing a distinction between the concept of delict and that of crime by adding a few words of reservation to an uncontroversial article and a page or two of commentary.

136. Reservations were made by some representatives about the method of argument developed by the Commission in the commentary accompanying the article. It was stated that the argumentation developed in the voluminous commentary to the article was not persuasive and was more in the nature of advocacy of the extreme than a reasoned analysis aimed at clarifying doubts arising from the article. Reference was made in that context to passages of the commentary dealing with how the United Nations collective security system worked and with the legislative history and meaning of the definition of aggression and of the Stockholm Declaration on the Human Environment.

137. As also indicated in paragraph 126 above, some representatives expressed reservations concerning article 19, as drafted by the Commission, and stated that they would adopt a final position thereon only when the full legal consequences of the distinction between "international crimes" and "international delicts" were known. Although there was growing evidence of the admission of a distinction between different types of internationally wrongful acts on the basis of the subject-matter of the international obligation breached and the importance attached by the international community as a whole to the respect of certain international obligations of a fundamental nature, there were difficulties in defining such international obligations and assessing the legal consequences of such a

distinction. The article raised, therefore, a number of delicate and fundamental questions from the point of view of content as well as institutionally. In the future, the Commission would no doubt have to revert to article 19 and to consider what legal consequences it would attach with respect to "international crimes" and "international delicts" and what scope it would eventually give to the provisions relating to the content and the different forms of responsibility as well as the implementation of responsibility. Those representatives urged the Commission to proceed with caution. In any case, and whatever proposals the Commission might eventually make on such legal consequences, the present terms of article 19, and in particular of its paragraphs 2 and 3, would have to be reviewed very carefully by the Commission at the second reading stage, taking into account the statements made by delegations at the current session and subsequent comments submitted by Governments so as to ensure the broadest possible acceptability for the relevant draft convention.

138. It was noted by some of those representatives that the Commission sought to draw the distinction between different types of internationally wrongful acts by ascribing the term "international crimes" to the wrongful acts of the kind described in paragraph 2 of the article. That description bore some similarity to the description of *jus cogens* in article 53 of the Vienna Convention on the Law of Treaties, but many different views had been expressed on that concept. Moreover, the acceptance of the distinction would imply differences in the international responsibility régime that must be studied in all its complications before being accepted. It was also recalled, in this connexion, that the rule in paragraph 2 fell into the sphere of the progressive development of international law. There had been no precedent until the judgement given by the International Court of Justice in the *Barcelona Traction, Light and Power Company, Ltd.* case, that, as the Commission itself admitted in its commentary, had been the subject of different interpretations. With regard to doctrine, writers had not begun to support differentiation of wrongful acts on the basis of the importance of the subject-matter of the obligation breached until the 1960s, and many had done so only in respect of violation of the prohibition of the use of force. The majority still favoured the traditional opinion that only persons who acted as organs of a State, and not the State itself, could be held responsible for international crimes. Furthermore, the recognition of "international crimes" would inevitably call for a complementary institution which would decide in each case whether a crime *erga omnes* had been committed. Such wrongful acts, including the examples given by the Commission in paragraph 3 of article 19, were not all of the same kind and gravity and could entail, therefore, different consequences or redress. If in some instances such redress was to come through the provisions of Chapter VII of the Charter, the essentially political function which the Security Council had to perform under the Charter could not be overlooked. Bearing all those considerations in mind, all those representatives shared the view, broadly speaking, that before adopting a final position on the matter it would be necessary to know the draft articles to be submitted by the Commission in the future, and in particular, those dealing with the implementation of international responsibility and the settlement of international disputes.

139. Some of those representatives considered that the idea of dividing internationally wrongful acts into two categories had gained acceptance at the present time and could become generally recognized in the not too distant future. Others viewed article 19 as an acceptable point of departure for further work by the Commission. It was also stated by others that at the present stage of the work article 19 could not be regarded as more than a simple working hypothesis. While not objecting to certain of the considerations of the distinction sought by the Commission, certain representatives had reservations regarding some of the arguments advanced in the commentary to article 19 and could not, therefore, form a definitive view on the acceptability or otherwise of what was proposed in substance, until they had had an opportunity to consider carefully the consequences of internationally wrongful acts which might be deemed to amount to international crimes.

140. It was stated that article 19 drew a valid distinction, but it still presented difficulties and should be revised in relation not only to the rest of the draft but to international law as a whole. The principle which was receiving growing recognition, that a State could be held responsible according to the degree of gravity of its act, could perhaps be codified. Such a State would then be required by the international community, acting through a tribunal or court, to make compensation, determined on the basis of the damage caused. There was, however, a danger that a codification of the type envisaged under article 19 would cause harm by consolidating the jurisprudence that had developed over the years on a case-by-case basis in its existing form. It would also be unwise to classify certain acts of States as criminal without first agreeing on a definition of such acts and establishing the machinery to deal with them.

141. Lastly, it was also stated that it might be that the main question for the International Law Commission was to decide whether obligations of fundamental importance to the international community could be treated as being on the same footing as ordinary contractual obligations. In that connexion, reference was made to the difficulties that had arisen regarding the principle of the sovereignty of States over their natural resources. Attempts to codify the law of State responsibility had failed because they had reduced themselves to a competition between the sovereignty of States over their own territory and the less compelling rights of third States. From the standpoint of régimes of responsibility, a position of principle should be adopted concerning the distinction between obligations that were fundamental to the international community and general obligations. That could be done without waiting for the second stage of the work on State responsibility. For the present, that question should not lead to a decision on the criminal liability of States or on the nature of reparation for serious damages. The work would not be greatly advanced if the Commission made a decision concerning compensation or reparations. The main problem was still the implementation of State responsibility. It was important to recognize the existence of higher fundamental norms at the international level since States might be reluctant to respect the decisions of the international community if they felt that they were expressions of political preference, but they would not be reluctant to do

so if they perceived that those decisions were based on fundamental principles of law.

(ii) *The distinction made in the article in the light of the scope of the draft articles*

142. Certain representatives stated that over half of article 19, and in particular paragraph 3, appeared at variance with the Commission's decision not to deal within the draft articles with the "primary" rules, the violation of which entailed international responsibility. It had been just such an incursion into the area of the "primary" rules that had caused the failure of the League of Nations Conference for the Codification of International Law, held in 1930, in codifying the topic. The considerations leading the Commission, as set out in the commentary, to include in the article a provision such as paragraph 3 did not really form part, according to those representatives, of the task of codifying the rules of international law governing State responsibility. Any distinction between grave breaches and other internationally wrongful acts could only be made on the basis of the concrete legal consequences they might entail at present under international law, rather than by cross-reference to abstract categories of international obligations or norms as the Commission did in article 19. It was also stated by certain of those representatives that the article should not be regarded as a move towards the progressive development of international law. There was nothing new about the article. The real question was that it included in the draft articles matters falling outside its scope. The characterization of a wrongful act as an international crime and the scale of sanctions to be attached thereto were matters solely for political decision by the competent international bodies. Nothing could be gained by introducing such matters in the draft. Furthermore, the list contained in paragraph 3 of the article was not exhaustive and it was questionable whether States would be satisfied with such vague descriptions of acts which might subsequently have grave consequences. If article 19 was left as it stood, there was a risk that no further progress would be made. The various interpretations advanced in connexion with paragraph 3 of article 19 during the debate in the Sixth Committee were the best illustration of such a risk.

143. Certain other representatives said that the question of whether the Commission could be reproached for making an incursion into the area of "primary" rules could be answered only if the Commission's intentions, as indicated in the commentary, were taken into account. It might be felt that it was necessary to have an idea of the "primary" rules before propounding "secondary" rules and that the latter could not be formulated without having some conception of the former. For those representatives it seemed clear that article 19 was descriptive and contained no definition of "primary" rules. The examples in paragraph 3 of the article were not, therefore, an incursion into the determination of the substantive rules of law establishing the international obligations designed to protect the fundamental interests of the international community. Consequently, those representatives considered that by making the distinction between two categories of internationally wrongful acts, embodied in article 19, the Commission had not departed from the basis of its approach to the codification of State responsibility by

going beyond the scope of the draft article into the realm of the "primary" rules.

144. Certain representatives pointed out that article 19 established a sort of collective criminal responsibility of the State, which was contrary to the principles of modern penal law. Crimes affecting the international community as a whole engaged not a collective criminal responsibility of the State but solely the personal criminal responsibility of the individuals committing them. It was necessary to avoid approaches which might result in the condemnation of a whole people to economic isolation or ruin. Actually, it was the individual rather than the States who had become subject to "international criminal law" as States increasingly undertook, through international conventions, to use their domestic legal process to punish individuals guilty of infringing that law. The reasons for excluding the State from the scope of criminal responsibility were sound and rested not upon any aura of sanctity vested in States nor upon such maxims as *par in parem non habet jurisdictionem* but rather on common sense and principles of elementary justice. To introduce the notion of an international crime for which the State would be accountable would be a retrograde step and a breach of the time-honoured maxim *impossible est quod societas delinquat*. That notion had been rejected by many leading authorities on international law who had stated that the sanctions provided for under the Charter were not criminal law sanctions, and there was no organ of international criminal justice within the United Nations system. Moreover, neither in the documents relating to the surrender of Germany and Japan, nor in the Statutes of the Nuremberg and Tokyo International Military Tribunals, nor in the 1947 Peace Treaties was there any reference to the criminal responsibility of the State. The same obtained with the Convention on the Prevention and Punishment of the Crime of Genocide. Mankind's condemnation of the idea of collective punishment was also reflected in humanitarian law relating to armed conflicts, as attested by certain provisions of the Geneva Conventions relative to the Treatment of Prisoners of War and to the Protection of Civilian Persons in Time of War, of 1949, as well as by the draft Protocols to those Conventions under elaboration.

145. Certain other representatives underlined that even at the current stage of the work it was clear that the Commission was not seeking to extend to the international responsibility of States the principles applicable to responsibility in internal law nor to establish an analogy with the criminal responsibility of persons guilty of crimes under international law. The draft articles on State responsibility in the process of being elaborated related exclusively to the international responsibility of States, as the Commission had plainly explained in the commentary to article 19. The content of article 19 was not to be confused with matters belonging to the eventual criminal responsibility of individual organs of the State. The reference made in the commentary to the latter question was explained by other reasons. First, because, as in the case of *jus cogens*, it served to underline the increasing importance attached by contemporary international law to the content of certain international obligations such as those relating to international peace and security, secondly, to point out that the eventual punishment of an individual organ of a State in

inal prosecution did not absolve the State from its own responsibility; and, thirdly, to explain that not every act for which an individual organ might be criminally liable was necessarily an act attributable to the State under the provisions embodied in chapter II of the draft articles under preparation.

146. Some of those representatives indicated that the use of the term "international crime" in article 19 should not be allowed to obscure the differentiation between the international responsibility of the State and the criminal responsibility of an individual organ of a State. Those two distinct legal notions of responsibility ran parallel and were intended to act as a needed restraint to the commission of graver forms of wrongful acts affecting the vital interests of the world community as a whole. In this connexion, one representative pointed out that it was apparent from the treaty instruments to which the end of the Second World War had given rise and from the Judgement of the Nuremberg Tribunal that political and material responsibility was to be borne by the aggressor State and criminal responsibility by the individuals who had unleashed the conflict. It was recalled that the Commission had actually concerned itself fully with the responsibility of the individual organs when it elaborated its draft Code of Offences against the Peace and Security of Mankind, the final text of which had been transmitted to the General Assembly in 1954.¹⁰ Under resolution 897 (IX) of 4 December 1954, the Assembly had postponed further consideration of that draft until a Special Committee set up for the purpose had submitted a definition of aggression. Following the adoption of such a definition in 1974,¹¹ it was for the General Assembly to proceed to consideration of the draft Code of Offences.

147. Certain representatives regretted that in article 19 the Commission felt obliged to use terms which would appear to emphasize the notion of fault or crime and its inevitable corollary punishment. Thus, it was said that even if the Commission had not had in mind the "criminal responsibility of States" the use of expressions such as "international crime" introduced in the rules of international law governing State responsibility a conceptual ambiguity which it would be desirable to avoid. In so far as such expressions could create confusion and be looked at as a revival of obsolete ideas, nothing would be gained by using them in the draft articles even from the standpoint of the progressive development of international law. Certain representatives remembered, however, that the Commission had justified the use of such expressions by invoking the poverty of legal language, the desire to take account of State practice and United Nations practice, and a concern to limit the scope of the rules it proposed. It was also pointed out that the term "international crime", in reference to acts of aggression by States and other grave internationally wrongful acts, had become common legal usage in international law after the Second World War. Even before that war, that term had been used in a number of legal instruments.

¹⁰ See *Official Records of the General Assembly, Sixth Session, Supplement No. 9*, 1951, at p. 12.

¹¹ See *Official Records of the General Assembly, Twenty-Ninth Session, Supplement No. 1*, 1974, at p. 10.

(iii) *The distinction made in the article and the content, forms and degrees of international responsibility*

148. Those representatives who opposed article 19, as drafted by the Commission, considered, generally speaking, that to extend in the draft articles the principle of State responsibility beyond reparation or compensation was from a legal as well as a practical point of view of doubtful value. Thus, for instance, it was stated that the perception that certain internationally wrongful acts affected a wider class than others did not compel the conclusion that an “international criminal responsibility of States” must be created. What it supported was the need for an analysis of ways to measure damages to the wider class. Those representatives questioned, therefore, the necessity to leap over the distinction between “civil” and “criminal” responsibility in order to ensure that particularly grave breaches rise to a level of responsibility which exceeded compensation or *restitutio ad integrum*. In the context of the draft articles under preparation, an approach allowing for exemplary damages in certain cases would constitute already a significant step forward. At least, such a step would be able to build on certain awards, like that concerning the steamship *I'm Alone* case,¹² and would provide a measure of progressive development which was not inconsistent with a reasonable expectation that the end-product would be ratified. Recalling the importance attached by his delegation to the concept of “damages” in matters of international responsibility, one of those representatives felt obliged, in the light of the wording of article 19, to adhere wholly to the position which it had stated on the question at previous sessions of the General Assembly.

149. Some of those representatives underlined also that the distinction made in article 19 between “international crimes” and “international delicts” would seem to imply the recognition, at a later stage of the work, of the *actio popularis* principle, whereby any member of the international community, and not only the injured State or States, would be entitled, when a crime was involved, to take legal proceedings against the wrongdoer. This would be another radical and doubtful innovation in the rules of international law governing State responsibility which could not be accepted without a careful study of all its implications and consequences. When *actio popularis* was mentioned before the International Court of Justice in the *South West Africa* case and the *Barcelona Traction, Light and Power Company, Ltd.* case (second phase), it had been in connexion with a question of procedural *locus standi* and not with a criminal matter. States not parties to a treaty infringing *jus cogens* rule might be entitled to have it declared void, but here again the matter was of *locus standi* and not of criminal responsibility.

150. Other representatives underlined that the legal consequences or forms of responsibility to be inferred from the distinction between “international crimes” and “international delicts” could only be within the range of those which international law recognized as resulting from the commission of an internationally wrongful act. Article 19 was concerned with the international responsibility of States as a legal institution defined by international law and not by reference to notions of civil or penal responsibility

belonging to other legal systems. If those legal consequences were not confined to reparation but might involve also, in certain instances, the application of sanctions, it was because such was the situation in contemporary international law. It was possible to assert, even at the current stage of the work, that the legal consequences, including sanctions which followed in case of an “international crime”, were of a distinctive specific nature. State responsibility had traditionally been associated with reparation, and particularly pecuniary reparation, but in contemporary international law such a situation had evolved in order to meet the growing dangers of the time. In the past, the use of force in international relations had been a sovereign and legitimate right of States; there had been no ban on war and the State could not be held accountable for acts of aggression. Consequently, State responsibility had been considered mainly in terms of reparation for minor delicts, but such a situation had been radically changed since the Second World War and the adoption of the Charter. The principles of international law embodied in the Charter and the needs of an era characterized by the existence of nuclear weapons and rapid advances in science and technology made it imperative that the codification of the rules governing State responsibility took duly into account the progress already achieved by the law on the matter. In the course of its future work on the topic, the Commission should therefore consider the establishment of responsibility régimes bearing in mind the type of internationally wrongful act involved and, in particular, the gravity of its consequences for the international community.

151. Certain representatives said expressly that the Commission should contemplate that a system of effective and appropriate sanctions—economic, political and military—be included in the draft articles on State responsibility in order that the commission of internationally wrongful acts, and in particular of international crimes, might not go unpunished. Such a system should contemplate various kinds of redress. Certain breaches could be redressed through the payment of damages or other reparations. On the other hand, there were other breaches defined as “international crimes”, such as aggression, the denial of self-determination, slavery, genocide and *apartheid*, which affected the entire international community and for which redress should consist of collective punitive action, including the application of sanctions under Chapter VII of the Charter.

152. Representatives who considered that the distinction made in article 19 between “international crimes” and “international delicts” was a turning point in the progressive development of international law also shared the view, broadly speaking, that the Commission could not but recognize that international responsibility had evolved so as to encompass different régimes according to the type of wrongful act involved. The breach of an international obligation need not always give rise solely to an obligation to make reparation but might entail also in certain serious cases the application of coercive measures, like “sanctions”. In this connexion, it was recalled that article 19 dealt with international crimes for which States were responsible, according to Article 2, paragraph 4, of the Charter. Although the draft articles were silent on the different legal consequences of international crimes, it was obvious that

¹² *Reports of International Arbitral Awards*, vol. III, p. 1609.

the ordinary forms of reparation must be supplemented by such new forms as those provided for in Chapter VII of the Charter dealing with action with respect to threats to the peace, breaches of the peace and acts of aggression. Furthermore, serious crimes of the type referred to in paragraph 3 of article 19, such as those involving the infringement of the right of self-determination and of human rights and fundamental freedoms, would necessarily amount to threats to the peace. The view was also expressed that in some serious cases, it might be justified to apply sanctions even apart from those provided for in Chapter VII of the Charter. Lastly, some of those representatives indicated likewise that the distinction made by the Commission in article 19 could not but have a positive influence in the determination of the subjects having a legal interest in the fulfilment of international obligations, including the question of the recognition and scope of the *actio popularis* referred to in the judgement of the International Court of Justice in the *Barcelona Traction, Light and Power Company, Ltd.* case.

153. It was emphasized that the progressive development of international law had produced a corresponding expansion in the scope and application of the basic principle of responsibility between States. That widening of responsibility had been demonstrated not only by the greater number of injuries which had come to be regarded as illegal and as giving rise to international claims, but also by the extent of reparation which might now legitimately be demanded. States could now be called upon to pay not only for direct, but also, indirect, damages, and in some cases they had been forced not only to make *restitutio in integrum*, but also to pay an added penalty for having breached international law. According to current juridical thought, it was the duty of society to take joint action against the State which was guilty of an illegal act. Perhaps the most important authority in that regard was the Charter of the United Nations, which spelled out in no uncertain terms the responsibilities and obligations of States. Since the Second World War, the sense of community obligation had found expression in international forums, particularly at the United Nations. The pressures and influences obstructing that irreversible trend could not negate or minimize the importance and validity of those international legal principles. It could justifiably be stated that under international law, a State which was guilty of internationally illegal conduct towards the world community would be held responsible to the community of nations. The trend of current developments was unmistakably towards collective action of a punitive nature on the part of the community of nations as a sanction for the enforcement of the international responsibilities of States in the case of particularly serious breaches of international obligations of fundamental importance for the whole community.

154. Some representatives agreed with the Commission's view that contemporary international law required the application of different régimes of international responsibility to "international crimes" and to "international delicts", as two different categories of internationally wrongful acts, and that that difference should in due course be reflected in the rules to be formulated in subsequent chapters of the draft. There could be no doubt, however, that the Commission was suggesting a radical change in the basic concept of State responsibility and, therefore, with-

out knowing the further conclusions of the Commission in that regard no final position could be adopted on article 19. Others pointed out that the commentary to the article suggested that the legal consequences of such crimes would be more serious than those of an "international delict" regarding both the redresses at the disposal of the injured party and the States which would be allowed to take appropriate measures in response to the internationally wrongful act concerned and that in some instance it might be a question of *actio popularis*. All this involved matters requiring thorough examination before a definitive endorsement could be given.

155. In this connexion it was stated that there was a clear trend in modern international law to recognize the interests of both the international community and the individual as being protected by rules of international law, and to give increased attention to the international legal aspects of the preservation of the human environment as a shared resource. Somewhat less clear was the impact of those developments in the primary rules on the secondary rules of State responsibility, in particular, those dealing with the content, forms, degrees and implementation of international responsibility and the settlement of disputes. A breach of the international obligation not to use armed force against the territorial integrity or political independence of any State had the legal consequences set out in the Charter. However, the legal consequences of an armed attack under the Charter could not be attached to all other international crimes. It was also added that it might be assumed that in the case of "international crimes" the provisions of Chapter VII of the Charter should apply. However, that still left a loop-hole, since the international crimes mentioned in article 19 were not all covered by the said Chapter. It was thus important to close that loop-hole in order to ensure that article 19 had an effectively preventive force.

(iv) *The distinction made in the article and the implementation of international responsibility and peaceful settlement of disputes*

156. Certain representatives recalled likewise that, in the course of its future work on the topic, the International Law Commission intended to examine procedures for invoking and giving effect to the international responsibility of States. Some of those representatives referred in that respect to the relationship between the powers accorded to the Security Council under Chapter VII of the Charter and the codification of the international legal rules on State responsibility. Some emphasized that such procedures would not but confirm and consolidate the powers of the Council. The Council would then be better able to ensure the peaceful settlement of international disputes and, as might be required, to impose sanctions or take enforcement measures. Unless it was realized that measures such as sanctions were readily available to the Council and could be applied, as appropriate, for the purpose of implementing the Council's resolutions, it would not be possible to curb effectively acts of aggression and other forms of international crimes and the Council would fail in its primary responsibility under Article 24 of the Charter.

157. It was said that it was high time that the long-neglected arrangements between Member States, as

provided in Article 43 of the Charter, were given the consideration they deserved. Despite the growing awareness among Member States of the need for such action, the question of maintaining international security through due implementation of Security Council decisions remained unresolved. Even Council resolutions which had been adopted unanimously remained entirely unimplemented. Any apparent unconcern for measures to preserve international security through the United Nations might, in the case of some States, be attributed to past reliance on military alliances, within the concept of the balance of power. However, that concept was really only an escalating competition in armaments. In the case of those States which would welcome the establishment of legal order and security through the United Nations, rather than through military power, the urge for effective action was dampened by the feeling that the task was too difficult. Other States held that international peace and security could and should be attained through the United Nations. That end should be relentlessly pursued in both the political and legal fields.

158. Other representatives pointed out that one of the reasons to fear that it would be extremely difficult in the present-day world to impose criminal responsibility on sovereign States was the insufficient institutionalization of the international community. The Security Council was a political organ primarily responsible for the maintenance of international peace and security, not a judicial organ. Under Chapter VII of the Charter, the powers conferred on the Council were designed as a means of maintaining or restoring peace, rather than of establishing responsibility, which was only one of the factors to be taken into consideration by the Council in making what was essentially a political assessment. Furthermore, the Council could also decide on preventive sanctions, which were not compatible with the régime of responsibility as currently understood. On the other hand, since Article 36, paragraph 2, of the Statute of the International Court of Justice dealt only with reparation for damages, responsibility for crimes could not be established through international judicial proceedings. If the role of a judicial organ was to be entrusted to individual States, the competence to apply sanctions or penalties might be abused, especially by the stronger Powers, and such abuses would be disruptive to the existing political and legal system.

159. It was emphasized that the reference made in article 19 to "international crimes" was not intended merely to indicate the existence of a special category of internationally wrongful acts. It would in fact introduce in the draft article the system of collective security established under the Charter, which suffered from short-comings.

160. Lastly, certain representatives considered that any dispute as to whether an "international crime" had been committed should be subject to the compulsory jurisdiction of the International Court of Justice, without prejudice to the existing powers of the Security Council under the Charter.

161. Little comment is on the various provisions of the article.

161. Most of the comments on the various provisions of the article recorded below were advanced by representatives

who approved, generally speaking, article 19 as formulated by the International Law Commission. On a few occasions comments of that kind were also made by representatives who, without objecting in principle to the distinction between "international crimes" and "international delicts", reserved, however, their final position on article 19. Practically no specific comments on the various provisions of article 19 were made by representatives who opposed the article and its underlying concepts.

162. Some representatives stated expressly that paragraph 1 of article 19 embodied a firmly established rule of international law which was subject to no restriction. Certain representatives, including representatives who supported in principle paragraphs 2 to 4 of the article, considered it advisable to separate paragraph 1 from the subsequent paragraphs. For some of those representatives the drafting of two separate articles would underline the incontrovertible and codifying character which distinguished paragraph 1 from the remaining provisions of article 19. Others stated that such a division would help to clarify the difference of treatment in the responsibility régimes to be attached, on the one hand, to ordinary breaches and, on the other, to international crimes. The view was also expressed that by detaching paragraph 1 it would be possible to draft a new article paralleling article 17, namely with a title indicating the essence of the rule (the subject-matter of the obligation breached) and with a reference to the notion of international responsibility.

163. Several representatives who approved the underlying concepts of article 19 supported paragraph 2 as formulated by the Commission. They emphasized that by referring to a breach of international obligations "essential for the protection of fundamental interests of the international community" and to a breach "recognized as a crime" by that community "as a whole", the provision distinguished breaches of peremptory rules (*jus cogens*) of international law and offences *erga omnes* from other breaches. It was also noted by some of those representatives that the provision was formulated taking duly into account certain elements of the general definition of the norms of *jus cogens* codified in article 53 of the Vienna Convention on the Law of Treaties and that, as in that article, the prerequisite of the recognition as an international crime by the international community "as a whole" did not mean that each State had a right of veto, as the Commission had rightly pointed out in the commentary.

164. Underlining that the rule in paragraph 2 fell into the sphere of the progressive development of international law rather than its codification, some of the representatives who reserved their final position on article 19 considered that such a rule was acceptable if one agreed with the basic principle that a special category of very serious internationally wrongful acts should be created. Certain of those representatives felt that the Commission had made a wise choice of wording in paragraph 2 in stating that the international obligation concerned must be "essential" for the protection of "fundamental interests" of the international community and that its breach must be recognized as a "crime by that community as a whole". Some other representatives belonging to the same trend of opinion considered that it was premature to discuss the formulation of the abstract definition of "international crimes" contained in paragraph 2 of article 19.

165. Referring to paragraph 3 as a whole, several representatives spoke in favour of including in the text of the article a non-exhaustive list of breaches that, subject to paragraph 2 and on the basis of the rules of international law in force, may result in an international crime. The method of clarifying the abstract rules by a number of concrete examples was welcomed by those representatives, some of whom recalled that paragraph 3 reflected a consensus reached in the International Law Commission and provided a framework that would facilitate the determination *in concreto* of the international obligations so essential for the protection of fundamental interests of the international community that their breach constituted an international crime. Without prejudice to the drafting improvements suggested, most of those representatives also shared the view that the main areas of international law in which are found international obligations the violation of which could eventually amount to an international crime were, broadly speaking, those identified by the Commission in paragraph 3 of the article. Thus, several representatives referred expressly in this respect to international obligations of essential importance "for the maintenance of international peace and security" (subpara. (a)), "for safeguarding the right of self-determination of peoples" (subpara. (b)) and "for safeguarding the human being" (subpara. (c)) as well as to the specific examples mentioned in those subparagraphs, namely aggression, colonial domination, slavery, genocide and *apartheid*. Some of those representatives mentioned likewise in this connexion the international obligations concerning "the safeguarding and preservation of the human environment" referred to by the Commission in subparagraph (d) of the article. Others, however, expressed reservations regarding the inclusion of such kinds of international obligations in the enumeration made in paragraph 3 (see paras. 175-178 below).

166. Some of the representatives mentioned above emphasized that they approved the inclusion of paragraph 3 in the text of article 19 on the understanding that the list contained therein was purely illustrative and non-exhaustive in character. In their view, the present wording of paragraph 3 would not seem to cover all the main categories of international obligations the violation of which may result in an international crime and should be supplemented as appropriate. The following main additions to the list were suggested: obligations concerning the respect of the sovereignty and independence of States aimed at protecting the existence of States as subjects of international law; and obligations relating to the preservation and exploitation of the resources which were the common heritage of mankind, like resources of the international sea-bed area and of the moon. Reference was also made in this connexion to the need to take into account in formulating examples of current developments of international law such areas as outer space, the law of the sea, and international humanitarian law. Different interpretations were advanced by certain representatives concerning the obligations referred to in paragraph 3 in the light of the present wording of some of its provisions. For instance, it was said that it was unclear from paragraph 3, as currently worded, whether an international crime might or might not result from a serious breach of international obligations prohibiting racial discrimination and piracy. On the other hand, it was noted that obligations concerning the prohibition of racial dis-

crimination and of exploitation of foreign workers were covered by the present wording of that paragraph.

167. Some of the representatives who reserved their final position on article 19 underlined that a distinction should be made between the contents of paragraph 3 and the general principle contained in paragraph 2. Certain of those representatives considered that the examples of serious breaches listed in paragraph 3 were provisionally acceptable. Others questioned the advisability of including in the text of the article a non-exhaustive list of examples of international crimes such as the one contained in paragraph 3. Two main arguments were advanced in that respect by those representatives. First, that by including such a list the codification of the "secondary" rules on State responsibility could become involved in areas pertaining to "primary" rules of international law which, as stressed several times by the Commission, lay outside the draft articles under preparation. Secondly, that the definition of each international crime must be undertaken with great care and be as precise as possible in view of the relevance of the principle of *nullum crimen sine lege*, particularly if the legal consequences attached to international crimes went further than the duty of the perpetrating State to make reparation. In this connexion, and as an alternative solution, it was suggested that the types of crimes could be mentioned in the commentary, an approach the Commission had followed in relation to article 53 (*jus cogens*) of the Vienna Convention on the Law of Treaties.

168. For one of the representatives referred to in the preceding paragraph, the use of the expression "may result" in the introductory sentence of paragraph 3 weakened the effect of the examples given. All the breaches mentioned were certainly, according to that representative, international crimes and many of them had in addition been the subject of international conventions. Nevertheless, the fact of enumerating them, and even more of qualifying them with the expression "such as", was highly questionable, for it was a rule of penal law that the definition of an offence was accompanied by the particulars of the penalty or sanctions prescribed for the offence. Furthermore, even if the international community had sufficient authority and power to draw up an international penal code, it would find it difficult to ensure that the prescribed penalties and sanctions were carried out. Experience showed, moreover, that States, according to the circumstances, usually resorted to acts of self-defence, to reprisals or to individual or collective economic sanctions without initiating the procedures for the pacific settlement of disputes provided for in international instruments. What was more, any restrictive enumeration was always apt to be incomplete.

169. Certain representatives welcomed the fact that each subparagraph of paragraph 3 referred to a "serious breach", since the concept of international crime must be narrowly circumscribed, particularly if it was to carry with it sanctions or penalties rather than reparations. In the view of those representatives, that very expectation raised serious doubts about the content and wording of paragraph 3, and in particular of subparagraph (e), which was very general and seemed to be different in kind from the other examples given. On the other hand, the view was also expressed that to introduce a subjective element into the

determination of an international crime by the use of the expression "serious breach" in the subparagraphs of paragraph 3 was inadvisable. For example, should every act of a colonial Power in contravention of a United Nations resolution be regarded *per se* as a "serious breach"? The problems raised by the introduction of that subjective element, it was added, were complicated still further in subparagraph (*d*), which referred to the massive pollution of the atmosphere or of the seas as a "serious breach". If that subparagraph was adopted as it stood, it would undermine, in the view of those representatives, one of the most innovative concepts devised in the United Nations—namely, the exploitation of natural resources shared by two or more countries—the codification of which had already been begun by the United Nations Environment Programme.

170. Concerning the present wording of subparagraph (*a*) of paragraph 3, some representatives expressed the opinion that the subparagraph should include in its examples of international crimes certain breaches of the obligation on the non-use of force or the threat of force, which had already been cited in the Vienna Convention on the Law of Treaties. While it was true that the definition of aggression had been adopted, it defined a category of acts which constituted serious breaches of the obligation not to use force, but not the obligation itself. More specifically, certain representatives felt that the reference made in the subparagraph to "aggression" should be replaced by a reference to "the use of force" or to "the threat or use of force against the territorial integrity or political independence of any State", as was stated in Article 2, paragraph 4, of the Charter. It was pointed out, in this connexion, that the Security Council had only rarely declared a State to be an aggressor, whereas it had often found States to be in violation of the prohibition of the use of threat of force. It was also regretted by one representative that the subparagraph did not mention the exception of self-defence provided for in the Charter.

171. The second main point made regarding subparagraph (*a*) related to the meaning to be given to the term "aggression". Certain representatives considered that such term should not be confined to "armed aggression", but should also cover other forms of aggression, in particular "political aggression" and "economic aggression". The latter forms of aggression were, in the view of those representatives, as reprehensible and as contrary to the principles of sovereignty, independence and self-determination as was military or armed aggression. One representative stressed that his delegation could not accept the text of article 19 unless it included a reference to the economic blockade of routes used by land-locked countries in the exercise of their right of free access to and from the sea as an act of aggression, even though it was not included in the provisions of General Assembly resolution 3314 (XXIX). He urged the Commission to study State conduct, other than armed aggression, which could be considered as aggression.

172. Certain representatives favoured the deletion of the words "by force" in subparagraph (*b*). For some of them the denial of self-determination was an international crime, whether or not it was accompanied by the use of force. Moreover, the variety of forms of force in use made it

possible for colonial domination to be established or maintained without the use of force of arms. Others considered that the words concerned were superfluous because colonial domination could be established and maintained only by force, the notion of force being inherent in colonialism and neo-colonialism. It was also stated by other representatives that the wording of the subparagraph should be revised because the reference to the maintenance by force of colonial domination was ambiguous; it seemed to imply that the establishment and maintenance of colonial domination could also be affected by peaceful means, that is, with the consent of the subjects.

173. Recalling that the Charter referred to "human rights and fundamental freedoms" and that such rights and freedoms had for the most part already been defined by the international community, some representatives suggested replacing the expression "safeguarding the human being" in subparagraph (*c*) by the expression "safeguarding human rights" or "respect for human rights and for fundamental freedoms". In their view the use of the latter expressions would render the text clearer. It was also stated that the expression "on a widespread scale", which appeared in the same subparagraph, was rather subjective and imprecise. What was significant was not the degree of the international crime, but rather the importance which the international community attached to the crime.

174. Regarding subparagraph (*d*), certain representatives praised the Commission for having paid particular attention to recent developments in international law on the subject of the safeguarding and preservation of the human environment. For them the inclusion of that subparagraph in the article appeared legitimate, since it held that only "massive" pollution was referred to as an international crime. It was suggested by one representative that pollution of the "land" might be added to the list of breaches.

175. Recalling that the formulation of an international obligation whose breach would constitute an international crime must be based on rules of international law clearly expressed and recognized by the international community, other representatives were of the opinion that subparagraph (*d*) should be reconsidered by the Commission with a view to determining whether pollution should not be treated as an international delict rather than as an international crime. It was not impossible that there would be formulated in the very near future a category of international obligation prohibiting what might be termed "geocide" and it could then be considered whether a breach of such an obligation constituted an international crime. But at present it was doubtful, according to those representatives, that massive pollution could be regarded as an international crime to the same extent as aggression, colonial domination, slavery, genocide and *apartheid* in view of the rather primitive stage of development of the international legal norms on the preservation and protection of the human environment.

176. In this connexion, it was stated that the Declaration of the United Nations Conference on the Human Environment, notwithstanding its great importance, could not fill the legal vacuum which existed in that field of international law. It was true that some legal principles and even norms already existed, and that others were likely to

emerge, but it did not seem that any trend towards regarding pollution *per se* as an international crime was discernible. It was also said that legal instruments or drafts such as the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof and the draft convention on the prohibition of military or any other hostile uses of environment modification techniques had originally been conceived as a means of curbing the arms race and maintaining international peace and security. There was therefore some question as to whether a violation of their rules should be regarded as a breach of an international obligation to maintain international peace and security or a breach of an international obligation to preserve the environment. For example, in paragraph 4 of article III of the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, contained in General Assembly resolution 2660 (XXV), it was stated that if there was a serious question concerning fulfilment of the obligations assumed under the Treaty, a State party might refer the matter to the Security Council to take action in accordance with the Charter. It was difficult to see how the Security Council could take action in accordance with the Charter to punish a breach of an obligation concerning the preservation of the environment.

177. It was pointed out that an examination of the text and legislative history of the Declaration of the United Nations Conference on the Human Environment would reveal emphasis on the old maxim "*sic utere tuo ut alienam non laedas*" and examples of reparation or restitution, but not at all in the concept of peremptory norms and still less in international criminal responsibility.

178. It was also stated that if only because international legal rules for safeguarding and preserving the environment remained rudimentary, a distinction must be drawn between the consequences for States of a serious breach of subparagraph (d), on the one hand, and of subparagraphs (a), (b) and (c), on the other. Such would, in particular, be the case if redress was to come through the provisions of Chapter VII of the Charter.

179. With regard to paragraph 4, some representatives considered it advisable to avoid the use of terms that because of their meaning in penal law could create certain problems. The convenience of using a more appropriate term than "delict" to identify the less serious internationally wrongful acts referred to in article 19 was underlined by certain representatives. They pointed out that in several domestic legal systems that term was synonymous with the term "crime" and that in some languages, particularly Spanish, the words "delict" and "crime" had essentially the same meaning. Without denying that, certain other representatives indicated that it was hard to find more appropriate words and that the terminology used in article 19 had the merit of being based on the classical tripartite distinction between "offences delicts and crimes".

D. Succession of States in respect of matters other than treaties

180. Many representatives noted with satisfaction that the Commission had made substantial progress on the topic of succession of States in respect of matters other than treaties (see A/31/10, chap. 16). The important contribution of the Special Rapporteur, Mr. Mohammed Bedjaoui, through his scholarly, high-quality eighth report on the subject¹³ was stressed. He had had to unravel a mass of State practice which was often contradictory in order to elucidate the principles involved.

181. Support was expressed for the Commission's intention to concentrate on the questions of succession to public debts as well as on archives at its next session, with reports to be submitted by the Special Rapporteur on those aspects of the topic. It was considered that the question of public debts was of the greatest interest to the developing countries. In the opinion of certain representatives, if the issue of succession in respect of public debts was not disposed of, it would not be possible to make an assessment of the Commission's work on the topic.

182. The belief was expressed that the Commission should be able to complete the work on the topic in the relatively near future. Doubts were, however, voiced that an acceptable compromise could be reached on that delicate subject at an early date. Some representatives recalled that the Commission had experienced considerable difficulty in its past work because of the scope and complexity of the subject, which covered State property, public debts and credits, the legal régime of the predecessor State, territorial problems and acquired rights.

1. COMMENTS ON THE DRAFT ARTICLES AS A WHOLE

(a) General comments

183. Many of the representatives who spoke on the subject fully supported, or saw no major difficulty in, the draft articles adopted by the Commission at its twenty-eighth session. It was pointed out that they were clear and responded to the present needs of the international community. They were furthermore consistent with important pronouncements made by the General Assembly on the political and economic self-determination of peoples and nations. The Commission was said to have acted wisely in stressing respect for the right of peoples to self-determination, internal constitutional legal systems and the sovereignty of States over their natural resources. Reservations were expressed with regard to the Commission's proposals, and it was stated that, at the current stage of international law, it was not possible to lay down absolute and incontestable rules on the topic concerned. The Commission could have made a greater effort to identify the principles laid down in treaties concluded in that field, rather than proposing rules which, in some cases, seemed to be based on abstract points of view. In his view, the conventional approach would be the most satisfactory in reaching an equitable solution in that field.

¹³ A/C.N.4/292.

184. Some representatives stressed the need for including a number of additional definitions or clarifying further some of the notions contained in the draft articles, such as “property . . . connected with the activity of the predecessor State in respect of the territory”, “the contribution of the dependent territory” and “equitable proportion”. In connexion with the expression “unless otherwise agreed or decided” used frequently in the draft articles, it was considered that the newly independent State should decide and agree with the predecessor State on all aspects, and it was urged that this should be expressly stated in the text.

185. With regard to the structure of the draft, several representatives shared the Commission’s view that it was desirable to maintain some degree of parallelism between the draft articles on succession of States in respect of matters other than treaties and those on succession in respect of treaties. Such parallelism appeared to be not only desirable but *ratione materiae* absolutely indispensable, particularly in the use of common definitions and common basic principles. The view was expressed, on the other hand, that succession of States in respect of matters other than treaties was governed by principles different from those governing succession in respect of treaties and that the classification of such successions, to State property for instance, should consequently be different.

186. As for the question of the procedure to be followed for the peaceful settlement of disputes which might arise from the application or interpretation of the draft articles, it was suggested that its consideration would have to wait until the draft was finalized.

(b) *Choice of types of succession*

187. Several representatives endorsed the Commission’s basic method of considering under three broad categories of succession of States the types of succession it adopted in draft articles 12 to 16. Approval was expressed for certain modifications made in the typology of succession which the Commission had established in its 1974 draft articles on succession of States in respect of treaties¹⁴ so as to accommodate the special characteristics of the topic of succession in respect of matters other than treaties, while not overlooking the need to maintain some degree of parallelism between the two sets of draft articles. On the other hand, certain representatives regretted that the Commission had felt obliged to draw a distinction between States formed as a result of the separation of part of a State. It was said that in so doing the Commission had referred to a political concept, the introduction of which into the draft was questionable and which limited the freedom of the newly independent States to negotiate. It was also considered that arguments put forward by the Commission for dealing in separate articles with the concept of “succession of part of territory” which had been dealt with in a single article in the Commission’s draft articles on succession of States in respect of treaties, were not convincing.

(c) *Choice between general rules or rules relating to property regarded in concreto*

188. A number of representatives welcomed the approach, which the Commission had taken based on the Special Rapporteur’s eighth report, of formulating general rules applicable to all kinds of State property rather than rules relating to property considered *in concreto*. It was pointed out that questions relating to the succession of States in matters other than treaties were extremely difficult due to lack of a frame of reference and the non-uniformity of the practice of States in that sphere, and that, therefore, the Commission should limit itself to establishing general rules which the parties concerned would use as a guide in the equitable settlement of disputes. It was also hoped that the possibility of conducting bilateral negotiations with considerable freedom on the part of each party would not be unduly restricted. While enforcing the general rule approach adopted by the Commission, several representatives also approved the exception of treating the question of archives separately in view of the particular nature of problems posed by that question. On the other hand, certain representatives regretted that technical matters relating to currency, treasury and the State funds had not been dealt with explicitly in the draft articles. It was hoped that more detailed rules, representing the current state of international law, would be produced on the fate of such concrete categories of property.

(d) *Distinction between immovable and movable property*

189. The distinction which the Commission made between movable and immovable State property in drawing up general rules was supported by many representatives as logical and appropriate. Such a method was a felicitous innovation and a very constructive new element in drafting general rules on the subject. In the opinion of one representative, however, to treat all immovable State property as falling into a single category was an oversimplification. He pointed out that in all Roman law systems the distinction between the State’s public immovable property and its private immovable property was essential. When a succession involved a Roman law country and one of its regions which had become an independent State, immovable State property would not be transferred automatically to the successor State. While the latter State would receive *ipso facto* such public property as defensive works, railways, ports and airports, certain property in the private domain, particularly vacant buildings, would either remain the property of the predecessor State or would be the subject of specific agreements. Thus he hoped that the Commission would be able to prepare a text which would take account of all the principles in force in the main legal systems. This proposition was criticized by another representative who considered that all State property of the predecessor State should be transferred to the successor State irrespective of whether it had belonged to the public or private domain. The fact that a distinction was made in that respect in Roman law countries could not, in his opinion, justify its inclusion in a universal convention. Moreover, property within the private domain could be of great importance for the development of the successor State, and to subject its passage to special

¹⁴ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 10*, chap. II, sect. D.

conditions could burden that State with the payment of compensation and hamper its development effort.

(e) *Criterion of linkage of the property to the territory*

190. Several representatives expressed their agreement with the basic criterion of linkage of the property to the territory which the Commission adopted for the transfer of State property from the predecessor State to the successor State.

(f) *The principle of equity*

191. Many representatives endorsed the principle of equity introduced by the Commission in some of the draft articles. As a balancing and corrective factor, that principle was believed to provide a practical solution to some of the major problems relating to succession to State property. It was also said to best meet the fundamental interests of the successor State. Several of those representatives noted that the principle was in accordance with jurisprudential doctrines and the practice of States, as well as the decisions of the International Court of Justice, particularly in the North Sea Continental shelf cases. It was recalled that in those cases the Court observed that there was no question of applying equity simply as a matter of abstract justice but of applying equity as a rule of law which itself required the application of equitable principles. Equity *in abstracto*, it was pointed out, had no practical meaning. Other representatives considered that, while the principle of equity was subject to certain limits or lacking somewhat in precision, it was useful in the context of the draft articles. Although the draft articles could not take the place of individual agreements, they could suggest the ambit within which States might reasonably seek agreement.

192. Certain representatives, however, stated that caution should be exercised in respect of the principle of equity because States had always mistrusted it. They referred by way of example to Article 38, paragraph 2, of the Statute of the International Court of Justice providing for the procedure *ex aequo et bono*, which had never gained acceptance by any State. Equity was, according to one of those representatives, the absence of law; it represented natural justice as opposed to legal justice. Despite the effort of the Special Rapporteur to establish a certain nuance between the concept of equity as abstract justice or natural justice and equitable principles applicable as a result of a rule of law, he thought it to be less dangerous to resort to some vague formulae which spoke of what would be "reasonable" and "normal", such as those contained in article 11, paragraph 1, of the Vienna Convention on Diplomatic Relations,¹⁵ and articles 14 to 46 of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character.¹⁶ Another representative also doubted

the value of provisions involving concepts such as "equitable compensation", because they might be extremely difficult to apply in practice.

2. COMMENTS ON THE VARIOUS DRAFT ARTICLES

Article 2

193. It was pointed out that article 2 was not sufficiently precise and might give the impression that there could be cases of succession of States which would be in contravention of international law. Such successions, however, were null and void *ab initio* and could not produce any effect. It was thus suggested that the text should make it clear that the draft articles referred solely to cases of the formation of new States and territorial changes which occurred in accordance with the principles of international law.

Article 3

194. Certain representatives expressed their endorsement of the definition of "newly independent State" in article 3, paragraph (f).

Article 5

195. One representative doubted the appropriateness of the definition of State property in article 5 because, in his view, it was the legal order of the successor State and not that of the predecessor State which should govern the reply to the question of what was and what was not State property. He believed that as a sovereign State, the successor State was not obliged to accept the views of the legal order of the predecessor State; otherwise its freedom would be inadmissibly limited.

Article 6

196. It was suggested that article 6 would more appropriately be entitled "Passing of the rights of the predecessor State to State property to the successor State".

Articles 7 and 8

197. One representative expressed his support of the idea, incorporated in articles 7 and 8, that unless otherwise agreed the date of the passing of State property should be that of the succession of States and that such passing should take place without compensation. In his opinion, such an approach was the only one that could safeguard both the legitimate interests of the successor State and the reasonable interests of the predecessor State when succession occurred in difficult circumstances. Another representative welcomed the fact that article 8 provided for equitable protection of the interests of third States wherever that was possible.

Article 9

198. It was stressed that the general principle set forth in article 9 applied only within the limits indicated in that

¹⁵ United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

¹⁶ 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. 212.

provision. It was at the same time pointed out that the phrase “unless otherwise . . . decided” was extremely vague, since it was not clear who was competent to take such a decision.

Article 11

199. While one representative doubted the necessity of the square brackets around article 11, another considered the Commission’s decision prudent since there were great difficulties in connexion with the transfer of State credits. The view was also expressed that the criterion of sovereignty over, or activity in, the territory to which the succession of States relates could only complicate the problems posed by the passing of State debts. According to that view, when the debts of individuals passed to the successor State by virtue of a nationalization law, third world countries interpreted international law in different ways and those differences in fact reflected the conflict between capital-exporting and capital-importing nations.

Article X

200. In the opinion of a representative, article X should make no reference to the successor State, so that that State would not be tempted to change the rules of internal law at the time of succession. He suggested that the article read: “A succession of States shall not as such affect property, rights and interests, which, on the date of the succession, are situated in the territory of the predecessor State and which, at that date, are owned by a third State according to the internal law of the predecessor State”. Another representative welcomed the fact that article X provided for equitable protection of the interests of third States.

Article 12

201. One representative welcomed the separate provision in article 12 of the cases of transfer of part of the territory of a State as distinct from those of separation of a part of a State as a result of the exercise of the right to self-determination, which were dealt with in article 15. He suggested, however, specifying in the text that the territories transferred were of minor importance and that the transfer was effected freely in accordance with international law. In addition to several representatives who endorsed in general terms the basic criterion of linkage of the property to the territory (see para. 190 above), certain representatives specifically approved that criterion in the context of article 12. The connexion of movable property with the activities of the State in respect of the territory in question was also considered to be a fair criterion. However, the view was expressed that the principle of equity should appear more prominently in this article. Attention was drawn, in that connexion, to the original proposal of the Special Rapporteur¹⁷ and to the proposal which a member of the Commission had made at the twenty-eighth session of the Commission. While being in favour of paragraphs 1 and 2 separately, one representative thought the solution envisaged in the latter paragraph cancelled out that of the first, for if the successor State

considered the second solution more advantageous to itself than an agreement, it would do nothing to promote such an agreement and would even attempt to prevent an agreement from being concluded.

Article 13

202. Many representatives expressed their full agreement with the provisions of article 13. Stressing the need for including the article in the draft, several representatives pointed out that despite the progress made in the decolonization process, there were still some Non-Self-Governing Territories which had yet to achieve independence; that independence did not dispose of all succession problems; and that the Commission could not ignore the problem of newly independent States since it had made it the cornerstone of the whole draft on the succession of States in respect of treaties. It was further stated that such provisions were of particular importance for the newly independent nations which had had to pass through a period of bloodshed in order to assert their statehood.

203. One representative, however, doubted whether article 13, as currently formulated, paid sufficient regard to State practice as it had developed over the past 30 years. In his opinion, it was preferable to give greater stress to the residual nature of the rules set out in paragraphs 1 to 5 of this article, thereby following more closely the pattern already adopted in draft articles 7 and 8. Another representative emphasized that new States emerged not only as a result of the process of decolonization but also as a result of other processes, for example, social revolution, and that the Commission should take that into account in the provisions in section 2 of its draft articles.

204. A suggestion was made to define movable property in article 13 more precisely, so as to make it clear whether it included, for instance, national treasures and works of art. Moreover, the article was felt not very clear as to whether the predecessor State was obliged to return to the successor State movable property removed from the Territory before independence.

205. In the opinion of one representative, paragraph 3, subparagraph (b), could be difficult to apply, particularly if the successor State achieved its independence through armed struggle, or if hostile relations between the successor State and the predecessor State prevented any negotiation, let alone agreement.

206. The pertinence of including paragraphs 4 to 6 was particularly stressed by one representative in view of the existing international situation, in which according to his view colonialist and neo-colonialist influences continued to reign. The view was expressed that paragraph 5 should be reintegrated into article 12.

207. Paragraph 6 of article 13 was particularly singled out by many representatives as containing very important rules for newly independent States. Several representatives emphasized that the principle of the permanent sovereignty of every people over its wealth and natural resources had been affirmed in a number of General Assembly and Economic and Social Council resolutions and declarations.

¹⁷ See A/CN.4/292.

Particular reference was made to the Charter of Economic Rights and Duties of States, the Declaration on the Establishment of a New International Economic Order and Council resolution 1956 (LIX). Others stressed the relationship between that principle and the right of peoples to self-determination, which no succession could contravene. Underlining the need to include paragraph 6, certain representatives stated that history had shown that the attainment of independence was far from being always peaceful and easy and that devolution agreements of a leonine character abounded. The paragraph in question was therefore a necessary safeguard provision for the protection of the interests of newly independent States, in particular their economic independence. It was from the principle of the permanent sovereignty over wealth and natural resources that the concept of the people's inalienable right to economic independence sprang, the latter being an essential complement to political independence. It was believed the formulation in paragraph 6 was an improvement on the corresponding paragraph in the draft articles proposed in the Special Rapporteur's eighth report since the principle of permanent sovereignty over wealth and natural resources was affirmed for every people and not just for newly independent States.

Article 14

208. Some representatives specifically mentioned article 14 as acceptable. However, several others were not satisfied with its provisions. It was stated that paragraph 2 of that article was unnecessary, or at least the reference to internal law in that paragraph was not appropriate. It was also hoped that the meaning of the phrase "subject to paragraph 2" in paragraph 1 would be defined more clearly. Further study was thus urged on this article, especially in the light of the other provisions of section 2.

Articles 15 and 16

209. While one representative found no difficulty in these articles, another voiced some reservations to both articles. The ideas embodied in the terms "equitable proportion" in article 15, paragraph 1 (c), and article 16, paragraph 1 (d), and the term "equitable compensation" in article 15, paragraph 3, and article 16, paragraph 2, as well as the term "equitably compensated" in article 16, paragraph 1 (b), might, in his opinion, create problems when property passed from the predecessor State to the successor State, for it was difficult to determine just what was covered by the principle of equity when applied *ex aequo et bono*, particularly in the case of the separation of one or more parts of the Territory of a State. It could happen that the separation was effected against the wish of one of the States, which accepted it only reluctantly. He also suggested putting the word "territories" in article 16, paragraph 1 (c), in the singular form so as to be in accord with the expression "the successor State concerned" at the end of that paragraph.

E. The law of the non-navigational uses of international watercourses

1. GENERAL OBSERVATIONS

210. A number of representatives paid a tribute to the Special Rapporteur for the topic, Mr. Richard D. Kearney,

who was commended for his incisive approach to the question and whose report,¹⁸ to which reference is made in chapter V of document A/31/10, was considered as auguring well for the future.

211. Several representatives expressed keen interest in this topic which, it was observed, was becoming increasingly important as a result of a variety of factors, among which mention was made of the growing shortage of water resources and of the ecological repercussions of scientific and technological advances. It was further stressed that the demographic growth, the expansion of agriculture and industry and the growing risk of hunger threatening the world continually exacerbated the problem of the use of international watercourses and especially the problem of its distribution between riparian States of contiguous or successive waterways. Emphasis was also placed on the importance of the problems raised by international watercourses in relation to international economic co-operation and on the need to seek formulas which would eliminate the drawbacks created by the uncontrolled use of watercourses.

212. It was generally agreed that the Commission had accomplished useful preparatory work in the field under consideration and that it had made an encouraging start. A number of representatives took the view that consideration of the subject should be intensified; in this connexion it was stated that since the Special Rapporteur appointed for the topic had not been standing for re-election to the Commission, it would be necessary to select a new Special Rapporteur at the 1977 session of the Commission. Other representatives did not share the view that the subject should receive a higher priority, although they expressed no opposition to the Commission's continuing its work in that field.

213. The need for progressive development and codification of the law of the non-navigational uses of international watercourses was stressed by several representatives; the Commission was right, it was stated, to consider the preparation of general legal principles applicable to all international rivers. The opinion was, on the other hand, expressed that since each river had different historical, social, hydrological and geographical characteristics, it might be preferable to hold negotiations in order to find solutions to the particular problems of specific international rivers.

2. METHODOLOGICAL ASPECTS

214. The pragmatic method and cautious approach adopted by the International Law Commission in dealing with the topic was generally commended. Attention was drawn in this connexion to the complexity of the problems involved, to the need for the Commission as a body composed of members elected in their individual capacity to take into account the diverse interests at stake and to the importance of State experience in that sphere. With regard to the latter element, several representatives noted that only a few replies to the Commission's questionnaire had so far been received and suggested that the General Assembly should renew its invitation to Member States to submit

¹⁸ See A/CN.4/295.

further comments so that the Commission could base its work on a more representative sample of views.

215. Most representatives agreed that the Commission had been well advised not to take any decision on the scope of the subject. In this connexion it was stated that the question whether the principles to be formulated should be broadened to include, for example, river basins was of secondary importance and need not be pursued at the outset. The opinion was further expressed that, in view of the sharp divergencies revealed by the replies received so far, it was difficult to see how States could arrive at a consensus, at least at the present time, on a definition of the term "international watercourse". It therefore seemed more sensible to start by formulating the general principles applicable to the legal aspects of the use of watercourses rather than allowing disputes over definitions to delay the work. An *a priori* definition could, it was added, be a restricting factor and it appeared wiser to let the constituent elements of a definition of the term "international watercourse" appear spontaneously in the course of the work.

216. On the question of expert assistance, it was generally agreed that the Commission would at some stage have to seek technical, scientific and economic advice on some of the aspects of the topic; the view was further expressed that the choice between the various courses opened to that end—establishing an advisory committee of experts, calling in experts and technicians or combining the two alternatives—ought to be left to the discretion of the Commission. The matter, it was added, could be taken up at a future date when the work on the subject had progressed sufficiently.

217. Some representatives expressed the hope that the Commission would remain in contact with the various international forums concerned with the topic. Mention was made in this connexion of the Economic and Social Council, the United Nations Environment Programme and the United Nations Water Conference. It was further stated that the Commission might with profit keep in mind the legal studies prepared on the topic by the Institute of International Law and the International Law Association.

3. GENERAL APPROACH TO THE TOPIC

218. Some representatives, while recognizing that the drainage basin concept was of relevance for the studies concerning the harmonious development and physical integration of river basins and had been incorporated in regional treaties concluded between States on the basis of social and geographical realities such as the 1959 Treaty on the Nile River and the Niger, Senegal and Lake Chad Treaties, considered that the concept in question could not be used as a point of departure for the formulation of general legal rules. The view was expressed in this connexion that recognition by a State of the international nature of a watercourse for the purpose of carrying out a preliminary study only had declaratory force and did not imply the establishment of legal standards and objectives, and that for the purpose of elaborating an international legal régime, State recognition of the international nature of a watercourse had to be reflected in agreements having constituent value. The opinion was expressed that the task

of the Commission was to examine not the purely territorial concept of river basin but a traditional concept of customary international law, which was embodied in treaties and conventions and a corollary of which was the distinction between successive and contiguous rivers.

219. Other representatives took the view that the international drainage basin was the most appropriate concept for the study of the legal aspects of non-navigational uses of international watercourses and that the traditional concepts were too restrictive to enable the Commission to complete successfully the task entrusted to it by General Assembly resolution 2669 (XXV) of 8 December 1970. Attention was drawn in particular to the interdependence of the various parts of a watercourse or a river basin common to several States. Support was also expressed for the drainage basin approach on the ground that it would provide a broader framework for the equitable sharing of waters and for their optimum utilization by all concerned and would also promote co-operation and good neighbourliness among interested States. In this connexion it was noted, with respect to the projects being carried out in the Lower Mekong Basin under the auspices of the United Nations, that the concept of drainage basin was indispensable for the efforts of riparian countries. Mention was also made, with reference to the Senegal River, of the emergence of a new concept: beyond the joint exploitation of the river, the foundations had been laid for co-operation aimed at the integrated development of riparian States under the authority of an institution; at the legal level, the integration of the river went beyond the limits of the river basin and extended to the national territories in their entirety. In this connexion, reference was made to the principles embodied in the "Helsinki Rules"¹⁹ as being particularly relevant to the question. It was also said that the distinction between succession and contiguous rivers was a purely theoretical one whose aim was to overcome temporary situations which were the subject of diplomatic negotiations.

220. In expressing their views on the general approach to be taken to the topic, representatives referred to the concepts of territorial sovereignty and sovereignty over natural resources.

221. With regard to the first concept, it was stated that according to the Final Act of the 1815 Congress of Vienna²⁰ what were to be taken as international were the international rivers separating or crossing the territory of two or more States and not the physical portion of land within the *divortium aquarum* of an international river: the fact that such portion of the territory of a State was bathed by an international watercourse did not confer upon it a status other than that of being part of the national territory. The view was further expressed that it should be made clear that the rules being formulated did not apply to waterways which originated and terminated within the territory of a single State, since the regulation of such waterways would be regarded as interference in internal affairs. On the other hand, it was deemed illogical that the

¹⁹ See *Integrated River Basin Development* (United Nations publication, Sales No. E.70.II.A.4), annex VII.

²⁰ See *Nouveau recueil de traités*, G. F. de Martens, ed., vol. II, p. 427.

work of the Commission should be based on a definition which had been elaborated a century before.

222. Attention was, on the other hand, drawn to the statement by the Special Rapporteur in paragraph 27 of his report that "political boundaries are irrelevant to the physical unity of a river system", a statement, it was asserted, which emphasized the need to consider the hydrographical system of a basin as a whole since measures which were or were not adopted in one part of the basin could have consequences for other parts of the basin. Mention was also made of the conclusion of the Special Rapporteur in paragraph 33 of his report that "the riparians in a river basin have an interest in what happens in the basin as a whole" and that the management of the waters of a basin depends on respect for the interests of all States belonging to that basin.

223. As far as sovereignty over natural resources is concerned, several representatives considered that the drainage basin concept was inconsistent with that of permanent sovereignty over natural resources. In their view, the physical nature of water did not change the fact that it was a natural resource and should, as such, be subject to the principles of permanent sovereignty over natural resources, on the understanding that international watercourses which crossed or constituted the frontier with another State should be subject to the rules of international law concerning co-operation between neighbouring or riparian States. Attention was further drawn to the serious consequences which a different approach might entail in connexion with other liquid natural resources such as oil.

224. The view was, on the other hand, expressed that, as pointed out by the Special Rapporteur of the International Law Commission, water, unlike minerals, had a multinational character and that any action taken regarding the water of an international river by one State might produce undesirable effects in another State. The need was therefore stressed for adherence to the principle that one State could not use water within its jurisdiction to cause injury to another co-riparian State. Water, it was further said, was a "shared natural resource", which meant that the concept of ownership, generally considered as being applicable to natural resources, had not been applied to water, a resource with very unusual physical properties like cohesion and mobility.

225. With reference to the Panama Canal which, it was stated, was basically a river made navigable by the damming of the Chagres river and fed to a large extent by Panama's rainfall, mention was made of the Latin American regional preparatory meeting which had been held in anticipation of the United Nations Water Conference. At that meeting, it was recalled, the view had been expressed that water resources in the Panama Canal Zone could not be considered international waters for joint use, but were inland fresh-water resources, and a resolution supporting that point of view had been adopted. The opinion was further expressed that there was no justification for separating the Panama Canal from the territorial sovereignty of Panama or for denying that State the full benefit of its natural resources. The view was, on the other hand, held that references to the Panama Canal were irrelevant to the question of the non-navigational uses of international

watercourses and that a satisfactory solution to the matters at issue with regard to the Panama Canal should continue to be sought by way of negotiation between the States concerned.

4. ASPECTS TO BE COVERED IN THE COMMISSION'S STUDY AND NATURE AND CONTENT OF THE RULES TO BE FORMULATED

226. As far as uses of fresh water are concerned, support was expressed for the outline suggested in question D of the Commission's questionnaire (see A/31/10, para. 123) covering agricultural, economic and commercial, and domestic and social uses of fresh water. Uses not listed in the outline which were mentioned included livestock raising, commercial fishing, forestry and multipurpose dams. Several representatives agreed that the Commission's studies should cover flood control and erosion problems—referred to in question F of the questionnaire (*ibid.*); mention was also made of sedimentation and desalination. Regarding the interaction between use for navigation and other uses, it was stated that question G of the Commission's questionnaire (*ibid.*) actually raised the problem of the priority to be accorded to the various uses of water because navigation was only one use, and that since the question of the priority to be given to the various uses of watercourses came under another heading in the questionnaire, question G appeared to be superfluous. As to pollution, some representatives considered that its study should be given priority while others took the opposite view. In this connexion, it was stated that since pollution resulted from the misuse or abuse of water resources, emphasis should be placed primarily on harmonizing or regulating the social and economic uses of international watercourses.

227. With respect to the nature of the rules to be formulated, several representatives approved the Commission's intention to focus initially on formulating general principles and to make them as widely acceptable as possible. The Commission's view that those principles should have a residual character was also supported by some representatives. However, it was said that the establishment beforehand of limitations could hamper the results of the Commission's work. In this connexion, the view was expressed that while there were general basic rules which applied to all watercourses, each river system had its own characteristics and therefore called for a different set of residual rules covering specific problems; caution was therefore urged in choosing the type of rules to be adopted.

228. Regarding the content of the rules to be formulated, agreement was expressed with the Commission's conclusion in paragraph 165 of its report that it would be necessary in elaborating legal rules for water use to explore such concepts as abuse of rights, good faith, neighbourly co-operation and humanitarian treatment. Emphasis was also placed on the rule that the utilization of international watercourses should always be subject to the principle of legal responsibility, which would constitute a sort of application of the old rule "*sic utere tuo ut alienum non laedas*". Other principles which were mentioned—aside from the principles of territorial sovereignty and sovereignty over natural resources referred to in paragraphs 220 to 224 above, in connexion with the general approach

to the topic—included the principle of the sovereign equality of States and that of equitable apportionment of the waters of international rivers between riparian States. In the course of the debate, reference was made to the question of the protection of existing traditional uses, divergent views were expressed in that respect. Attention was also drawn to the question of the peaceful settlement of disputes related to the uses of international watercourses and to the need to provide for effective legal machinery in this respect.

F. Other decisions and conclusions of the International Law Commission

1. THE QUESTION OF TREATIES CONCLUDED BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS OR BETWEEN TWO OR MORE INTERNATIONAL ORGANIZATIONS

229. Several representatives noted the fact that at its most recent session the Commission had been unable to discuss the fifth report of the Special Rapporteur on the question of treaties concluded between States and international organizations or between two or more international organizations.²¹ They welcomed the Commission's intention to resume consideration of that topic at the following session and to devote four weeks for the purpose, as this would enable it to make meaningful progress at that session in the elaboration of the corresponding draft articles. It was said that the importance of the question should not be underestimated; although it was very different from the problem of State responsibility, it could in the end prove to be as broad and as complex a question.

230. A number of representatives pointed out that the topic was related to the Vienna Convention on the Law of Treaties and that the endeavours to codify and develop it would make it possible to supplement that Convention. It was, however, said that the Commission should be careful not to transform the existing link into an analogy. Agreements to which international organizations were parties differed in many respects from agreements between States, particularly with regard to the capacity to conclude treaties, the defects which might prevent a treaty from entering into force and the procedure to be followed in concluding a treaty.

231. In the opinion of some representatives, the Commission should give priority to the topic in order to conclude in the near future its first reading of the draft articles with a view to completing the series of conventions dealing with treaty law. The agreement on such a priority was the *quid pro quo* for agreement on the scope of the Vienna Convention. The likelihood that a treaty on succession would soon be completed underlined the anomaly that would result if work on the last part of the triptych was not expedited. For other representatives, however, despite its significance, the topic was not of absolute priority; rather than hastening its work unduly, the Commission should apply itself to consideration of the growing treaty practice of international organizations.

2. PROGRAMME OF WORK

(a) Topics included in the current programme

232. Representatives generally agreed with the programme of work adopted by the Commission for its twenty-ninth session, namely, to continue the preparation of draft articles on the highest priority topic of State responsibility and on the two high priority topics of succession of States in respect of matters other than treaties and treaties concluded between States and international organizations. It was said in this connexion that although State responsibility would present difficult problems, they might be less serious than those dealt with in 1976. Work on the succession of States in respect of matters other than treaties would no doubt proceed rapidly. Work on the most-favoured-nation clause and on the law of the non-navigational uses of international watercourses would have to be suspended until comments from Governments had been received on the first topic and the new Special Rapporteurs to be appointed for both topics had taken up their duties. Lastly, the Commission would be able to devote a substantial amount of time to the question of treaties concluded between States and international organizations or between two or more international organizations, which the Commission had been right to set to one side during 1976 since it could not have considered it satisfactorily owing to lack of time. Also, the hope was expressed that the Commission would appoint a Special Rapporteur to deal with the law relating to international liability for injurious consequences arising out of acts not prohibited by international law.

233. Some representatives noted the Commission's decision to request the Special Rapporteur on the topic "relations between States and international organizations" to prepare a preliminary report to enable it to take the necessary decisions and to define its course of action on the second part of that topic, namely, the status, privileges and immunities of international organizations, their officials, experts and other persons engaged in their activities not being representatives of States.

(b) Other topics

234. The opinion was expressed that, as the principal organ of the United Nations concerned with the progressive development and codification of international law, the Commission should not be isolated from the different aspects of the emerging field of the law of international economic relations which was of crucial importance and relevance to the world community as a whole, and to the developing countries in particular. The work of the Asian-African Legal Consultative Committee and the Inter-American Juridical Committee showed that the developing world was concentrating on the economic reorientation of the international legal order. Accordingly, the Commission should spend more time on such topics as would develop a new and a more responsive and representative international legal order.

235. The hope was also expressed that the Commission would formulate rules governing the rights and conditions of work of migrant workers. It was said that the existence of such rules was not confined to

southern Africa and that it was time for the United Nations to prepare the basis of a convention on that subject.

3. METHODS OF WORK

236. It was considered that as the work of the International Law Commission was central to the process of codification and progressive development of international law, any reform of its methods of work which might undermine or downgrade the careful research upon which the Commission's proposals were based would not be welcomed. The Commission should continue to enjoy a high degree of autonomy in the conduct of its work. While the Sixth Committee should exercise restraint in issuing directives to the Commission, the views expressed in the Committee should be fully taken into account by the Commission in shaping its agenda. Also, the Commission should retain sufficient flexibility to be able to take up new questions to which the Assembly attached a certain degree of urgency. For its part, however, the Assembly should show restraint in assigning new topics to the Commission.

237. The opinion was expressed that the Commission's report did not mention what more the Commission thought it ought to do but was unable to do or the reasons why that was so. Nor did it say what the Sixth Committee and the United Nations must do to further the Commission's efforts. It was perhaps time for the Commission to state whether its mandate and its method of work were adequate for its task. It should report on whether it was overburdened, on whether requests for priority consideration of topics had become unrealistic and on the ways in which the codification and progressive development of international law could be accelerated. It might be appropriate to review the relative weight to be given to certain considerations which determined the Commission's method of work. It might be necessary to consider whether the high degree of care and caution that had characterized the Commission's approach and the need to seek a broad range of comments on its proposals had not obscured, and perhaps taken precedence over, the desirable and necessary objective of concluding the study of a given subject before events rendered the work of questionable value or its implementation extremely difficult. In essence, the codification or formation of a norm of international law began with the proposals put forward by the Commission. Governments and the international community in general would then involve themselves in completing that process only if they saw and felt a sense of urgency and relevance in those proposals.

238. The view was also expressed that the present structure and capabilities of the Commission seemed to prevent it from bearing the entire responsibility for the codification and progressive development of all aspects of international law. It was, therefore, suggested that if the Commission had to choose between emphasizing codification or progressive development, it should opt for the latter and that the Commission should select a smaller range of priority subjects. In this connexion some representatives expressed the hope that the Commission would try to organize itself in such a way as to concentrate on only one or two topics at a time so that it could complete its consideration of at least one topic within the term of office

Assembly at the current session. If the work of the Commission on the various topics could be more narrowly drawn, greater progress would be made in their consideration, a more comprehensive presentation of the relevant drafts to the General Assembly could be achieved and the members of the Commission would see their labours bear fruit during their tenure in office.

239. Several representatives welcomed the establishment at the twenty-eighth session of the Commission of a Planning Group for improving the methods of work of the Commission and developing guidelines to assist it in completing its work on the active subjects. It was noted that the proposal to confer on the Group the status of a permanent organ of the Commission had not been adopted. Some representatives considered that, given the importance of planning, the Group should become a standing committee of the Commission. For some, this position could be supported provided it did not modify the traditional relationship between the Commission and the General Assembly. The opinion was also expressed that it should be left to the Commission to decide whether the Group should become a permanent institution or not. The Commission had acted wisely in taking no decision concerning the desirability of establishing the Planning Group as a permanent committee, since that decision would have been imposed on the Commission's new members. Furthermore, the *ad hoc* planning groups had done useful work during the past two sessions. The relationship between the Enlarged Bureau and a possible permanent planning group required further study.

240. On the other hand, several representatives expressed doubts regarding the wisdom of setting up a planning group as a standing committee of the Commission although one could be created whenever needed. Such a move would not speed up the Commission's work, nor make it more effective. The tasks of the planning group could be discharged by the Enlarged Bureau, which comprised present and past officers of the Commission and the Special Rapporteurs, and within which the presence of the representatives of all the legal systems in the world ensured deep and comprehensive consideration of planning matters. In their view, the proliferation of subsidiary bodies and the risk of overlapping in their work could only be detrimental to the Commission's efficiency.

241. Reservations were expressed by some representatives concerning the proposal to establish a Review Committee whose task would be to review in advance the various language texts of the draft articles for the purpose of achieving co-ordination and uniformity. It was said that the establishment of such an organ would tend to impose some limitations on the work of the Special Rapporteurs and would duplicate the work of the drafting committees. The Review Committee consequently would be an unnecessary bureaucratic procedure which would tend to retard the work of the Commission rather than enhance it.

242. A number of representatives referred to the length of the Commission's report on the work of its twenty-eighth session. The report was a voluminous document which deserved careful consideration by the Sixth Committee and by Governments as it gave a comprehensive

session. In this respect, the view was expressed that while the report had an undeniable scientific value, reflected the serious work carried out by members of the Commission and was an important reference document, sight should not be lost of the fact that it was above all a document to be submitted to the General Assembly and that its main function was to serve as a link between the Commission and the Assembly and, as such, it was being submitted for a specific purpose. It should enable members of the Sixth Committee to scrutinize the Commission's work from the point of view of their Governments and to give the Commission some idea of the likely reaction of Governments to proposals in the report. That was a worth-while task which the Committee could only carry out if it was in a position to deal in a serious and detailed manner with substantive points. The Committee could bear in mind that mere general expressions of approval could, under certain circumstances, give rise to misunderstanding and that if its deliberations were too vague, the Commission might assume that certain proposals were receiving more support than was the case. While it was true that the discussions in the Sixth Committee should be more specific, it was important, in order to gain time, that representatives should limit their remarks to the most controversial items and to those on which the Commission and its Special Rapporteurs needed to obtain, as early as possible, the opinions of Governments.

243. In the opinion of some representatives, the Commission's report was too long. To limit its volume it was suggested that the Commission could restrict the length of some of its commentaries, particularly by not repeating academic commentary which appeared in special reports—published as an integral part of the Commission's *Yearbook*—and by limiting itself to cross-referencing. Some representatives considered that in future reports of the Commission the historical introduction to each chapter might be shortened, thus enabling the reader more readily to concentrate on the new material deriving from the Commission's work at its current session. An exception might be made in the case of a complete set of draft articles adopted by the Commission on first reading. In addition, the report might be issued in separate parts as they were ready, as a means of ensuring an earlier distribution of the report to allow for a more thorough discussion.

244. However, several representatives did not favour any changes in the format of the report, whose aim should be to provide the most complete account possible of discussions in the Commission. It was said that the length of the report on the work of the twenty-eighth session was not surprising, in view of the extent of the work accomplished by the Commission at that session, and that the detailed commentaries required little justification, particularly since the materials referred to were not readily available in many developing countries. No drastic changes of the format were called for, as such changes might make it more difficult for Governments and legal institutions to understand fully the nature of the work of the Commission. While for some representatives it might be possible to streamline some of the historical background material, care should be taken to ensure that sufficient background material was retained, so that delegations which might not have adequate research facilities or the necessary staff in their countries could

history. As it was at present, the report facilitated a quicker grasp of the issues discussed than would, for example, a system of cross-references to earlier reports.

245. With regard to the seat of the Commission, some representatives considered that the Commission's sessions should continue to be held at Geneva, for the reasons given by the Commission itself in paragraph 179 of its report.

4. CO-OPERATION WITH OTHER BODIES

246. Several representatives noted with satisfaction the Commission's continuing co-operation with regional bodies having responsibilities in the legal field. It had once again been represented by its Chairman at meetings of the Asian-African Legal Consultative Committee and of the Inter-American Juridical Committee, and observers for the Inter-American Juridical Committee and the European Committee on Legal Co-operation had submitted reports on their recent activities. Such periodic contacts and exchanges of information were extremely useful and should be encouraged.

5. GILBERTO AMADO MEMORIAL LECTURE

247. Several representatives welcomed the success of the lectures established to honour the memory of the great Brazilian international jurist Gilberto Amado and expressed appreciation to the Government of Brazil for preserving that tradition.

6. INTERNATIONAL LAW SEMINAR

248. Many representatives referred to the seminar on international law whose 12th meeting, held during the twenty-eighth session of the Commission, had been attended by legal experts from 26 countries, most of them developing countries. They expressed support for such seminars, which were extremely useful not only for the participants and their countries, especially from developing countries, but also for the entire international community of legal experts. However, it was noted that the financial situation of the seminar was not entirely satisfactory. It had only been possible to organize the last seminar because of the voluntary contributions from some Governments, whose generosity was gratefully acknowledged. If the situation with regard to voluntary contributions did not improve, the question of the financing of the seminar would have to be reconsidered. It was considered that the only way of ensuring adequate representation of students from the developing countries was by financing a certain number of scholarships from the United Nations regular budget.

7. HANDBOOK ON THE WORK OF THE INTERNATIONAL LAW COMMISSION

249. Several representatives supported the Commission's recommendation concerning the publication of a new revised edition of the handbook entitled *The Work of the International Law Commission*, which constituted a very valuable working instrument.

Decision

250. At its 60th meeting, on 1 December, the Committee adopted by consensus draft resolution A/C.6/31/L.9, as orally revised (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-eighth session (A/31/10),

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 Articles 1 and 2 of the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States,²² and to give increased importance to its role in relations among States,

Welcoming the fact that the International Law Commission completed the first reading of the draft articles on the most-favoured-nation clause,

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 the law of the non-navigational uses of international watercourses,

Noting with satisfaction that the International Law Commission continued to pay special attention 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-eighth 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 1977;

4. *Recommends* that the International Law Commission should:

(a) Complete at its thirtieth session, in the light of comments received from Member States, from organs of the United Nations which have competence on the subject-matter and from interested intergovernmental organizations, the second reading of the draft articles on the most-favoured-nation clause adopted at its twenty-eighth session;

(b) Continue on a high priority basis its work on State responsibility, taking into account relevant General Assembly resolutions adopted at previous sessions, with a view to completing the preparation of a first set of draft articles on responsibility of States for internationally wrongful acts, if possible within the next term of office of the members of the International Law Commission, and take up, at the earliest possible time, the separate topic of international liability for injurious consequences arising out of acts not prohibited by international law;

(c) Proceed with the preparation, on a priority basis, of draft articles on:

- (i) Succession of States in respect of matters other than treaties;
- (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. *Urges* Member States that have not yet done so to submit to the Secretary-General their written comments on the subject of the law of the non-navigational uses of international watercourses;

6. *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;

7. *Supports* the request of the International Law Commission to the Secretary-General to prepare and publish as soon as possible a new and revised edition of the handbook entitled *The Work of the International Law Commission*;

8. *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;

9. *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-first session of the General Assembly.

²² General Assembly resolution 2625 (XXV), annex.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 15 December 1976, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/31/370, para. 251). For the final text, see resolution 31/97.^{2 3}

²³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 106 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/10 | Report of the International Law Commission on the work of its twenty-eighth session (3 May-23 July 1976) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 10</i> |
| A/C.6/31/L.9 | Draft resolution | For the sponsors and the text, see A/31/370, paras. 6 and 251. |
| | <i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/370</i> | |
| A/C.5/31/76 | Note by the Secretary-General | Mimeographed |
| A/31/439 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



**Agenda item 107: * Conference of plenipotentiaries on succession of States
in respect of treaties: report of the Secretary-General ****

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 4th to 8th, 14th, 15th and 19th meetings; *ibid.*, *Fifth Committee*, 34th meeting; and *ibid.*, *Plenary Meetings*, 77th meeting.

** Since 1971, the General Assembly has discussed the question of the succession of States in respect of treaties at the following sessions: twenty-sixth session (agenda item 88), twenty-seventh session (item 85), twenty-eighth session (item 89) and twenty-ninth session (item 87), under the agenda item relating to reports of the International Law Commission and thirtieth session (item 109).

DOCUMENT A/31/292

Report of the Sixth Committee

*[Original: English]
[29 October 1976]*

1. The item entitled "Conference of plenipotentiaries on succession of States in respect of treaties: report of the Secretary-General" was included in the provisional agenda of the thirty-first session of the General Assembly pursuant to paragraph 4 of Assembly resolution 3496 (XXX) of 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 report of the Secretary-General (A/31/144), which contained the written comments and observations submitted by Member States pursuant to paragraph 1 of General Assembly resolution 3496 (XXX).

4. The Sixth Committee considered the item at its 4th to 8th, 14th, 15th and 19th meetings, held from 29 September to 1 October and on 12 and 18 October 1976.

5. A draft resolution (A/C.6/31/L.4) was submitted by Austria, Chad, Kenya, Mali, Nigeria, Pakistan, the Philippines, Senegal and Uganda, the text of which was the same

as the draft resolution in paragraph 10 below, with the following exceptions:

(a) The third preambular paragraph read as follows:

"*Believing* that the draft articles adopted by the International Law Commission at its twenty-sixth session represent a compromise on a broad spectrum of legal views and opinions on the question of succession of States in respect of treaties,";

(b) The word "differing" before "constitutional and social systems", which was contained in the sixth preambular paragraph, was deleted;

(c) A new operative paragraph 4 was inserted.

6. At the 14th meeting, on 12 October, the representative of Nigeria, on behalf of the sponsors, with the addition of Indonesia, introduced a revised version of the draft resolution (A/C.6/31/L.4/Rev.1). (For the text, see para. 10 below.)

7. The Sixth Committee had before it a note submitted by the Secretary-General (A/C.6/31/L.5) on the adminis-

trative and financial implications of the draft resolution (A/C.6/31/L.4). Later the Committee had before it a note submitted by the Secretary-General (A/C.6/31/L.5/Rev.1) on the administrative and financial implications of the revised draft resolution (A/C.6/31/L.4/Rev.1). In addition, at the 15th meeting the representative of the Budget Division answered a number of questions. The Committee also had before it a note by the Secretariat (A/C.6/31/L.2), prepared at the Committee's request, relating to the tentative dates of United Nations conferences and meetings dealing with legal questions currently scheduled to meet during the first half of 1977.

8. At its 19th meeting, on 18 October, the Sixth Committee adopted by consensus draft resolution A/C.6/31/L.4/Rev.1.

9. At the same meeting, statements in explanation of vote were made by the representatives of Afghanistan, Democratic Yemen, France, Israel, Nicaragua, the Union of Soviet Socialist Republics, the United Arab Emirates and the United States of America.

Recommendation of the Sixth Committee

10. 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 that, by its resolution 3496 (XXX) of 15 December 1975, it 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,

Recalling further that, in section II of its resolution 3315 (XXIX) of 14 December 1974, it expressed its appreciation to the International Law Commission for its valuable work on the question of succession of States in respect of treaties and to the Special Rapporteurs on the topic for their contribution to this work,

Believing that the draft articles adopted by the International Law Commission at its twenty-sixth session represent a good basis for the elaboration of an international convention and such other instruments as may be appropriate on the question of succession of States in respect of treaties,

Taking note of the reports of the Secretary-General² containing the comments and observations submitted by a number of Member States in accordance with General Assembly resolutions 3315 (XXIX) and 3496 (XXX),

Mindful of Article 13, paragraph 1 *a*, of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

Believing that the successful codification and progressive development of the rules of international law governing succession of States in respect of treaties would contribute to the development of friendly relations and co-operation among States, irrespective of their constitutional and social systems, and would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

Noting that an invitation has been extended by the Government of Austria to hold the United Nations Conference on Succession of States in Respect of Treaties at Vienna,

1. *Decides* that the United Nations Conference on Succession of States in Respect of Treaties, referred to in General Assembly resolution 3496 (XXX), will be held from 4 April to 6 May 1977 at Vienna;

2. *Requests* the Secretary-General to invite:

(a) All States to participate in the Conference;

(b) Representatives of organizations which have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices, in the capacity of observers, in accordance with General Assembly resolution 3237 (XXIX) of 22 November 1974;

(c) Representatives of national liberation movements recognized in its area by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(d) The specialized agencies, the International Atomic Energy Agency, as well as interested organs of the United Nations and interested regional intergovernmental organizations, to be represented at the Conference by observers;

3. *Refers* to the Conference as the basic proposal for its consideration the draft articles on succession of States in respect of treaties adopted by the International Law Commission at its twenty-sixth session;

4. *Decides* that the languages of the Conference shall be those used in the General Assembly and its Main Committees;

5. *Requests* the Secretary-General to submit to the Conference all relevant documentation and recommendations relating to its methods of work and procedures and to arrange for the necessary staff, facilities and services which it will require, including the provision of summary records;

6. *Requests* the Secretary-General to arrange for the presence at the Conference, as an expert, of the International Law Commission's latest Special Rapporteur on the topic of succession of States in respect of treaties.

¹ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 10, chap. II, sect. D.

² A/10198 and Add.1-6 and A/31/144.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 77th plenary meeting, on 24 November 1976, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/31/292, para. 10). For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolution 31/18.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 107 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|------------------------|--|---|
| A/31/144 | Report of the Secretary-General | Mimeographed |
| A/C.6/31/L.2 | Note by the Secretariat: tentative dates of United Nations conferences and meetings dealing with legal questions currently scheduled to meet during the first half of 1977 | Ditto |
| A/C.6/31/L.4 | Draft resolution | For the sponsors and the text, see A/31/292, para. 5 |
| A/C.6/31/L.4/Rev.1 | Revised draft resolution | <i>Idem</i> , para. 6 |
| A/C.6/31/L.5 | Administrative and financial implications of the draft resolution contained in document A/C.6/31/L.4: note by the Secretary-General | Mimeographed |
| A/C.6/31/L.5/Rev.1 | Administrative and financial implications of the revised draft resolution contained in document A/C.6/31/L.4/Rev.1: note by the Secretary-General | Ditto |
| | <i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/292</i> | |
| A/C.5/31/44 and Corr.1 | Note by the Secretary-General | Mimeographed |
| A/31/8/Add.1 | Report of the Advisory Committee on Administrative and Budgetary Questions | See <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 8</i> |
| A/31/344 | Report of the Fifth Committee | <i>Ibid.</i> , Annexes, agenda item 92 |



**Agenda item 108:* Report of the United Nations Commission on International
Trade Law** on the work of its ninth session**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 32nd to 41st, and 68th meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 50th meeting; and *ibid.*, *Plenary Meetings*, 99th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 87), twenty-seventh (item 86), twenty-eighth (item 92), twenty-ninth (item 89) and thirtieth (item 110).

DOCUMENT A/31/390

Report of the Sixth Committee

*[Original: English]
[10 December 1976]*

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Introduction

1. At its 4th plenary meeting, on 24 September 1976, the General Assembly decided to include in the agenda of its thirty-first session the item entitled "Report of the

United Nations Commission on International Trade Law on the work of its ninth session" and to allocate it to the Sixth Committee.

2. The Sixth Committee considered the item at its 32nd to 41st meetings, from 29 October to 11 November 1976, and at its 68th meeting, on 9 December.

3. At the 32nd meeting, Mr. L. H. Khoo (Singapore), Chairman of the United Nations Commission on International Trade Law (UNCITRAL) at its ninth session, introduced the Commission's report on the work of that session (A/31/17).¹ The Sixth Committee also had before it a note by the Secretary-General (A/C.6/31/5 and Add.1) setting forth the comments on the Commission's report by the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD).

4. At the 68th meeting, 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

¹ The presentation of the report was made 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).

view of the nature of the subject-matter, the report on agenda item 108 should include a summary of the main trends of opinion that were expressed during the debate.

Proposals

5. At the same meeting, three draft resolutions were introduced on the item. Two of these (A/C.6/31/L.13 and A/C.6/31/L.14 and Corr.1) were introduced by the representative of the Philippines on behalf of the respective sponsoring delegations. The sponsors of draft resolution A/C.6/31/L.13 were Australia, Austria, the Netherlands, Nigeria, the Philippines, Singapore, Sri Lanka, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, later joined by Finland, France, Greece, Indonesia, Italy, Japan and Kenya. The sponsors of draft resolution A/C.6/31/L.14 and Corr.1 were Austria, Czechoslovakia, Nigeria, Paraguay, the Philippines, Singapore, Sri Lanka and Yugoslavia, later joined by Finland, Indonesia and Kenya. The third draft resolution (A/C.6/31/L.17/Rev.1) was introduced by the representative of Sri Lanka on behalf of Australia, Austria, Guyana, Iran, Mexico, Nigeria, Pakistan, Paraguay, the Philippines, Singapore, Sri Lanka, Trinidad and Tobago and Tunisia, later joined by Finland and Kenya. *[For the text of the draft resolutions, see para. 49 below, draft resolutions I, II and III, respectively.]*

Debate

6. The major trends of opinion expressed in the Sixth Committee on the report of UNCITRAL on the work of its ninth session are summarized in sections A to K below. Sections A and B deal with general observations on the role and functions of the Commission and on its working methods, while sections C to K are devoted to the Committee's discussion on the specific topics considered by the Commission at its ninth session, as follows: international sale of goods (sect. C); international payments (sect. D); international legislation on shipping (sect. E); international commercial arbitration (sect. F); multinational enterprises (sect. G); liability for damage caused by products intended for or involved in international trade (sect. H); training and assistance in the field of international trade law (sect. I); future work (sect. J); and other business (sect. K).

A. General observations

7. Representatives were unanimous in stressing the importance of the Commission's work. It was the general view that the unification, harmonization and progressive development of international trade law serve to promote not only the development of equitable commercial and economic relations between developing and developed countries and between countries with differing social and economic systems but also the orderly growth of international trade. It was further observed by some representatives that since international commercial relations themselves played an important role in world peace and stability, any activity, such as UNCITRAL's work, which facilitated those relations could not but itself contribute to such peace and stability.

8. Representatives were also unanimous in expressing their delegations' satisfaction with the progress made by the Commission and by its Working Groups in carrying out the Commission's work programme and commended especially the work done in producing the draft Convention on the Carriage of Goods by Sea and the UNCITRAL Arbitration Rules.

9. Many representatives urged the Commission to take account in its future work of the special needs of developing countries and also of the General Assembly resolutions regarding the establishment of a new international economic order.

B. Working methods of the United Nations Commission on International Trade Law

10. All representatives who touched on the matter commented favourably on the working methods followed by the Commission. Representatives noted particularly with approval the procedure whereby the Commission circulated draft legal texts prepared by its working groups to Governments and to interested international organizations for comment before adopting a final (draft) text. It was the general view that that practice enabled the Commission to benefit from the broadest range of views in its preparation of texts.

11. Also commended by representatives was the Commission's practice, through its secretariat, of consulting and collaborating with other United Nations bodies and with intergovernmental organizations and international and regional non-governmental organizations which were engaged in work on topics of interest to the Commission. Representatives expressed the hope that the Commission would continue that very worthwhile practice.

12. A number of representatives recalled favourably the fact that it was the practice of the Commission and its working groups to proceed by consensus and to vote only if no consensus could be reached. In commending that decision-making process, several representatives stressed that it ensured that the uniform rules derived from the Commission's work would be generally acceptable.

C. International sale of goods

13. Many representatives stressed the importance to international trade of the law governing international sales and consequently the value of the work undertaken by the Commission's Working Group on the International Sale of Goods in revising the 1964 Hague Uniform Law on the International Sale of Goods (ULIS). Representatives expressed their satisfaction with the progress made in that regard, noting especially the fact that the Working Group had been able to complete work on a text of a draft convention which would be given final consideration by the Commission at its tenth session.

14. With regard to the draft text itself, many representatives, though reserving their delegations' final position pending detailed study of its provisions, offered their preliminary assessment that the draft represented an improvement in many respects on the present ULIS. It was,

however, also observed by some representatives that there were still some unresolved questions with regard to certain provisions of the draft text, while other representatives expressed some reservations on certain other provisions as they now stood. The general expectation was voiced nevertheless that those problems would be resolved when the Commission considered the draft text at its tenth session.

15. Many representatives welcomed the decision by the Commission to commence work on uniform rules on the formation and validity of contracts for the international sale of goods. Although a number of representatives expressed the view that ideally the rules on formation and validity along with the revised ULIS should form part of a single sales convention, most representatives who addressed the issue thought that such an approach might cause great delay in adopting a convention and accordingly favoured the approach under which the two matters were to be treated separately and at different conferences of plenipotentiaries.

D. International payments

16. Several representatives noted that once the uniform law on international bills of exchange and international promissory notes being prepared by the Working Group on International Negotiable Instruments became part of the law of international trade it would represent a major contribution to international commercial transactions.

17. Some representatives expressed the hope that the Working Group would before long take up work on international cheques. Attention was also drawn to the need for the Working Group to maintain flexibility in its approach to the problems of international payments so as to take full account of continuing developments in that field, particularly those relating to electronic methods of data transmission and fund transfers.

E. International legislation on shipping

18. Representatives were unanimous in commending the work of the Commission and of its Working Group on International Legislation on Shipping in producing a draft Convention on the Carriage of Goods by Sea (A/31/17, para. 45) designed to replace the 1924 Brussels Convention on Bills of Lading and the 1968 Brussels Protocol thereto. All representatives who spoke favoured the convening at an early date of a conference of plenipotentiaries to conclude a new convention on the basis of the draft convention, though some emphasized that Governments ought to be given sufficient time first to study the text of the draft.

19. While reserving for a later period their final position on the substance of the provisions embodied in the draft convention, many representatives none the less expressed their preliminary views on the matter. Most representatives saw the draft convention as a significant improvement on the regulatory régime established by the Brussels Convention and the Brussels Protocol. It was noted in particular that the new draft reflected more accurately technological developments in modern maritime transport and would create a more equitable balance between the interests of the carrier, on the one hand, and those of the cargo-owner, on the other.

20. Other aspects of the new draft which received favourable notice by representatives were the provision on scope of application, which contemplated a convention of much wider scope than the Brussels Convention, the provisions relating to liability for delay, the limitation (prescription) provision and the provisions on jurisdiction (article 21), which permitted the bringing of action in one of a number of alternative jurisdictions.

21. Several representatives expressed reservations with regard to the provision on liability for loss caused by fire (article 5, paragraph 4). It was the view of those representatives that the burden in such a case to prove the carrier's fault or neglect should not be on the claimant, as that would be far too difficult, and often impossible; rather, as was the case with loss from other causes, it should be for the carrier to show that he had not been at fault or otherwise negligent. A number of representatives pointed out, however, that article 5 as a whole had been the subject of long and arduous debate within the Commission and its Working Group and that the present draft should, therefore, be seen as a necessary compromise between the interests otherwise at conflict with respect to the matter therein regulated. The fear was further expressed that some of the changes proposed might have an adverse effect on freight and other costs.

22. Some representatives pointed out the problems of State sovereignty raised by State-owned commercial vessels in the context especially of the acquisition of jurisdiction over such vessels by a foreign court through legal arrest, as contemplated in article 21, paragraph 2(a) of the draft Convention. A number of representatives also expressed their delegations' preferences with regard to the contents of article 6 (limitation of carrier's liability) and of the Final Clauses. The prevailing sentiment among representatives, however, was that those questions were best left for resolution at the conference of plenipotentiaries.

23. In welcoming the work done so far on shipping legislation, representatives of developing countries noted that most of the carrying capacity in maritime transport was controlled by developed countries and that it was therefore desirable to ensure that the economic interests of developing countries would be duly taken into account in any convention on the carriage of goods by sea. Accordingly, those representatives stressed the need to look beyond the legal aspects of the carriage of goods by sea to its economic and shipping trade aspects.

24. Several representatives commented on the valuable contribution made by UNCTAD to the work on shipping legislation and expressed the hope that the collaboration which existed between the Commission's secretariat and the secretariat of UNCTAD would extend to secretariat services at the Conference of Plenipotentiaries.

F. International commercial arbitration

25. Stressing the crucial role played by arbitration in the settlement of disputes arising in international commerce, representatives generally welcomed the issuance of the UNCITRAL Arbitration Rules (A/31/17, para. 57). The Rules, it was stated, would not only facilitate *ad hoc*

commercial arbitration for parties who choose them, but would by the mere fact of existence as UNCITRAL rules encourage resort to arbitral proceedings in the resolution of commercial disputes.

26. Representatives uniformly associated themselves with the Commission's decision to invite the General Assembly to recommend the use of the UNCITRAL Arbitration Rules in the settlement of disputes arising in the context of international commercial relations, particularly by reference to the UNCITRAL Arbitration Rules in an arbitration clause in commercial contracts.

27. Commenting on the UNCITRAL Arbitration Rules themselves, many representatives expressed satisfaction with their optional character. It was noted with approval that the Rules had been produced by the Commission, not in the usual form of a draft convention, but in the much simpler and less costly form of model rules for parties, requiring no international convention or national legislative enactment. It was suggested that that was a method which the Commission might possibly wish to employ with respect to its future projects, whenever appropriate.

28. The view was expressed that it might have been advisable for the Commission to have consulted Governments before final formulation of the UNCITRAL Arbitration Rules inasmuch as Governments themselves often were parties to commercial arbitration. It was pointed out, however, that the Rules, though intended merely for optional use by parties, had been formulated only after extensive consultations with the regional commissions and with centres of international commercial arbitration. It was also observed that the Rules had been considered at the seventeenth session of the Asian-African Legal Consultative Committee, held at Kuala Lumpur from 30 June to 5 July 1976, at which the decision was taken to recommend the use of the UNCITRAL Arbitration Rules in the settlement of disputes arising in the context of international commercial relations.²

29. It was recalled that the Asian-African Legal Consultative Committee had noted the absence of major centres of arbitration in developing countries and the hope was expressed that Governments and commercial interests would assist in the establishment of regional centres of arbitration in developing countries.

30. A number of representatives, noting that the UNCITRAL Arbitration Rules were intended for use in *ad hoc* arbitration only, expressed the hope that even arbitral institutions might find them useful.

G. Multinational enterprises

31. Many representatives, drawing attention to the impact of the activities of multinational enterprises on the economy of their host countries, particularly developing countries, stressed the need for international regulation of such activities. It was noted that the Commission could play an important role in that connexion.

32. Most representatives who spoke on the subject recalled favourably the Commission's decision taken at its

eighth session³ to maintain the subject of multinational enterprises on its agenda. Some representatives suggested that the Commission should take the initiative in embarking on work on the subject. Others, however, pointed out the difficulties which could be created by such a step inasmuch as the Commission on Transnational Corporations had been created specifically to deal with those matters.

33. Some representatives noted that the Commission had already communicated to the Commission on Transnational Corporations its readiness to consider any issues of a legal nature that the latter might wish to refer to it, and urged collaboration between the two Commissions.

H. Liability for damage caused by products intended for or involved in international trade

34. Several representatives commented favourably on the Commission's decision⁴ to explore the desirability and feasibility of elaborating uniform rules on the subject applicable on a global level. It was noted in that connexion that the Commission expected to have before it at its tenth session a report of the Secretary-General which should aid it in its decision as to a future course of action.

35. Several representatives drew attention to a number of regional unification schemes already in progress in parts of the world and stressed the urgency of action on a global level which, according to some, was the preferred solution.

I. Training and assistance in the field of international trade law

36. The Committee was unanimous in stressing the great importance of that aspect of the Commission's work. It was observed that the Commission's training and assistance programme was not only a good way of publicizing its work and generating world-wide interest in the field of international trade law, but also had the important objective of helping to create expertise in the field globally. For that reason, it was further observed, the Commission's training and assistance activities were an essential complement to its work of elaborating uniform rules inasmuch as such rules could only be effectively implemented world-wide if there were available in each State persons who were familiar with the rules.

37. Many representatives commented favourably on specific aspects of the Commission's training and assistance programme during the past year. Appreciation was expressed, especially by representatives of developing countries, to Governments which had contributed materially towards that programme.

38. A number of representatives noted with appreciation the arrangement whereby the United Nations Institute for Training and Research (UNITAR) had agreed to include, whenever feasible, the subject of international trade law in the curriculum of its regional seminars in international law. It was urged in that connexion that that UNITAR programme be extended to all parts of the world.

³ See *Official Records of the General Assembly, Thirtieth Session, Supplement No. 17*, para. 94.

⁴ *Ibid.*, para. 103.

² See A/CN.9/127, annex.

39. Unanimous support was expressed for the projected Second UNCITRAL Symposium on International Trade Law scheduled to take place in 1977 in connexion with the tenth session of the Commission. Noting that lack of sufficient funds was threatening cancellation of the symposium, many representatives thanked those Governments which had already made or pledged voluntary contributions towards sponsoring candidates from developing countries and urged other Governments in a position to do so to give financial support to the cause.

40. The suggestion was made that consideration should be given to financing the Commission's training and assistance programme, of such importance to developing countries, out of the regular budget of the United Nations rather than to continue relying on voluntary contributions whose availability could not be assured.

41. The representative of Belgium, discussing the Commission's programme of training and assistance in the field of international trade law, announced that his Government planned to renew for 1977 its two fellowships in international trade law tenable at an institution of higher learning in that country.

J. Future work

42. Most representatives, noting with satisfaction the fact that the Commission had completed or soon would complete work on the items on its priority list of projects and was in the process of reviewing its long-term programmes, stressed the importance of such long-term planning.

43. Representatives also commended the Commission's efforts to solicit suggestions from Governments and interested international organizations with regard to its long-term work programme and urged Governments to come forward with their views.

44. A number of suggestions were made by representatives as to items for possible inclusion in the Commission's work programme. Among them were measures to implement the principles of the new international economic order in the field of international trade law and measures designed to give greater protection to the interests of developing countries in international trade; the problems, when States or State organs engaged in commercial activities, of distinguishing between the State as a trading entity and the State as a sovereign entity; legal aspects of multimodal transportation; and contracts for various forms of economic relations other than sales contracts.

45. There was general satisfaction with the agenda and arrangements for the tenth session of the Commission. Representatives noted with appreciation that the tenth session of the Commission would be held in Vienna, at the invitation of the Government of Austria, and thanked that Government for its hospitality.

K. Other business

46. Representatives who spoke unanimously endorsed the recommendation of the Commission, contained in paragraph 74 of its report, that States Members of the

United Nations, but not members of the Commission, be allowed, where they so request, to attend meetings of the Commission and its working groups as observers.

47. Representatives also expressed support for the recommendation of the Commission, contained in paragraph 76 of its report, regarding the commencement and expiration of the term of office of members of the Commission.

Decision

48. At the same meeting, the Sixth Committee adopted by consensus draft resolutions A/C.6/31/L.13, A/C.6/31/L.14 and Corr.1 and A/C.6/31/L.17/Rev.1.

Recommendations of the Sixth Committee

49. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Arbitration Rules of the United Nations Commission on International Trade Law

The General Assembly,

Recognizing the value of arbitration as a method of settling disputes arising in the context of international commercial relations,

Convinced that the establishment of rules for *ad hoc* arbitration that are acceptable in countries with different legal, social and economic systems would significantly contribute to the development of harmonious international economic relations,

Bearing in mind that the Arbitration Rules of the United Nations Commission on International Trade Law have been prepared after extensive consultation with arbitral institutions and centres of international commercial arbitration,

Noting that the Arbitration Rules were adopted by the United Nations Commission on International Trade Law at its ninth session (A/31/17, para. 57) after due deliberation,

1. *Recommends* the use of the Arbitration Rules of the United Nations Commission on International Trade Law in the settlement of disputes arising in the context of international commercial relations, particularly by reference to the Arbitration Rules in commercial contracts;

2. *Requests* the Secretary-General to arrange for the widest possible distribution of the Arbitration Rules.

DRAFT RESOLUTION II

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 ninth session (A/31/17),

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, and its resolution 3108 (XXVIII) of 12 December 1973, by which it increased the membership of the Commission, 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 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) 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,

Noting further that, under resolutions 2205 (XXI) and 3108 (XXVIII), a State elected as a member of the United Nations Commission on International Trade Law takes office on 1 January of the year following its election, and that its term of office expires on 31 December of the last year of the period for which it was elected,

Bearing in mind that much of the substantive work of the United Nations Commission on International Trade Law is carried out in its working groups which usually meet during the months of January and February prior to the regular annual session of the Commission, and that inconvenience is caused to the work of the Commission because vacancies occurring in the membership of working groups as at 31 December cannot be filled till the next regular annual session of the Commission,

Taking into account the fact that Governments of Member States which are not members of the United Nations Commission on International Trade Law have on occasion expressed the wish to attend sessions of the Commission and of its Working Groups as observers and the opinion of the Commission expressed in paragraph 74 of its report on the work of its ninth session that it is in the interest of the Commission's work that such States, not members of the Commission, be given the opportunity to participate in its work as observers.

Bearing in mind that the Trade and Development Board of the United Nations Conference on Trade and Development, at its sixteenth session, took note with appreciation of the report of the United Nations Commission on International Trade Law,⁵

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its ninth 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* the completion of the draft Convention on the Carriage of Goods by Sea (A/31/17, para.45), and the adoption by the Commission of the Arbitration Rules of the United Nations Commission on International Trade Law;

4. *Further notes with satisfaction* that a draft convention on the international sale of goods has been prepared by a working group of the United Nations Commission on International Trade Law and that this draft convention has been transmitted to Governments and interested international organizations for their comments;

5. *Welcomes* the decision of the United Nations Commission on International Trade Law to hold a second international symposium on international trade law in connexion with its tenth session in 1977 and, in view of the fact that the symposium is financed by voluntary contributions, appeals to Governments to contribute to the costs of the symposium;

6. *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) Maintain liaison with the Commission on Transnational Corporations with regard to the consideration of legal problems that would be susceptible of action by it;

(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;

7. *Calls upon* the United Nations Commission on International Trade Law to continue to take account of the relevant provisions of the resolutions of the sixth and seventh special sessions of the General Assembly 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;

⁵ A/31/15, vol. II (CD/B/6/57), para. 270.

8. *Invites* the Commission on Transnational Corporations, if it identifies specific legal issues in its programme of work that would be susceptible of action by the United Nations Commission on International Trade Law, to refer such issues to that Commission for its consideration;

9. *Welcomes* the decision of the United Nations Commission on International Trade Law to review, in the near future, its long-term programme and, in this connexion, requests the Secretary-General to invite Governments to submit their views and suggestions on such a programme;

10. *Decides* that:

(a) The term of office of those members of the United Nations Commission on International Trade Law whose term would expire on 31 December 1976 is extended until the last day prior to the beginning of the regular annual session of the Commission in 1977 and the term of office of those members of the Commission whose term would expire on 31 December 1979 is extended until the last day prior to the beginning of the regular annual session of the Commission in 1980;

(b) Commencing with the elections to membership of the United Nations Commission on International Trade Law at the thirty-first session of the General Assembly, all States elected to membership shall take office at the beginning of the first day of the regular annual session of the Commission immediately following their election and their terms of office shall expire on the last day prior to the opening of the seventh regular annual session of the Commission following their election;

(c) Governments of Member States that are not members of the United Nations Commission on International Trade Law are entitled, when they so request, to attend the sessions of the Commission and its Working Groups as observers;

11. *Requests* the Secretary-General to forward to the United Nations Commission on International Trade Law the records of the discussions at the thirty-first session of the General Assembly on the report of the Commission on the work of its ninth session.

DRAFT RESOLUTION III

United Nations Conference on the Carriage of Goods by Sea

The General Assembly,

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,

Having considered chapter IV of the report of the United Nations Commission on International Trade Law on its ninth session (A/31/17) which contains draft articles for a convention on the carriage of goods by sea,

Noting that the United Nations Commission on International Trade Law considered and adopted the draft

articles taking note of observations and comments submitted by Governments, by the Working Group on International Shipping Legislation of the United Nations Conference on Trade and Development and by international organizations,

Taking note with appreciation of the comments of the Trade and Development Board of the United Nations Conference on Trade and Development that the revision of the law on carriage of goods by sea involves consideration, not only of legal but also of economic and shipping trade aspects, and that these aspects be given due consideration at an international conference of plenipotentiaries (TD/B/C.4/153, annex I),

Convinced that international trade is an important factor in the promotion of friendly relations among States and that the adoption of a convention on the carriage of goods by sea which would take into account the legitimate interests of all States, particularly those of the developing countries, which would remove such uncertainties and ambiguities as exist in the rules and practices relating to bills of lading and which would establish a balanced allocation of risks between the cargo owner and the carrier, would contribute to the harmonious development of international trade,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for the valuable work done in having prepared draft articles for a convention on the carriage of goods by sea;

2. *Decides* that an international conference of plenipotentiaries shall be convened in 1978 in New York, or at any other suitable place for which the Secretary-General may receive an invitation, to consider the question of the carriage of goods by sea and to embody the results of its work in an international convention and such other instruments as it may deem appropriate;

3. *Refers* to the conference the draft articles for a convention on the carriage of goods by sea approved by the United Nations Commission on International Trade Law, together with draft provisions concerning implementation, reservations and other final clauses to be prepared by the Secretary-General;

4. *Requests* the Secretary-General:

(a) To circulate the draft Convention on the Carriage of Goods by Sea (A/31/17, para. 45) together with draft provisions concerning implementation, reservations and other final clauses to be prepared by the Secretary-General, to Governments and interested international organizations for comments and proposals;

(b) To convene the United Nations Conference on the Carriage of Goods by Sea for an appropriate period in 1978 at any of the places mentioned in paragraph 2 above;

(c) To arrange for the preparation of summary records of the proceedings of the plenary meetings of the Conference and of meetings of committees of the whole which the Conference may wish to establish;

(d) To invite all States to participate in the United Nations Conference on the Carriage of Goods by Sea;

(e) To invite representatives of organizations which have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices, in the capacity of observers, in accordance with General Assembly resolution 3237 (XXIX) of 22 November 1974;

(f) To invite representatives of national liberation movements recognized in its area by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(g) To invite the specialized agencies, the International Atomic Energy Agency as well as interested organs of the United Nations and interested regional intergovernmental organizations to be represented at the Conference by observers;

(h) To draw the attention of the States and other participants referred to in subparagraphs (d) to (g) above to the desirability of appointing as their representatives persons specially competent in the field to be considered;

(i) To place before the Conference:

(i) All comments and proposals received from Governments;

(ii) Working and background papers which may be received from the United Nations Commission on International Trade Law, the United Nations Conference on Trade and Development and other interested international organizations, taking into consideration the legal, economic and shipping trade aspects of the draft Convention;

(iii) Draft provisions concerning implementation, reservations and other final clauses and all relevant documentation and recommendations relating to methods of work and procedure;

(j) To ensure that all relevant documentation for the Conference will be distributed to all participants in the Conference at the earliest possible date;

(k) To arrange for adequate staff and facilities required for the Conference, bearing in mind the fact that the legal, economic and shipping trade aspects of the carriage of goods by sea should receive due consideration at the Conference.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 15 December 1976, the General Assembly adopted the draft resolutions submitted by the Sixth Committee in its report (A/31/390, para. 49). For the final text, see resolutions 31/98 to 31/100.⁶

⁶ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 108 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--------------------------|--|--|
| A/31/17 | Report of the United Nations Commission on International Trade Law on the work of its ninth session (12 April-7 May 1976) | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 17</i> |
| A/C.6/31/5 and Add.1 | Note by the Secretary-General | Mimeographed |
| A/C.6/31/L.13 | Draft resolution | For the sponsors and the text, see A/31/390, paras. 5 and 49, draft resolution I |
| A/C.6/31/L.14 and Corr.1 | Draft resolution | <i>Idem</i> , draft resolution II |
| A/C.6/31/L.15 | Administrative and financial implications of the draft resolution contained in document A/C.6/31/L.13: note by the Secretary-General | Mimeographed |
| A/C.6/31/L.17 | Draft resolution | Replaced by A/C.6/31/L.17/Rev.1 |
| A/C.6/31/L.17/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/390, paras. 5 and 49, draft resolution III |
| A/C.6/31/L.19 | Administrative and financial implications of the draft resolution contained in document A/C.6/31/L.17: note by the Secretary-General | Mimeographed |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| TD/B/C.4/148 | Report of the Working Group on International Shipping Legislation on the first part of its fifth session | Ditto |
| TD/B/C.4/153 | Report of the Working Group on International Shipping Legislation on the second part of its fifth session | Ditto |
| | <i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/390</i> | |
| A/C.5/31/83 | Note by the Secretary-General | Ditto |
| A/C.5/31/84 | Note by the Secretary-General | Ditto |
| A/31/402 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 109:* Report of the Committee on Relations with the Host Country**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 62nd and 65th to 70th meetings; and *ibid.*, *Plenary Meetings*, 99th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth (agenda item 86), twenty-seventh (item 91), twenty-eighth (item 99), twenty-ninth (item 94) and thirtieth (item 112).

DOCUMENT A/31/418*

Report of the Sixth Committee

*[Original: English/
13 December 1976]*

Introduction

1. The item entitled "Report of the Committee on Relations with the Host Country" was included in the provisional agenda of the thirty-first session of the General Assembly pursuant to its resolution 3498 (XXX) of 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly 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 62nd and 65th to 70th meetings, held from 3 to 10 December 1976.

4. At the 62nd meeting, on 3 December, the Rapporteur of the Committee on Relations with the Host Country introduced its report (A/31/26). The Sixth Committee also had before it a letter dated 21 October from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/C.6/31/6).

* Incorporating document A/31/418/Corr.1

Consideration of draft resolutions

5. From the 65th to the 70th meetings, held from 7 to 10 December, the Sixth Committee considered four draft resolutions (A/C.6/31/L.20, A/C.6/31/L.21, A/C.6/31/L.23 and A/C.6/31/L.24) in connexion with the item.

6. Draft resolution A/C.6/31/L.20, sponsored by the Ukrainian Soviet Socialist Republic, later joined by Bulgaria, Cuba, Czechoslovakia, Hungary and Mongolia, read as follows:

"The General Assembly,

"Having considered the report of the Committee on Relations with the Host Country (A/31/26).

"Drawing attention to its resolutions 2747 (XXV) of 17 December 1970, 2819 (XXVI) of 15 December 1971, 3033 (XXVII) of 18 December 1972, 3107 (XXVIII) of 12 December 1973, 3320 (XXIX) of 14 December 1974 and 3498 (XXX) of 15 December 1975, in which it urged the Government of the host country to make certain that the measures taken to ensure the protection and security of permanent missions to the United Nations and their

personnel were adequate to enable those missions to perform properly the functions entrusted to them by their Governments,

“*Recalling* the responsibilities of the Government of the host country with respect to the United Nations and the missions accredited to it, their personnel and their correspondence under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,¹ the Convention on the Privileges and Immunities of the United Nations,² the Vienna Convention on Diplomatic Relations of 1961³ and general international law,

“*Noting with deep concern* the dangerous acts of terrorism and other criminal acts which have been committed against missions and their personnel, including in a number of cases the use of bombs and firearms, which constituted a threat to the lives of mission personnel and caused damage to the premises of missions and the living quarters of their personnel,

“*Further noting with concern* that hostile demonstrations and picketing near mission buildings, accompanied by violence, threats and insults directed against the personnel of missions, are still taking place,

“*Expressing its deep sympathy* with the missions and their personnel that have become the victims of such acts,

“*Considering* that the problems related to the privileges and immunities of the United Nations and to the status of the missions accredited to it are of mutual concern to Member States, including the host country, as well as to the Secretary-General,

“*Taking note* of the report of the Committee on Relations with the Host Country,

“1. *Strongly condemns* terrorist and other acts of violence against missions and their personnel as fundamentally incompatible with the status of such missions and personnel under international law, and in particular under the Vienna Convention on Diplomatic Relations of 1961;

“2. *Expresses its deep concern* at criminal activities against missions and their personnel and property by Zionist and other elements, including demonstrations and picketing which are accompanied by violence, threats and insults against personnel of those missions and which cause damage to the property of missions and their personnel;

“3. *Urges* the host country without delay to take all necessary measures and ensure their effective implementation for the purpose of guaranteeing adequate security for missions and their personnel and creating normal conditions for the functioning of missions to the United Nations;

“4. *Notes with regret* that persons who have committed terrorist and other criminal acts against missions and their personnel still remain unpunished and urges the host country to take all necessary measures to apprehend, prosecute and punish those guilty of criminal acts against missions and their personnel, as provided for in the federal Act for the Protection of Foreign Officials and Official Guests of the United States;⁴

“5. *Urges* the host country to take effective measures prohibiting the unlawful activities of organizations and groups which prepare, instigate, encourage or participate in terrorist or other acts of violence against missions and their personnel;

“6. *Urges* the host country, the United Nations Secretariat, the diplomatic community and the organizations concerned to seek in every way the improvement of relations and the promotion of mutual understanding between the diplomatic community and the local population in order to ensure conditions conducive to the effective functioning of the United Nations and the missions accredited to it;

“7. *Decides* to continue the work of the Committee on Relations with the Host Country, in conformity with General Assembly resolution 2819 (XXVI), with the purpose of examining all matters falling within its terms of reference, and requests the Secretary-General to give it all necessary assistance;

“8. *Requests* the Committee on Relations with the Host Country to submit to the General Assembly, at its thirty-second session, a report on the progress of its work and to make, if it deems it necessary, appropriate recommendations;

“9. *Decides* to include in the provisional agenda of its thirty-second session the item entitled ‘Report of the Committee on Relations with the Host Country’.”

7. Draft resolution A/C.6/31/L.21, sponsored by Argentina, Belgium, Denmark, Germany, Federal Republic of, Honduras, Ireland, Italy, Liberia, the Netherlands, and the United Kingdom of Great Britain and Northern Ireland, later joined by Botswana, Grenada, the Niger, Uruguay and Zaïre, read as follows:

“*The General Assembly,*

“*Having considered* the report of the Committee on Relations with the Host Country (A/31/26),

“*Drawing attention* to its resolutions 2747 (XXV) of 17 December 1970, 2819 (XXVI) of 15 December 1971, 3033 (XXVII) of 18 December 1972, 3107 (XXVIII) of 12 December 1973, 3320 (XXIX) of 14 December 1974 and 3498 (XXX) of 15 December 1975,

“*Recalling* the responsibilities of the Government of the host country with respect to the United Nations and the missions accredited to it, their personnel and their correspondence under the Agreement between the United

¹ General Assembly resolution 169 (II).

² General Assembly resolution 22 A (I).

³ United Nations, *Treaty Series*, vol. 500, no. 7310, p. 95.

⁴ United States Public Law 92-539 (sec A/8871/Rev.1).

Nations and the United States of America regarding the Headquarters of the United Nations,¹ the Convention on the Privileges and Immunities of the United Nations² and general international law.

"Noting with deep concern a number of serious acts of violence and other criminal acts committed against several missions to the United Nations, their personnel and property, including demonstrations and picketing accompanied by violence, threats, malicious harassment, attacks and insults against personnel of those missions,

"Considering that the problems related to the privileges and immunities of the United Nations and to the status of the missions accredited to it are of mutual concern to Member States, including the host country, as well as to the Secretary-General,

"Recalling the duty of missions accredited to the United Nations and their personnel to respect the laws and regulations of the host country, without prejudice to their privileges and immunities under international law,

"Noting the difficulties which diplomats continue to have in parking their vehicles,

"Noting reports of difficulties concerning financial responsibilities relating to certain missions and certain personnel attached to the missions,

"Noting the recommendations of the Committee on Relations with the Host Country contained in paragraph 65 of its report,

"1. Notes with satisfaction the assurances given by the competent authorities of the host country concerning the security of the missions accredited to the United Nations and the safety of their personnel;

"2. Recognizes the usefulness of the various measures taken by the host country to provide for the security of the missions and the safety of their personnel;

"3. Expresses its deep concern over the acts of violence and other criminal acts which have nevertheless been committed against several missions, their personnel and property;

"4. Expresses its deep sympathy to the missions and their personnel that have been the victims of such acts;

"5. Strongly condemns any acts of violence and other criminal acts against the premises of missions and their personnel as totally incompatible with the status of missions and their personnel under the norms of international law, especially those of the Vienna Convention on Diplomatic Relations of 1961;³

"6. Urges the host country to take all necessary measures in order to prevent any acts violating the security of missions and the safety of their personnel and the inviolability of their property, and in order to ensure normal conditions for the existence and functioning of all missions;

"7. Welcomes the fact that the authorities of the host country have apprehended and prosecuted various individuals for having committed certain criminal acts against several missions, their personnel and property;

"8. Urges the host country to continue its efforts to apprehend, bring to justice and punish all those responsible for committing criminal acts against missions;

"9. Calls upon the missions to co-operate as fully as possible with the federal and local authorities of the host country in cases affecting the security of the missions and their personnel;

"10. Emphasizes that, without prejudice to their privileges and immunities under international law, it is the duty of all members of the diplomatic community enjoying such privileges and immunities to respect the laws and regulations of the host country;

"11. Requests the host country to consider increasing the number of spaces set aside for diplomatic parking on the streets of New York, to take measures to ensure that diplomatic parking spaces are not occupied by unauthorized vehicles, and to consider terminating the practice of issuing summonses to diplomats with regard to the parking of their vehicles; and reiterates its request to all missions to endeavour to obtain off-street parking for diplomatic vehicles assigned to the missions;

"12. Suggests that the Secretariat of the United Nations and all others concerned work together to solve outstanding problems involving financial responsibilities of certain missions and individual persons attached to those missions;

"13. Expresses the hope that efforts will be continued and intensified with a view to implementing an information programme in order to acquaint the population of the City of New York and its boroughs with the privileges and immunities of the personnel of the missions accredited to the United Nations and with the importance of the international functions performed by them;

"14. Expresses its appreciation for the efforts of the host country, the New York City community and the New York City Commission for the United Nations and for the Consular Corps to accommodate the needs, interests and requirements of the diplomatic community and to provide hospitality and promote mutual understanding;

"15. Decides to continue the work of the Committee on Relations with the Host Country in 1977, in conformity with General Assembly resolution 2819 (XXVI), with the purpose of examining all matters falling within its terms of reference;

"16. Requests the Secretary-General to provide all necessary assistance to the Committee on Relations with the Host Country and to call its attention to issues of mutual concern relating to the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations and the Convention on the Privileges and Immunities of the United Nations;

"17. *Requests* the Committee on Relations with the Host Country to submit to the General Assembly, at its thirty-second session, a report on the progress of its work and to make, if it deems it necessary, appropriate recommendations;

"18. *Decides* to include in the provisional agenda of its thirty-second session the item entitled 'Report of the Committee on Relations with the Host Country'."

8. Draft resolution A/C.6/31/L.23, sponsored by Australia, Canada, Colombia, Costa Rica, the Dominican Republic and Spain, read as follows:

"The General Assembly,

"Having considered the report of the Committee on Relations with the Host Country (A/31/26),

"Drawing attention to its resolutions 2747 (XXV) of 17 December 1970, 2819 (XXVI) of 15 December 1971, 3033 (XXVII) of 18 December 1972, 3107 (XXVIII) of 12 December 1973, 3320 (XXIX) of 14 December 1974 and 3498 (XXX) of 15 December 1975, in which it urged the Government of the host Country to make certain that the measures taken to ensure the protection and security of permanent missions to the United Nations and their personnel were adequate to enable those missions to perform properly the functions entrusted to them by their Governments,

"Recalling the responsibilities of the Government of the host country with respect to the United Nations and the missions accredited to it, their personnel and their correspondence under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,¹ the Convention on the Privileges and Immunities of the United Nations² and general international law,

"Noting with deep concern the illegal acts of individuals or groups against the inviolability of various missions accredited to the United Nations involving the commission and the repetition of violent and other criminal acts, including in some cases the use of bombs or firearms, against their premises and the residences of their personnel and also the assaults, the uttering of threats and insults against such personnel, and picketing accompanied by violence,

"Expressing its deep sympathy with the missions and their personnel that have become the victims of such acts,

"Considering that the problems related to the privileges and immunities of the United Nations and to the status of the missions accredited to it are of mutual concern to Member States, including the host country, as well as to the Secretary-General,

"Recalling the duty of missions accredited to the United Nations and their personnel to respect the laws and regulations of the host country, without prejudice to their privileges and immunities under international law,

"Noting the recommendations of the Committee on Relations with the Host Country, contained in paragraph 65 of its report,

"Taking note of the report of the Committee on Relations with the Host Country,

"1. *Affirms* that the security of the missions accredited to the United Nations and the safety of their personnel are indispensable for their effective functioning, *notes* with satisfaction the assurances given by the highest authorities of the host country to ensure the security of missions and the safety of their personnel and *recognizes* the usefulness of the various measures taken to this end;

"2. *Condemns* terrorist and other criminal acts in relation to any mission, its personnel and property as being totally incompatible with the status of missions and their personnel under the norms of international law, especially those of the Vienna Convention on Diplomatic Relations of 1961;³

"3. *Urges* the host country to take all necessary measures without delay in order to prevent any acts violating the security of missions and the safety of their personnel or the inviolability of their property, and in order to ensure normal conditions for the existence and functioning of all missions;

"4. *Once again appeals* to the host country to take all necessary measures to apprehend, bring to justice and punish all those responsible for committing criminal acts against missions accredited to the United Nations as provided for in the 1972 Federal Act for the Protection of Foreign Officials and Official Guests of the United States;⁴

"5. *Urges* the host country to take effective measures to prohibit illegal activities of organizations that organize, instigate, encourage or engage in the perpetration of terrorist or other acts of violence against missions to the United Nations or their personnel;

"6. *Calls* on the missions of States Members of the United Nations, with a view to facilitating the course of justice, to co-operate as fully as possible with the Federal and local United States authorities in cases affecting the security of those missions and their personnel;

"7. *Expresses the hope* that efforts will be continued and intensified with a view to implementing an information programme in order to acquaint the population of the City of New York and its boroughs with the privileges and immunities of the personnel of the missions accredited to the United Nations and with the importance of the international functions performed by them;

"8. *Emphasizes* that, without prejudice to their privileges and immunities under international law, it is the duty of all members of the diplomatic community enjoying such privileges and immunities to respect the laws and regulations of the host country;

"9. *Renews its appeal* to the host country to consider terminating the practice, referred to in the report of the

Committee on Relations with the Host Country, of issuing summonses to diplomats with regard to the parking of their vehicles, as under international law members of missions are immune from the criminal jurisdiction of the host country;

"10. *Appeals* to the host country, in order to eliminate the difficulties experienced by diplomats in parking their vehicles, to consider increasing the number of spaces set aside for diplomatic parking in New York and to take measures to ensure that DPL parking spaces are not occupied by unauthorized vehicles;

"11. *Requests* all missions to endeavour to obtain off-street parking for diplomatic vehicles assigned to missions;

"12. *Notes* with satisfaction that in response to recommendations of the Committee there have been no instances of diplomatic vehicles being towed and *expresses the hope* that the New York authorities will continue to avoid towing such vehicles;

"13. *Suggests*, in connexion with difficulties concerning financial responsibilities relating to certain missions accredited to the United Nations and certain individual diplomats attached to those missions, that the Secretariat and all others concerned work together to solve these outstanding problems;

"14. *Expresses its appreciation* to the New York City Commission for the United Nations and the Consular Corps and those bodies which contribute to its efforts to help to accommodate the needs, interests and requirements of the diplomatic community, to provide hospitality and to promote mutual understanding between the diplomatic community and the people of the City of New York;

"15. *Decides* to continue the work of the Committee on Relations with the Host Country in 1977, in conformity with General Assembly resolution 2819 (XXVI), with the purpose of examining all matters falling within its terms of reference;

"16. *Requests* the Secretary-General to provide all necessary assistance to the Committee on Relations with the Host Country and to call its attention to issues of mutual concern relating to the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations and the Convention on the Privileges and Immunities of the United Nations;

"17. *Requests* the Committee on Relations with the Host Country to submit to the General Assembly, at its thirty-second session, a report on the progress of its work and to make, if it deems it necessary, appropriate recommendations;

"18. *Decides* to include in the provisional agenda of its thirty-second session the item entitled 'Report of the Committee on Relations with the Host Country'."

9. At the 70th meeting, on 10 December, the representative of Cyprus introduced draft resolution A/C.6/31/L.24. [*For the text, see para. 12 below.*] Subsequently the representatives of the Ukrainian Soviet Socialist Republic, the United Kingdom of Great Britain and Northern Ireland and Costa Rica each stated that the draft resolutions sponsored by their delegations (A/C.6/31/L.20, A/C.6/31/L.21 and A/C.6/31/L.23, respectively) would not be pressed to a vote.

10. At the same meeting, the Committee adopted draft resolution A/C.6/31/L.24 by consensus.

11. Following the adoption of the draft resolution, the representatives of the Union of Soviet Socialist Republics, Spain and the United States of America made statements.

Recommendation of the Sixth Committee

12. 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/31/26),

1. *Accepts* the recommendations of the Committee on Relations with the Host Country contained in paragraph 65 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 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-second session the item entitled "Report of the Committee on Relations with the Host Country".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 15 December 1976, the General Assembly adopted by consensus the draft resolution submitted by the Sixth Committee in its report (A/31/418, para. 12). For the final text, see resolution 31/101.⁵

⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 109 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|--|
| A/31/26 | Report of the Committee on Relations with the Host Country | <i>Official Records of the General Assembly, Thirty-first Session, Supplement No. 26</i> |
| A/31/471 | Letter dated 22 December 1976 from the Chargé d'affaires a.i. of the United Republic of Tanzania to the President of the General Assembly | Mimeographed |
| A/C.6/31/6 | Letter dated 21 October 1976 from the representative of the United States of America to the Secretary-General | Ditto |
| A/C.6/31/L.20 | Draft resolution | For the sponsors and the text, see A/31/418, para. 6 |
| A/C.6/31/L.21 | Draft resolution | <i>Idem</i> , para. 7 |
| A/C.6/31/L.23 | Draft resolution | <i>Idem</i> , para. 8 |
| A/C.6/31/L.24 | Draft resolution | <i>Idem</i> , paras. 9 and 12 |



**Agenda item 110: * Report of the Special Committee on the Charter of the United Nations
and on the Strengthening of the Role of the Organization****

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 41st to 50th meetings; *ibid.*, *Fifth Committee*, 36th meeting; and *ibid.*, *Plenary Meetings*, 81st meeting.

** Since 1972, the General Assembly has discussed the questions under the titles "Need to consider suggestions regarding the review of the Charter of the United Nations: report of the Secretary-General" and "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 international law in relations between States: reports of the Secretary-General" at the following sessions: twenty-seventh (agenda items 89 and 29, respectively), twenty-eighth (item 25), twenty-ninth (items 95 and 20, respectively) and thirtieth (items 113 and 29).

DOCUMENT A/31/347

Report of the Sixth Committee

*[Original: English]
[23 November 1976]*

1. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, established under General Assembly resolution 3499 (XXX) of 15 December 1975, met at United Nations Headquarters from 17 February to 12 March 1976 and adopted its report to the General Assembly (A/31/33).

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-first 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" and to allocate it to the Sixth Committee.

3. At the 41st meeting, on 11 November, 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.

4. The Sixth Committee considered the item at its 41st to 50th meetings, held between 11 and 22 November. The summary records of these meetings contain the views of representatives who spoke during the consideration of this item.

5. At the 41st meeting, the representative of the Philippines introduced a draft resolution (A/C.6/31/L.6) sponsored by Algeria, Australia, Bangladesh, Colombia, Egypt, El Salvador, Indonesia, Iraq, Italy, Japan, Jordan, Lesotho, Mexico, New Zealand, Nigeria, Panama, Paraguay, Peru, the Philippines, Romania, Sierra Leone, Somalia, Spain, Sri Lanka, Turkey, the United Republic of Tanzania, Venezuela, Yugoslavia, Zaire and Zambia, later joined by Barbados, Bolivia, Brazil, Burundi, the Central African Republic, Chad, China, the Congo, Germany, Federal Republic of, Ghana, Greece, India, Iran, Jamaica, Kenya, Liberia, the Libyan Arab Republic, Madagascar, Mali, Mozambique, Nepal, Nicaragua, the Niger, Senegal, the Sudan, the Syrian Arab Republic, Thailand, Togo, Tunisia, the United Republic of Cameroon, the Upper Volta, Uruguay and Yemen. *[For the text see para. 7 below.]*

6. At its 50th meeting, on 22 November, the Sixth Committee adopted the draft resolution by consensus. Statements in explanation of the draft resolution were made by the representatives of the Union of Soviet Socialist Republics, France, the Ukrainian Soviet Socialist Republic, the Byelorussian Soviet Socialist Republic and Poland. Statements were also made by the representatives of Romania, Mexico, Spain and Colombia.

Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution.

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 resolution 3499 (XXX) of 15 December 1975, by which the General Assembly established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization,

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/31/33),

Considering that the Special Committee has not 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 accordance with paragraphs 1 and 2 of General Assembly resolution 3499 (XXX);

3. *Invites* Governments to submit, or to bring up to date, their observations and proposals in accordance with General Assembly resolution 3499 (XXX);

4. *Requests* the Secretary-General to render all assistance to the Special Committee, including the preparation of summary records of its meetings;

5. *Requests* the Special Committee to submit a report on its work to the General Assembly at its thirty-second session;

6. *Decides* to include in the provisional agenda of its thirty-second 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 81st plenary meeting, on 29 November 1976, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/31/347, para. 7). For the final text, see resolution 31/28.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No.39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 110 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|---|
| A/31/33 | 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-first Session, Supplement No. 33</i> |
| A/31/51 and Add.1 | Report of the Secretary-General | Mimeographed |
| A/31/197 | Letter dated 1 September 1976 from the representative of Sri Lanka to the Secretary-General transmitting the documents adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries | Ditto |
| A/C.6/31/L.6 | Draft resolution | For the sponsors and the text, see A/31/347, paras. 5 and 7 |
| A/C.6/31/L.8 | Administrative and financial implications of the draft resolution contained in document A/C.6/31/L.6 <i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/347</i> | Mimeographed |
| A/C.5/31/56 | Note by the Secretary-General | Mimeographed |
| A/31/350 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 111:* Respect for human rights in armed conflicts: report of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 9th to 15th meetings; and *ibid.*, *Plenary Meetings*, 77th meeting.

** Since 1971, this question has been discussed by the General Assembly at the following sessions: twenty-sixth and twenty-seventh sessions (agenda item 49), twenty-eighth session (item 96), twenty-ninth session (items 92 and 12) and thirtieth session (items 114 and 70).

DOCUMENT A/31/295

Report of the Sixth Committee

*[Original: English]
[4 November 1976]*

Introduction

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-first session of the General Assembly pursuant to Assembly resolution 3500 (XXX) of 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 9th to 15th meetings, held between 4 and 12 October 1976. The summary records of these 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 relevant developments concerning human rights in armed conflicts (A/31/163 and Add.1) submitted pursuant to the request contained in paragraph 6 of General Assembly resolution 3500 (XXX). In accordance with this request, the main body of the report gave a detailed account of the proceedings and results of the third session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convened by the Swiss Federal Council and held

at Geneva from 21 April to 11 June 1976. In doing so, the Swiss Federal Council, depositary of the Geneva humanitarian conventions, continued the traditional role of Switzerland in the field of international humanitarian law.

5. The Diplomatic Conference was entrusted with the task of examining two draft Additional Protocols to the Geneva Conventions relative to the protection of war victims, of 12 August 1949,¹ namely, the draft Additional Protocol relating to the protection of victims of international armed conflicts (Protocol I) and the draft Additional Protocol relating to the protection of victims of non-international armed conflicts (Protocol II)² prepared by the International Committee of the Red Cross after thorough consultations with government experts as well as bearing in mind other developments, particularly in the United Nations General Assembly. The Diplomatic Conference considered likewise the question of the prohibition of restriction of the use of specific conventional weapons which may cause unnecessary suffering or have indiscriminate effects, in accordance with General Assembly resolutions 3076 (XXVIII) of 6 December 1973, 3255 (XXIX) of 9 December 1974 and 3500 (XXX) of 15 December 1975 and with resolution XIV adopted by the twenty-second International Conference of the Red Cross, as well

¹ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

² For the text of the draft Additional Protocols and related commentaries, see documents CDDH/1 and CDDH/3 of the Diplomatic Conference.

as the question of the protection of journalists engaged in dangerous missions in areas of armed conflict, in accordance with Assembly resolutions 3058 (XXVIII) of 2 November 1973 and 3245 (XXIX) of 29 November 1974.

6. The proceedings and results of the third session of the Diplomatic Conference were described in the report submitted by the Secretary-General, referred to in paragraph 4 above, as follows: Introduction (chap. I); Organization of the Diplomatic Conference (chap. II); Work of Committee I: provisions of general character (chap. III); Work of Committee II: wounded, sick and shipwrecked persons, information on victims of a conflict and remains of deceased, civil defence, role of the civilian population and of relief societies (chap. IV); Work of Committee III: civilian population, methods and means of combat, new category of prisoners of war, mercenaries, prohibition of perfidy (chap. V); Work of the *Ad Hoc* Committee on Conventional Weapons (chap. VI); Decisions taken by the Diplomatic Conference at the closing of its third session, including decisions regarding the place and date of the fourth session of the Conference (chap. VII). In preparing the report special attention was given to matters having or presenting a particular interest for the United Nations. Annex I to the report reproduced the text of articles of draft Protocols I and II adopted at the committee level during the third session of the Diplomatic Conference. Annex II reproduced the texts of the provisions in draft Protocols I and II not yet adopted by the Committees of the Diplomatic Conference and a list of proposals and amendments relating to those provisions submitted during the third session of the Conference.

7. An addendum to the report (A/31/163/Add.1) summarized information concerning activities of non-governmental bodies which have manifested their specific interest in various problems relating to respect for human rights in armed conflicts, received by the Secretary-General subsequent to the adoption of resolution 3500 (XXX), namely, information communicated by the International Institute of Humanitarian Law in San Remo.

8. At its 9th meeting, on 4 October, the Sixth Committee decided to invite the representative of Switzerland, the country which is convening and acting as host for the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, to participate in the debate of the Committee on item 111.

Proposals

9. Austria, Bangladesh, Canada, Cyprus, Denmark, Egypt, Finland, Ireland, Kenya, Mali, New Zealand, Nigeria, Norway, Pakistan, Sweden and Yugoslavia submitted a draft resolution (A/C.6/31/L.3), which was introduced by the representative of Kenya at the 10th meeting, on 5 October. The draft resolution read as follows:

[Same text as the draft resolution in paragraph 12 below, with the exception of operative paragraph 3, which read as follows:

“Urges all participants in the Diplomatic Conference to do their utmost to reach agreement on additional rules

which may help to alleviate the suffering brought about by armed conflicts and to respect and protect non-combatants and civilian objects in such conflicts, and to bring the Conference to a successful conclusion;”]

10. Subsequently, a revised version of the draft resolution (A/C.6/31/L.3/Rev.1) was submitted by the sponsors of the initial draft as well as Liberia, Madagascar, the Netherlands and Senegal, and later Australia. (For the text, see para. 12 below).

Decision of the Committee

11. At its 15th meeting, on 12 October, the Sixth Committee adopted the revised draft resolution (A/C.6/31/L.3/Rev.1) by consensus. At the same meeting, the representatives of the Union of Soviet Socialist Republics, France, the Ukrainian Soviet Socialist Republic, the German Democratic Republic and the Byelorussian Soviet Socialist Republic made statements in explanation of vote.

Recommendation of the Sixth Committee

12. 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,

Conscious that a better application of existing humanitarian rules relating to armed conflicts and the development of further rules remains an urgent task in order to reduce the suffering brought about by all such conflicts,

Recalling the successive resolutions adopted in the preceding years by the United Nations relating to human rights in armed conflicts and the debates on this subject,

Noting the report of the Secretary-General on the third session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held at Geneva from 21 April to 11 June 1976, and on the second session of the Conference of Government Experts on the Use of Certain Conventional Weapons convoked by the International Committee of the Red Cross at Lugano from 28 January to 26 February 1976,³

Welcoming the substantial progress made at the third session of the Diplomatic Conference and the work of the Conference of Government Experts,

Noting that the Diplomatic Conference will continue its consideration of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects, and its search for agreement, for humanitarian reasons, on possible rules prohibiting or restricting the use of such weapons,

1. *Calls upon* all parties to armed conflicts to acknowledge and to comply with their obligations under the humanitarian instruments and to observe the international

³ A/31/163 and Add.1; see also A/31/146.

humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907,⁴ the Geneva Protocol of 1925⁵ and the Geneva Conventions of 1949;⁶

2. *Calls* the attention of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, and of the Governments and organizations participating in it, to the need for measures to promote on a universal basis the dissemination of and instruction in the rules of international humanitarian law applicable in armed conflicts;

3. *Urges* all participants in the Diplomatic Conference to do their utmost to reach agreement on additional rules

⁴ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

⁵ League of Nations, *Treaty Series*, vol. XCIV, No. 2138, p. 65.

⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

which may help to alleviate the suffering brought about by armed conflicts and to respect and protect non-combatants and civilian objects in such conflicts, and to bring the Conference during its final session in 1977 to a successful conclusion;

4. *Expresses its appreciation* to the Swiss Federal Council for convoking the fourth session of the Diplomatic Conference from 17 March to 10 June 1977;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-second session on relevant developments concerning human rights in armed conflicts, in particular on the proceedings and results of the 1977 session of the Diplomatic Conference;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Respect for human rights in armed conflicts".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 77th plenary meeting, on 24 November 1976, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/31/295, para. 12). For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolution 31/19.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 111 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|--|
| A/31/163 and Add.1 | Third session of the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts: report of the Secretary-General | Mimeographed |
| A/C.6/31/L.3 | Draft resolution | For the sponsors and the text, see A/31/295, para. 9 |
| A/C.6/31/L.3/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 9, 10 and 12 |



**Agenda item 112: * Implementation by States of the provisions of the Vienna Convention
on Diplomatic Relations of 1961** : report of the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 65th, 66th and 68th meetings. *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum, and *ibid.*, *Plenary Meetings*, 97th meeting.

** This question was also discussed by the General Assembly at its twenty-ninth session (under agenda item 112) and at its thirtieth session (item 115).

DOCUMENT A/31/403

Report of the Sixth Committee

*[Original: English]
[10 December 1976]*

1. The item entitled "Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961. report of the Secretary-General" was included in the provisional agenda of the thirty-first session of the General Assembly pursuant to its resolution 3501 (XXX) of 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, the General Assembly 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 65th, 66th and 68th meetings, on 7, 8 and 9 December 1976. It had before it the report of the Secretary-General on the subject (A/31/145 and Add.1).

4. At the 65th meeting, the representative of the Union of Soviet Socialist Republics introduced a draft resolution (A/C.6/31/L.16) on behalf of Argentina, Bulgaria, Cuba, Cyprus, the German Democratic Republic, Hungary, Mali, Poland and the Union of Soviet Socialist Republics, later joined by Algeria, Burundi, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Egypt, India, Liberia, Panama and Somalia. The draft resolution read as follows:

"The General Assembly,

"Taking note of the report of the Secretary-General (A/31/145 and Add.1) on the implementation by States

of the provisions of the Vienna Convention on Diplomatic Relations of 1961,

"Noting that since the adoption by the General Assembly of its resolution 3501 (XXX) of 15 December 1975, the number of States parties to the Vienna Convention on Diplomatic Relations of 1961 has increased,

"Concerned at continuing instances of violations of the rules of diplomatic law relating, in particular, to the status of the diplomatic courier,

"Recognizing the advisability of studying the question of the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier in the light of the Vienna Convention on Diplomatic Relations of 1961,

"Considering it desirable that the General Assembly should periodically consider at its sessions the question of implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961,

"1. Urges States which have not yet done so to become parties to the Vienna Convention on Diplomatic Relations of 1961;

"2. Reaffirms the need for strict implementation by States of the provisions of the Vienna Convention on

Diplomatic Relations of 1961 in the interest of maintaining normal relations between them, strengthening international peace and security and developing international co-operation.

"3. *Invites* Member States to submit or to supplement their comments and observations on ways and means to ensure the implementation of the provisions of the Vienna Convention on Diplomatic Relations of 1961 and on the desirability of elaborating provisions concerning the status of the diplomatic courier in accordance with General Assembly resolution 3501 (XXX), paragraph 4, with due regard also to the question of the status of the diplomatic bag not accompanied by the diplomatic courier;

"4. *Requests* the International Law Commission at the appropriate time to study, in the light of the information contained in the report of the Secretary-General on the implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961 and other information on this question to be received from Member States through the Secretary-General, the proposals on the elaboration of a protocol concerning the status of the diplomatic courier and the diplomatic bag not accompanied by the diplomatic courier, which would constitute development and concretization of the Vienna Convention on Diplomatic Relations of 1961;

"5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session an analytical report on ways and means to ensure the implementation of the Vienna Convention on Diplomatic Relations of 1961 on the basis of comments and observations on this question received from Member States and also taking into account the results of the study by the International Law Commission of the proposals on the elaboration of the above-mentioned protocol;

"6. *Decides* to include in the provisional agenda of its thirty-third session an item entitled "Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961, report of the Secretary-General."

5. At the 68th meeting, the representative of the Union of Soviet Socialist Republics introduced a revised version of the draft resolution (A/C.6/31/L.16/Rev.1) on behalf of Algeria, Argentina, Bulgaria, Burundi, the Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Czechoslovakia, Egypt, the German Democratic Republic, Hungary, India, Liberia, Mali, Panama, Poland, Somalia, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Yugoslavia, later joined by Iran and Senegal. [For the text, see para. 9 below.]

At the same meeting, the Sixth Committee voted on the draft resolution A/C.6/31/L.16/Rev.1. The representative of the United States of America requested that a separate vote be taken on paragraph 4, which was taken on the draft resolution. The motion was rejected by 39 votes to 23, with 19 abstentions.

7. The Committee then adopted the draft resolution as a whole by 72 votes to 2, with 19 abstentions.¹

8. Statements in explanation of vote before the vote were made by the representatives of the United States of America and Kenya. Statements in explanation of vote after the vote were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, France, Finland, Sweden, Austria and Australia.

Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution.

Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961

The General Assembly,

Taking note of the report of the Secretary-General (A/31/145 and Add.1) on the implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961,²

Noting that since the adoption by the General Assembly of resolution 3501 (XXX) of 15 December 1975 the number of States parties to the Vienna Convention on Diplomatic Relations of 1961 has increased,

Concerned at continuing instances of violations of the rules of diplomatic law relating, in particular, to the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier,

Recognizing the advisability of studying the question of the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier in the light of the Vienna Convention on Diplomatic Relations of 1961,

Considering it desirable that the General Assembly should periodically consider at its sessions the question of implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961,

1. *Urges* States which have not yet done so to become parties to the Vienna Convention on Diplomatic Relations of 1961;

2. *Reaffirms* the need for strict implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961 in the interest of maintaining normal relations between them, strengthening international peace and security and developing international co-operation;

3. *Invites* Member States to submit or to supplement their comments and observations on ways and means to ensure the implementation of the provisions of the Vienna

¹ At the 69th meeting, the representative of Somalia stated that had he been present at the voting, he would have voted in favour of the draft resolution.

² United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

Convention on Diplomatic Relations of 1961 and on the desirability of elaborating provisions concerning the status of the diplomatic courier in accordance with paragraph 4 of General Assembly resolution 3501 (XXX), with due regard also to the question of the status of the diplomatic bag not accompanied by the diplomatic courier;

4. *Requests* the International Law Commission at the appropriate time to study, in the light of the information contained in the report of the Secretary-General on the implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961 and other information on this question to be received from Member States through the Secretary-General, the proposals on the elaboration of a protocol concerning the status of the diplomatic courier and the diplomatic bag not accompanied by the diplomatic courier, which would constitute develop-

ment and concretization of the Vienna Convention on Diplomatic Relations of 1961;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session an analytical report on ways and means to ensure the implementation of the Vienna Convention on Diplomatic Relations of 1961 on the basis of comments and observations on this question received from Member States and also taking into account the results, if available and ready, of the study by the International Law Commission of the proposals on the elaboration of the above-mentioned protocol;

6. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961: report of the Secretary-General".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 13 December 1976, the General Assembly, by a recorded vote of 92 to none, with 25 abstentions, adopted the draft resolution submitted by the Sixth Committee in its report (A/31/403, para. 9). For the final text, see resolution 31/76.³

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/31/145 and Add.1 | Report of the Secretary-General | Mimeographed |
| A/C.6/31/L.16 | Draft resolution | For the sponsors and the text, see A/31/403, para. 4 |
| A/C.6/31/L.16/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 5 and 9 |



Agenda item 113:* 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**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 61st to 65th, 69th and 70th meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum; *ibid.*, *Fifth Committee*, 50th meeting, and *ibid.*, *Plenary Meetings*, 99th meeting.

** This question was also discussed by the General Assembly at the following sessions: twenty-seventh (agenda item 92), twenty-eighth (item 94), twenty-ninth (item 91) and thirtieth (item 116).

DOCUMENT A/31/429

Report of the Sixth Committee

*[Original: English/
14 December 1976]*

1. The item entitled "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" was on the agenda of the twenty-eighth, twenty-ninth and thirtieth sessions of the General Assembly, but in each instance it was deferred to the following session as it could not be considered because of lack of time.

2. At its 4th plenary meeting, on 24 September 1976, 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, in connexion with the item, the report of the *Ad Hoc* Committee on International Terrorism on the session which it held in 1973 (A/9028).

4. The Sixth Committee considered the item at its 61st to 65th, 69th and 70th meetings, held from 2 to 10 December 1976.

5. The Sixth Committee had before it a draft resolution (A/C.6/31/L.22), sponsored by Algeria, Egypt, India, Indo-

nesia, the Libyan Arab Republic, Nigeria, Sri Lanka, Uganda, Yemen, Yugoslavia and Zaire, later joined by Benin, Burundi, Democratic Yemen, Equatorial Guinea, Lesotho, Mali, the Niger, the Sudan, Togo, the United Republic of Tanzania and Zambia, which read as follows:

[Same text as the draft resolution contained in paragraph 10 below, with the exception of operative paragraph 11, which read:

"11. Requests the Secretary-General to provide the Ad Hoc Committee with the necessary facilities and services;"]

6. At the 69th meeting, the representative of Zaire introduced the draft resolution and orally revised it by adding the words "including summary records" at the end of operative paragraph 11.

7. At its 70th meeting, the Director of the Budget Division orally informed the Sixth Committee of the financial implications of the draft resolution.

8. At the same meeting, the Sixth Committee adopted the draft resolution, as orally revised, by a roll-call vote of 86 votes to 8, with 24 abstentions. The voting was as follows:¹

¹ The representative of the Congo indicated that, if he had been present, he would have voted in favour of the draft resolution.

In favour: Afghanistan, Algeria, Bahrain, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Peru, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Surinam, Swaziland, 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, Yemen, Yugoslavia, Zaire, Zambia.

Against: Australia, Belgium, Canada, Israel, Japan, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Barbados, Bolivia, Central African Republic, Chile, Denmark, Fiji, Finland, France, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Italy, New Zealand, Nicaragua, Norway, Paraguay, Philippines, Portugal, Spain, Sweden, Turkey.

9. Statements in explanation of vote were made by the representatives of the United States of America, Nigeria, Uruguay, Bolivia, Italy, Canada, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, Sweden, Israel, Austria, the United Arab Emirates, Chile, Australia, Colombia, Nicaragua, Cuba, France and Japan.

Recommendation of the Sixth Committee

10. 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

Noting that the *Ad Hoc* Committee on International Terrorism, established under General Assembly resolution 3034 (XXVII) of 18 December 1972, has been obliged to suspend its work,

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 innocent 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. *Invites* States to become 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);

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;

² General Assembly resolution 2625 (XXV) annex.

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-second session;

11. *Requests* the Secretary-General to provide the *Ad Hoc* Committee with the necessary facilities and services, including summary records;

12. *Decides* to include the item in the provisional agenda of its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 15 December 1976, the General Assembly, by a vote of 100 to 9, with 27 abstentions, adopted the draft resolution submitted by the Sixth Committee in its report (A/31/429, para. 10). For the final text, see resolution 31/102.³

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 113 which are not reproduced in the present fascicle.

| <i>Document No</i> | <i>Title or description</i> | <i>Observations and references</i> |
|--------------------|--|--|
| A/9028 | Report of the <i>Ad Hoc</i> Committee on International Terrorism | <i>Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 28</i> |
| A/31/122-S/12123 | Letter dated 4 July 1976 from the representative of Israel to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976</i> |
| A/31/182-S/12186 | Letter dated 23 August 1976 from the representative of Israel to the Secretary-General | <i>Ibid.</i> |
| A/31/188-S/12191 | Letter dated 31 August 1976 from the representative of the Libyan Arab Republic to the Secretary-General | <i>Ibid.</i> |
| A/31/272 | Letter dated 18 October 1976 from the representative of Kuwait to the Secretary-General | Mimeographed |
| A/C.6/31/L.22 | Draft resolution | For the sponsors and the text, see A/31/429, paras. 5 and 10 |
| | <i>Administrative and financial implications of the draft resolution submitted by the Sixth Committee in document A/31/429</i> | |
| A/C.5/31/86 | Note by the Secretary-General | Mimeographed |
| A/31/440 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 92</i> |



Agenda item 114:* 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**

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee, 67th meeting; ibid., Sixth Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings, 97th meeting*.

** This question was also on the agenda of the General Assembly at the thirtieth session (agenda item 118).

DOCUMENT A/31/397

Report of the Sixth Committee

*[Original: English]
[10 December 1976]*

1. The item was included in the provisional agenda of the thirty-first session pursuant to a decision taken by the General Assembly at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 67th meeting, on 8 December 1976, the Sixth Committee agreed that, because of the lack of time, consideration of the item should be deferred until the thirty-second 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:

“(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”

should be included in the provisional agenda of its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 13 December 1976, the General Assembly adopted the recommendation of the Sixth Committee contained in paragraph 4 of its report (A/31/397) (see decision 31/408¹).

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.



Agenda item 115:* Consolidation and progressive evolution of the norms and principles of international economic development law**

DOCUMENT A/31/398

Report of the Sixth Committee

[Original: English]
[10 December 1976]

1. The item entitled "Consolidation and progressive evolution of the norms and principles of international economic development law" was included in the provisional agenda of the thirty-first session pursuant to a decision taken by the General Assembly at its 2441st plenary meeting, on 15 December 1975.

2. At its 4th plenary meeting, on 24 September 1976, 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 working paper (A/C.6/31/L.7) and a draft resolution (A/C.6/31/L.18), both of which had been submitted by the Philippines.

4. At its 67th meeting, on 8 December 1976, the Sixth Committee agreed that, because of the lack of time, consideration of the item should be deferred until the thirty-second 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-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 97th plenary meeting, on 13 December 1976, the General Assembly adopted the recommendation of the Sixth Committee contained in paragraph 5 of its report (A/31/398) (see decision 31/409¹).

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

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/31/172 | Note by the Secretary-General | Mimeographed |
| A/C.6/31/L.7 | Philippines: working paper | Ditto |
| A/C.6/31/L.18 | Philippines: draft resolution | Ditto |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee, 67th meeting: ibid., Sixth Committee, Sessional Fascicle*, corrigendum, and *ibid., Plenary Meetings, 97th meeting*.

** This item was also considered by the General Assembly at its thirtieth session under agenda item 12.



Agenda item 117: * One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 103rd and 104th meetings.

DOCUMENT A/31/142

**Dominican Republic: request for the inclusion of an item in
the provisional agenda of the thirty-first session**

*[Original: Spanish]
[20 July 1976]*

**Letter dated 16 July 1976 from the representative
of the Dominican Republic to the Secretary-General**

I have the honour, on behalf of the countries members of the Latin American Group, of which this Mission is Chairman for the month of July, and in accordance with rule 13 of the rules of procedure, to request the inclusion in the agenda of the thirty-first session of the General Assembly of an item entitled "One hundred and fiftieth anniversary of the Amphictyonic Congress of Panama".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is annexed to this request.

(Signed) Ana Esther de la MAZA
*Ambassador,
Alternate Permanent Representative
of the Dominican Republic to the United Nations
Chairman of the Latin American Group*

Explanatory memorandum

1. The idea of the Amphictyonic Congress of Panama, which met on 22 June 1826, was born of the universalist thinking of Simón Bolívar, the Liberator, and his vision of a united, strong America, unified not only in order to solve internal problems but also in order to confront dangers from external sources.

2. Simón Bolívar summoned all the Latin American countries to the Panama meeting, and at that meeting the Treaty of Union, League and Perpetual Confederation—one of the documents in which the international thinking of the Liberator is expressed—was signed.

3. Bolívar hoped for universal equilibrium and a federation of all peoples with its capital perhaps in Panama; "...in centuries to come there may be only one nation covering the universe: the federal nation ...".

4. In commemorating the one hundred and fiftieth anniversary of the Panama meeting, the Latin American Group wants to pay a tribute to Simón Bolívar, the Liberator, and to recall his universalist ideas, which are embodied by our world Organization—not only the very concept of a forum of this nature but the principles which he so frequently repeated and on which the purposes enunciated in the United Nations Charter are based: sovereign equality of States, peaceful settlement of disputes which endanger the maintenance of international peace and security, respect for the dignity and worth of the human person.

5. The Latin American Group will at a later date transmit the documents necessary for the consideration of the item and the relevant draft resolution.

DOCUMENT A/31/L.23/REV.2

Argentina, Bahamas, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Surinam, Trinidad and Tobago, Uruguay and Venezuela: revised draft resolution

[Original: Spanish]
[16 December 1976]

The General Assembly,

Having decided to hold a special commemorative plenary meeting to pay a tribute to Simón Bolívar, the Liberator, on the occasion of the one hundred and fiftieth anniversary of the Amphictyonic Congress of Panama, which met on 22 June 1826,

Considering that the main objective of that Congress was to constitute an assembly of confederated countries which should establish the legal foundations for the relations between the American Republics and all the nations of the world, and should serve as “a council during periods of great conflicts, to be appealed to in the event of common danger, and to be a faithful interpreter of public treaties when difficulties arise, in brief, to conciliate all our differences”,¹ concepts which form the basis of the international law of the American countries and are thus the direct predecessors of the Covenant of the League of Nations and the Charter of the United Nations,

Bearing in mind that Bolívar envisaged a Latin American region of free and brotherly countries united by common ideals, a dream which makes him the precursor of the integration of that region,

Recognizing that the Treaty of Perpetual Union, League and Confederation, signed in Panama on 15 July 1826, reflects a universalist spirit which is currently embodied by the United Nations, in that it reaffirms the sovereignty and independence of States and their intention “to secure to themselves from this time forward the enjoyment of unalterable peace, and to promote in this behalf better harmony and good understanding as well between the countries, citizens and subjects, respectively, as with the other Powers with which they should maintain or enter into friendly relations”,²

Recalling that Simón Bolívar referred on several occasions to the need for a possible opening of a canal in Panama, which “will shorten distances throughout the world, strengthen commercial ties”³ between the continents and

promote the exchange of projects “from the four corners of the globe”,³

1. *Pays a tribute* to Simón Bolívar, the Liberator, as a promoter of Latin American integration and as a builder of constructive plans for international organization on a continental and world-wide scale and, in this connexion, decides to place a commemorative plaque in the United Nations Headquarters building as a permanent tribute to his memory;

2. *Recognizes* that the Amphictyonic Congress of Panama represents the most outstanding and audacious unionist experiment at the international level in the nineteenth century, with oecumenical features which anticipate and coincide with the objectives of the United Nations system;

3. *Expresses the hope* that the ideals of Bolívar will inspire the establishment of a more just international order of respect for law, devoted to the maintenance of peace, the preservation of democratic principles, the promotion of economic and social progress, and the freedom of all peoples;

4. *Formulates the wish* for a successful outcome of the negotiations for the conclusion of a new treaty on the Panama Canal, which will eliminate the causes of conflict between the Republic of Panama and the United States of America, in accordance with the Declaration of Principles, signed by the parties concerned on 7 February 1974, where it is stated that the Panamanian territory of which the Panama Canal is a part shall be returned promptly to the jurisdiction of the Republic of Panama and that the Republic of Panama “will assumed total responsibility for the operation of the Canal upon the termination of the treaty”;⁴

5. *Requests* the Secretary-General to arrange for the circulation to all Member States of a document reproducing the instrument of convocation and the agreements of the Amphictyonic Congress of 1826, the original texts of which, currently kept in Rio de Janeiro, will be deposited in Panama by decision of the Government of Brazil, at an appropriate time, to be preserved in the monument to be erected in that country as part of the Bolívar commemoration.

¹ Simón Bolívar, Lima, 7 December 1824. For the text, see *Selected Writings of Bolívar*, vol. II, Vicente Lecuna, comp., Harold A. Bierck, Jr., ed. (New York, The Colonial Press Inc., 1951), p. 457.

² Article 2 of the Treaty of Perpetual Union, League and Confederation, Panama, 15 July 1826. For the text, see *International Conferences of American States, 1889-1928*, James Brown, ed. (New York Oxford University Press, 1931), p. xxv.

³ Simón Bolívar, “Reply of a South American to a gentleman of this Island [Jamaica]”, Kingston, 6 September 1815. For the text, see *Selected Writings of Bolívar*, vol. I, Vicente Lecuna, comp.,

Harold A. Bierck, Jr., ed. (New York, The Colonial Press Inc., 1951), p. 119.

⁴ Eight-point agreement signed in Panama City on 7 February 1974 by Mr. Juan Antonio Tack, Minister for External Relations of the Republic of Panama, and by Mr. Henry Kissinger, Secretary of State of the United States of America. For the text, see *United States Department of State Bulletin*, vol. LXV, No. 1809, 25 February 1974, pp. 184-195.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 103rd plenary meeting, on 17 December 1976, the General Assembly adopted draft resolution A/31/L.23/Rev.2. For the final text, see resolution 31/142.⁵

⁵ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of 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/31/L.23 | Argentina, Bahamas, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Surinam, Trinidad and Tobago, Uruguay and Venezuela: draft resolution | Replaced by A/31/L.23/Rev.1 |
| A/31/L.23/Rev.1 | Argentina, Bahamas, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Surinam, Trinidad and Tobago, Uruguay and Venezuela: revised draft resolution | Replaced by A/31/L.23/Rev.2 |



Agenda item 118: * Question of Cyprus**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Special Political Committee*, 16th meeting; and *ibid.*, *Plenary Meetings*, 57th and 61st to 65th meetings.

** This question was previously discussed by the General Assembly at the twenty-ninth session (agenda item 110) and at the thirtieth session (item 125).

DOCUMENT A/31/143 AND ADD.1

Cyprus: request for the inclusion of an item in the provisional agenda of the thirty-first session

DOCUMENT A/31/143

*Letter dated 20 July 1976 from the representative of
Cyprus to the Secretary-General*

*[Original: English]
[20 July 1976]*

Upon instructions from my Government, I have the honour to request the inclusion of the item "Question of Cyprus" in the agenda of the thirty-first session of the General Assembly.

The explanatory memorandum provided for in rule 20 of the rules of procedure of the General Assembly will be submitted as soon as possible.

*(Signed) Joseph J. STEPHANIDES
Chargé d'Affaires, a.i.
Permanent Mission of Cyprus
to the United Nations*

DOCUMENT A/31/143/ADD.1

*Letter dated 26 July 1976 from the representative of
Cyprus to the Secretary-General*

*[Original: English]
[27 July 1976]*

Further to my letter of 20 July 1976 (A/31/143), regarding the inclusion of the item "Question of Cyprus" in the agenda of the thirty-first session of the General

Assembly, I have the honour to attach hereto the relevant explanatory memorandum in accordance with rule 20 of the rules of procedure of the General Assembly.

*(Signed) Joseph J. STEPHANIDES
Chargé d'affaires a.i.
Permanent Mission of Cyprus
to the United Nations*

Explanatory memorandum

1. The question of Cyprus has been an item of both the twenty-ninth and thirtieth sessions of the General Assembly and the over-all situation at the time was described in the explanatory memoranda contained in documents A/9743¹ and A/10242² respectively.

2. Resolution 3212 (XXIX) of 1 November 1974 was unanimously adopted by the General Assembly, including the assenting vote of Turkey. On 20 November 1975, the General Assembly adopted resolution 3395 (XXX) by 117 votes in favour, 1 against (Turkey) and 9 abstentions.

3. On 13 December 1974, the Security Council by its resolution 365 (1974) endorsed General Assembly resolution 3212 (XXIX), thereby giving it mandatory effect. The Security Council further called upon the parties concerned to implement the said resolution as soon as possible, and requested the Secretary-General to report to the Security

¹ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 110.

² *Ibid.*, *Thirtieth Session, Annexes*, agenda item 125.

Council on the progress of the implementation. Further, on 13 December 1975, the Security Council by its resolution 383 (1975), noting that General Assembly resolution 3395 (XXX) of 20 November 1975 reaffirmed the urgent need for continued efforts for the effective implementation in all its parts of General Assembly resolution 3212 (XXIX) of 1 November 1974, which was endorsed by the Security Council in its resolution 365 (1974) of 13 December 1974, reaffirmed, *inter alia*, its resolutions 365 (1974) of 13 December 1974 and 367 (1975) of 12 March 1975, and called for their urgent and effective implementation. In addition, in resolution 391 (1976) adopted on 15 June 1976, the Security Council reaffirmed once again its resolution 365 (1974) of 13 December 1974 by which it had endorsed General Assembly resolution 3212 (XXIX) and called once again for their urgent and effective implementation and that of its resolution 367 (1975).

4. It may be recalled that General Assembly resolution 3212 (XXIX) provided, *inter alia*, for the following:

(a) The respect of the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus;

(b) The speedy withdrawal of all foreign troops from Cyprus;

(c) The return of all refugees to their homes under conditions of safety;

(d) The conduct of meaningful negotiations with the good offices of the Secretary-General of the United Nations with a view to reaching freely a mutually acceptable political settlement.

5. In resolution 3395 (XXX), as stated above, the General Assembly reaffirmed resolution 3212 (XXIX) and in paragraph 3 demanded the withdrawal without further delay of all foreign armed forces from the Republic of Cyprus and the cessation of all foreign interference in its affairs, whereas in paragraph 4 it called for the voluntary return of all refugees to their homes in safety and in paragraph 6 it urged all parties to refrain from unilateral actions in contravention of its resolution 3212 (XXIX), including changes in the demographic structure of Cyprus.

6. Despite the repeated calls by the United Nations for the implementation of its resolutions on Cyprus, Turkey arbitrarily refuses to comply with their provisions, completely ignoring even resolution 3212 (XXIX) which she herself voted for. The non-implementation of the United Nations resolutions is the gist of the problem.

7. The picture Cyprus now presents continues to be grim and its component elements remain the 200,000 refugees; the thousands of parents and relatives of those killed in cold blood and of those missing and unaccounted for; the international crime of the invasion, the continuing occupation of nearly 40 per cent of the territory of Cyprus and the illegal presence in Cyprus of 40,000 Turkish troops, with the untold misery which they cause to the Cypriot people, Greek and Turkish alike. These in broad lines constitute the continuing drama of the Cypriot people to whom pain, suffering and agony have sadly become a way

of life. Beyond these, certain ominous developments and actions by Turkey have further aggravated the situation.

8. These developments and actions are, on the one hand, the stalemate in the intercommunal talks, as a result of the deliberately negative and dilatory attitude of the Turkish side and, on the other, the systematic creation of faits accomplis by Turkey which, in the pursuit of her partitionist and annexationist plans, is expelling from the area of the Republic under Turkish military occupation the remaining indigenous Greek Cypriot population and colonizes this area by massive importation of tens of thousands of mainland Turks, in sheer violation of the above-mentioned United Nations resolutions, of the 1949 Geneva Conventions and of every norm of international humanitarian law.

9. In accordance with the above resolutions, the Greek Cypriot side participated in five rounds of negotiations, guided by its desire to build the future of Cyprus on sound foundations which will ensure for the people of Cyprus, Greek and Turkish Cypriots alike, lasting peace, progress and development, and submitted concrete proposals for the solution of the Cyprus problem. Objective observers acknowledge that these proposals are reasonable and constructive. They provide for an independent, sovereign, territorially integral and non-aligned Cyprus, the exclusion of *enosis* or partition under a federal structure of state. They also provide that the Turkish Cypriot community, which represents 18 per cent of the island's population (and owns 13.8 per cent of the land) will be accorded the administration of 20 per cent of the territory of the Republic.

10. While the Turkish side pays lip service in support of the intercommunal talks, its continuing aggressive actions against Cyprus and its over-all record in the intercommunal negotiations clearly indicate its intent to render them devoid of any substance and meaning. Turkey is using the talks to neutralize any other initiative which could contribute to a just solution of the problem. In their efforts to prolong and consolidate their military stranglehold over the occupied northern part of Cyprus, Ankara and the Turkish Cypriot leadership are constantly evading their commitment to submit concrete proposals on all aspects of the Cyprus problem and particularly on the territorial issue.

11. The Cyprus Government views the negotiations as the best available means for a peaceful, just and viable solution and approaches the talks in a positive manner and in a spirit of goodwill. For the talks, however, to be meaningful and constructive as provided by the relevant United Nations resolutions, they should be conducted in good faith and on the basis of the specific commitments undertaken in Vienna last February.

12. At the fifth round of the intercommunal talks held at Vienna in February 1976, it was agreed that the two sides should exchange within a fixed time-limit concrete proposals on all aspects of the Cyprus problem. The Greek Cypriot side considered this development as encouraging and, faithful to its undertaking, submitted within the prescribed period concrete and constructive proposals on all aspects of the Cyprus problem namely, territory, federation and the powers and functions of the central government (*vide* para. 9 above).

13. The Turkish Cypriot leadership, however, acting under Ankara's direction, refused under various pretexts to adhere to its commitment and failed to submit concrete proposals on the territorial aspect, recalcitrantly still refusing to do so.

14. At the third round of the intercommunal talks held in Vienna in August 1975, a humanitarian agreement had been reached according to which the Turkish Cypriots who remained in the government controlled areas would be allowed to move to the north and the Greek Cypriots who remained in the areas of the Republic occupied by the Turkish army would be free to stay there and be given every facility to lead a normal life. Not a single paragraph of this agreement has been respected or implemented by the Turkish side. Ankara, having secured all the provisions of the agreement which were in her favour, has thrown on the wayside and violated the rest of them. Not only has Turkey refused to allow the Greek Cypriots to lead a normal life but on the contrary she has been expelling them daily from the occupied area through methods of intimidation, oppression and brute force.

15. Coupled with the forcible expulsion of the indigenous Greek Cypriot inhabitants of the occupied north is the anachronistic and repugnant international crime of the systematic colonization of the invaded Cypriot territory, through the massive transfer of mainland Turks and their settlement in the ancestral homes and lands of those expelled, with the all-too-obvious aim of altering the demographic character of Cyprus. This abhorrent practice

removes the prospect and narrows the margin of optimism for a peaceful settlement of the Cyprus problem.

16. By the expulsions and colonization and other faits accomplis, Ankara is attempting to complete its plans for the partition of Cyprus and for the *de facto* annexation at an opportune moment of the occupied area. In an effort to avert pressures from the international community for the return of the refugees to their homes and for a just settlement of the territorial aspect of the Cyprus problem, Turkey terms these faits accomplis as "new realities" and asks the world community to accept them as such.

17. In addition, Turkey has been even threatening the complete occupation of the island. Notably, the Turkish Cypriot leaders have in various speeches referred to the areas of the Republic not under Turkish military occupation as the "unliberated Turkish areas" and the Turkish Prime Minister declared on 8 May 1976 that "Turkey can occupy the whole of the island at any time".

18. In the circumstances described above there is definitely no alternative course to solution than the implementation of General Assembly resolutions 3212 (XXIX) and 3395 (XXX). It is, therefore, once again incumbent upon the General Assembly to take appropriate steps to this end, and forcefully to support action by the Security Council for the effective and long overdue implementation of the aforesaid resolutions in accordance with the relevant provisions of the Charter.

DOCUMENT A/31/322

Report of the Special Political Committee

[Original: English]
[9 November 1976]

1. In letters dated 20 and 26 July 1976 (A/31/143 and Add.1), the Chargé d'affaires *ad interim* of the Permanent Mission of Cyprus to the United Nations requested the inclusion in the agenda of the thirty-first session of the General Assembly of the item entitled "Question of Cyprus".

2. At its 4th plenary meeting, on 24 September, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and to consider it directly in plenary meetings on the understanding that it would, when considering the item, invite the Special Political Committee to meet for the purpose of affording representatives of the Cypriot communities an opportunity to take the floor in the Committee in order to express their views, and that the Assembly would then resume its consideration of the item, taking into account the report of the Special Political Committee.

3. At its 57th plenary meeting, on 8 November, the General Assembly decided to invite the Special Political

Committee to meet on 9 November for the purpose of hearing the views of the representatives of the Cypriot communities. The Assembly also decided that verbatim records should be kept of those meetings of the Committee. Furthermore, the Assembly decided that it would resume its consideration of the item on 10 November (see A/SPC/31/5).

4. In accordance with the above-mentioned decision of the General Assembly, the Special Political Committee held a meeting on 9 November, in the course of which it heard a statement by Mr. Tassos Papadopoulos, representative of the Greek Cypriot community. The text of this statement is reproduced in the verbatim record of the meeting (A/SPC/31/PV.16).

5. At the same meeting, the Committee, bearing in mind the decision of the General Assembly to resume consideration of the item on 10 November, decided to submit a report immediately to the Assembly in accordance with the decision mentioned in paragraph 2 above.

DOCUMENT A/31/L.17 AND ADD.1*

Algeria, Ghana, Guyana, India, Mali, Sri Lanka, Swaziland and Yugoslavia: draft resolution

[Original: English]
[11 November 1976]*The General Assembly,**Having considered* the question of Cyprus,*Deeply concerned* over the prolongation of the Cyprus crisis, which endangers international peace and security,*Reiterating* its full support for the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus, and calling once again for the cessation of all foreign interference in its affairs,*Deeply regretting* that the United Nations resolutions on Cyprus have not yet been implemented,*Mindful* of the need to solve the problem of Cyprus without further delay by peaceful means in accordance with the purposes and principles of the Charter of the United Nations,

* Document A/31/L.17/Add.1 of 12 November 1976 was issued to add Ghana, Sri Lanka and Swaziland to the list of sponsors of the draft resolution.

1. *Reaffirms* its resolutions 3212 (XXIX) of 1 November 1974 and 3395 (XXX) of 20 November 1975;2. *Demands* the urgent implementation of the above-mentioned resolutions;3. *Calls upon* all parties concerned to co-operate fully with the Secretary-General in this regard;4. *Requests* the Secretary-General to continue to provide his good offices for the negotiations between the representatives of the two communities;5. *Expresses the hope* that the Security Council will consider appropriate steps for the implementation of its resolution 365 (1974) of 13 December 1974;6. *Requests* the Secretary-General to follow up the implementation of the present resolution and report thereon to the General Assembly at its thirty-second session;7. *Decides* to include the item entitled "Question of Cyprus" in the provisional agenda of its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 61st plenary meeting, on 10 November 1976, the General Assembly took note of the report of the Special Political Committee (A/31/322) (see decision 31/403³).

At its 65th plenary meeting, on 12 November 1976, the General Assembly, by a recorded vote of 94 to 1, with 27 abstentions, adopted draft resolution A/31/L.17 and Add.1. For the final text, see resolution 31/12.³

³ *Ibid.*, *Thirty-first Session, Supplement No. 39.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of 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/31/261 | Letter dated 11 October 1976 from the representative of Turkey to the Secretary-General | Mimeographed |
| A/31/265-S/12209 | Letter dated 12 October 1976 from the representative of Turkey to the Secretary-General | See <i>Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976</i> |
| A/31/267 | Letter dated 14 October 1976 from the representative of Turkey to the Secretary-General | Mimeographed |
| A/31/289 | Letter dated 26 October 1976 from the representative of Turkey to the President of the General Assembly | Ditto |

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|------------------------------------|
| A/31/290 | Letter dated 27 October 1976 from the President of the General Assembly to the representative of Turkey | Ditto |
| A/31/296 | Letter dated 28 October 1976 from the representative of Turkey to the President of the General Assembly | Ditto |
| A/31/297 | Letter dated 29 October 1976 from the President of the General Assembly to the representative of Turkey | Ditto |
| A/31/298 | Letter dated 1 November 1976 from the representative of Cyprus to the Secretary-General | Ditto |
| A/31/309 | Letter dated 4 November 1976 from the representative of Cyprus to the Secretary-General | Ditto |
| A/31/318 | Letter dated 4 November 1976 from the representative of Cyprus to the Secretary-General | Ditto |
| A/31/327 | Letter dated 10 November 1976 from the representative of Cyprus to the Secretary-General | Ditto |
| A/SPC/31/5 | Letter dated 8 November 1976 from the President of the General Assembly to the Chairman of the Special Political Committee | Ditto |



Agenda item 119: * Observer status for the Commonwealth Secretariat at the United Nations

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| Action taken by the General Assembly | | 2 |

* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 33rd meeting.

DOCUMENT A/31/191

Papua New Guinea: request for the inclusion of a supplementary item in the agenda of the thirty-first session

*[Original: English]
[13 August 1976]*

On behalf of the group of Commonwealth countries in the United Nations, and in accordance with instructions from our respective Governments, I have the honour, as Chairman of the group for the month of August, to request, pursuant to rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the thirty-first session of the General Assembly of an item entitled "Observer status for the Commonwealth Secretariat at the United Nations".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum concerning this request is enclosed.

*(Signed) Paulias MATANE
Permanent Representative of Papua New Guinea
to the United Nations*

ANNEX

Explanatory memorandum

1. Faithful to the purposes that inspired its creation, the United Nations since its inception has sought to maintain international peace and security, to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to achieve international co-operation in the economic, social, cultural and other fields. The Commonwealth Secretariat, which was established in 1965 as a visible symbol of the spirit of co-operation which animates member countries of the Commonwealth, is dedicated to these same goals

and objectives and to the service of the international community in furthering them. In the Declaration of Commonwealth Principles, adopted at their meeting in Singapore on 22 January 1971, Commonwealth Heads of Government solemnly declared that international peace and order are essential to the security and prosperity of mankind and that they therefore support the United Nations and seek to strengthen its influence for peace in the world and its efforts to remove the causes of tension between nations.

2. The membership of the Commonwealth consists of the following 36 nations: Australia, Bahamas, Bangladesh, Barbados, Botswana, Canada, Cyprus, Fiji, Gambia, Ghana, Grenada, Guyana, India, Jamaica, Kenya, Lesotho, Malawi, Malaysia, Malta, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, Seychelles, Sierra Leone, Singapore, Sri Lanka, Swaziland, Tonga, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Western Samoa and Zambia.

3. As the central co-ordinating body for Commonwealth inter-relationship, the Secretariat is a major agency for multilateral communication between Commonwealth Governments. It promotes wide-ranging consultations between Commonwealth Governments, organizes meetings and conferences of Heads of Government, of ministers and of government officials from Commonwealth countries, and puts into effect decisions for collective action and, in particular, for programmes of multilateral co-operation among its members.

4. The Secretariat's activities cover international affairs, both political and economic, information, food production and rural development, applied studies in government, education, legal, medical and scientific matters. It also administers the Commonwealth Youth Programme and the Commonwealth Fund for Technical Co-operation, the technical assistance arm of the Secretariat.

5. Since the time of its establishment, the Secretariat has been guided by the mandate enshrined in its Agreed Memorandum "to keep in touch with the various United Nations agencies whose work in Commonwealth countries will on occasion be of direct concern to it". The implementation of this mandate has steadily expanded as over the years the work of the Secretariat has developed into fields where contacts with other international agencies have been found both useful and necessary. Thus the Secretariat, during the first decade of its existence, established and maintained contacts through a variety of formal and semi-formal liaison arrangements with the following specialized agencies of the United Nations system: FAO, UNESCO, WHO, IMF, IBRD, IMCO, GATT. On a variety of occasions the Commonwealth Secretariat has sought and was granted observer status at specialized United Nations conferences.

6. Major international issues relevant to the work of the United Nations in the political, economic, social and humanitarian fields constitute a prominent part of the work of the Commonwealth Secretariat. Racism and colonialism in southern Africa and elsewhere, international sanctions against Rhodesia, and specific problems such as the Cyprus situation, the Middle East, the Indian Ocean

and the establishment of the new international economic order, are some of the important issues under continuing consideration by the Secretariat. In all these matters the Secretariat seeks to function in furtherance of United Nations objectives and in the service of United Nations decisions.

7. Member countries of the Commonwealth believe that closer working relationships between the Commonwealth Secretariat and the United Nations will advance and strengthen the endeavours of both organizations in all areas of common activities. Consequently, Commonwealth Governments have decided to seek observer status for the Commonwealth Secretariat at the General Assembly of the United Nations and, for this purpose, to request the inclusion in the agenda of the thirty-first session of the General Assembly of a supplementary item entitled "Observer status for the Commonwealth Secretariat at the United Nations".

8. The States members of the Commonwealth trust that their desire to make more effective the co-operation between the Commonwealth Secretariat and the United Nations will be welcomed by the United Nations membership.

DOCUMENT A/31/L.2 AND ADD.1*

Australia, Bahamas, Bangladesh, Barbados, Botswana, Canada, Cyprus, Fiji, Gambia, Ghana, Grenada, Guyana, India, Jamaica, Kenya, Lesotho, Malawi, Malaysia, Malta, Mauritius, New Zealand, Nigeria, Papua New Guinea, Seychelles, Sierra Leone, Singapore, Sri Lanka, Swaziland, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and Zambia: draft resolution

*[Original: English]
[11 October 1976]*

The General Assembly,

Noting the desire of the States members of the Commonwealth for co-operation between the United Nations and the Commonwealth Secretariat,

1. *Decides* to invite the Commonwealth Secretariat to participate in the sessions and the work of the General Assembly and of its subsidiary organs in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

* Document A/31/L.2/Add.1 of 12 October 1976 was issued to add Seychelles to the list of sponsors of the draft resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 33rd plenary meeting, on 18 October 1976, the General Assembly adopted draft resolution A/31/L.2 and Add.1. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolution 31/3.



**Agenda item 120: * Co-operation and assistance in the application and improvement
of mass communications for social progress and development**

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Third Committee, 77th meeting; ibid., Third Committee, Sessional Fascicle*, corrigendum; and *ibid., Plenary Meetings*, 102nd meeting.

DOCUMENT A/31/193

**Indonesia, Malaysia, Philippines, Singapore and Thailand: request for the inclusion of a supplementary
item in the agenda of the thirty-first session**

*[Original: English]
[20 August 1976]*

**Letter dated 19 August 1976 from the representatives of
Indonesia, Malaysia, the Philippines, Singapore and
Thailand to the Secretary-General**

We have the honour to request, under rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the thirty-first session of an item entitled "Co-operation and assistance in the application and improvement of mass communications for social progress and development".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum and a draft resolution are attached.

(Signed) August MARPAUNG
*Deputy Permanent Representative of Indonesia
to the United Nations*
Anthony YEO
*Deputy Permanent Representative of Malaysia
to the United Nations*
Narciso G. REYES
*Permanent Representative of the Philippines
to the United Nations*
T. T. B. KOH
*Permanent Representative of Singapore
to the United Nations*
Pracha GUNA-KASSEM
*Permanent Representative of Thailand
to the United Nations*

ANNEX I

Explanatory memorandum

1. The processes of social and economic development require mass participation. Mass participation implies three things. First, it implies that the members of a society possess adequate knowledge about the development plans, policies and priorities of their Government. Second, it implies motivation on the part of the population towards the development goals. Third, it implies appropriate actions on the part of the population so that the development goals may be achieved.

2. The means provided by mass communication systems constitute useful, perhaps even essential, instruments which would help to achieve the desired goals in social progress and economic development. These goals cannot be achieved without the medium to convey the message. Mass communications can provide the media through which the requisite knowledge and ideas are transmitted to the people. Such knowledge and ideas will create greater awareness and stimulate a desire on the part of the people to improve their social and economic conditions. The media provided by mass communications can also serve as channels for dialogue between the people and their Government. Therefore, mass communications are a vital factor in the promotion and integration of economic and social development.

3. The developed countries possess advanced technology in mass communications. For the most part, the developing countries do not possess such advanced technology. In a world of growing interdependence among nations and in the establishment of a new international economic order initiated at the seventh special session of the General Assembly, the sponsors recognize that there should be a proper balance between the developing and the developed countries through the sharing and transfer of technology and knowledge in the field of mass communications, as well as in other areas. The field of mass communications is one area where

developed countries can give more effective assistance to developing countries in the latter's efforts to accelerate their development. The United Nations is the ideal forum to facilitate such co-operation between the developed and the developing countries, as well as among the developing countries themselves. With all these considerations in mind, the sponsors suggest that the General Assembly place on the agenda the item: "Co-operation and assistance in the application and improvement of mass communications for social progress and development".

4. The present proposal is to request the Secretary-General, with the assistance of Member States, the specialized agencies and interested non-governmental organizations, to prepare a study on co-operation and assistance in the application and improvement of mass communications for social progress and development. The sponsors of the proposal would also like to request the Secretary-General to include in his study a consideration of the feasibility of establishing a new programme, within the existing United Nations system, which would include the following:

(a) Grants of fellowships to persons from the developing countries to pursue in advanced countries studies and training in the field of mass communications;

(b) Advice to be given to developing countries by experts to assist in the development of their mass communications systems;

(c) Provision of funds for establishing and improving mass communications systems in developing countries and for the support of other international projects in this field;

(d) Promotion of cultural and scientific exchanges through the sharing of ideas, techniques and experiences;

(e) Conducting of research studies on the effects of mass communications on society;

(f) Co-ordination of activities within the United Nations system in the field of mass communications, taking into account the work being done in this field by non-United Nations bodies.

ANNEX II

Draft resolution

The General Assembly,

Recalling its resolutions 3140 (XXVIII) of 14 December 1973 and 3275 (XXIX) of 10 December 1974 and convinced that the

development of national communications systems will play an important role in the promotion of opportunities for the peoples of the developing nations to participate fully in national development and in the promotion of international co-operation, including the efforts to achieve the goals of the International Development Strategy for the Second United Nations Development Decade,

Further recalling its resolution 3148 (XXVIII) of 14 December 1973 and convinced that the improvement of mass communications systems will greatly help preserve and enhance the cultural values of a country and will be one of the most efficient methods for transmitting scientific and technological knowledge and the cultural values of a country,

Desirous that the benefits of co-operation and assistance in the application and improvement of mass communications for social progress and development be considered with a view to disseminating those benefits to all countries regardless of their stages of economic and social development,

Emphasizing that co-operation and assistance from the developed countries in the communications field can contribute towards decreasing the gap in the economic and social development of nations,

Acknowledging the important contributions made by the specialized agencies of the United Nations to developing countries in the field of mass communications,

Convinced that consideration of this new item will pave the way for improved international co-operation in the field of mass communications,

1. *Requests* the Secretary-General, with the assistance of Member States, the specialized agencies and interested non-governmental organizations having consultative status with the Economic and Social Council, to prepare a study on "Co-operation and assistance in the application and improvement of mass communications for social progress and development", which would include a suggestion of priorities and a summary of the work already done in this field, and to submit the study to the General Assembly at its thirty-second session;

2. *Further requests* the Secretary-General to include in the provisional agenda of the thirty-second session of the General Assembly the item entitled "Co-operation and assistance in the application and improvement of mass communications for social progress and development".

DOCUMENT A/31/434

Report of the Third Committee

*[Original: English]
[15 December 1976]*

1. The item entitled "Co-operation and assistance in the application and improvement of mass communications for social progress and development" was included in the draft agenda of the thirty-first session on the basis of a request contained in a letter dated 19 August 1976 from the representatives of Indonesia, Malaysia, the Philippines, Singapore and Thailand to the Secretary-General (A/31/193).

2. At its 4th plenary meeting, on 24 September 1976, 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 77th meeting, on 10 December 1976. The views expressed by the

representatives of Member States and of the specialized agencies are contained in the summary record of that meeting.

4. At that meeting, the representative of Indonesia introduced a revised draft resolution entitled "Co-operation and assistance in the application and improvement of mass communications for social progress and development" (A/C.3/31/L.46/Rev.1), sponsored by Indonesia, Malaysia, the Philippines, Singapore and Thailand. The text of the revised draft resolution read as follows:

"The General Assembly,

"Recalling its resolution 1778 (XVII) of 7 December 1962 and convinced that the development of national

communications systems will play an important role in the promotion of opportunities for the peoples of the developing nations to participate fully in national development and in the promotion of international co-operation, including the efforts to achieve the goals of the International Development Strategy for the Second United Nations Development Decade and the establishment of a new international economic order,

“Further recalling its resolution 3148 (XXVIII) of 14 December 1973 and convinced that the improvement of mass communications systems will greatly help preserve and enhance the cultural values of a country and will be one of the most efficient methods for transmitting scientific and technological knowledge and the cultural values of a country,

“Desirous that the benefits of co-operation and assistance in the application and improvement of mass communications for social progress and development be considered with a view to disseminating those benefits to all countries regardless of their stages of economic and social development,

“Acknowledging the important contributions made and the significant roles being played by the specialized agencies of the United Nations, by intergovernmental organizations, regional economic and social commissions, non-governmental organizations, and regional communication media training and research institutions in assisting developing countries in the field of mass communications,

“Noting with appreciation the decisions taken by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its nineteenth session in the field of communication,

“Convinced that consideration of co-operation and assistance in the application and improvement of mass communications for social progress and development will pave the way for improved international co-operation in the field of mass communications,

“1. *Invites* the Governments of the developing countries to give due regard to the strengthening of their communication system within the framework of their over-all development plans;

“2. *Requests* the United Nations Educational, Scientific and Cultural Organization to continue and intensify its programme for the development of communication systems;

“3. *Requests* the Director-General of the United Nations Educational, Scientific and Cultural Organization in co-operation with the United Nations, the specialized agencies concerned and other interested organizations, to report to the General Assembly at its thirty-third session on progress achieved in the development of communication systems, which report will be used as a basis for discussion at that session of the General Assembly;

“4. *Decides* to include in the provisional agenda of the thirty-third session of the General Assembly the item entitled “Co-operation and assistance in the application

and improvement of mass communications for social progress and development” and to consider this item at that session as a matter of priority.”

5. At the same meeting, during an exchange of views the representatives of Morocco, Nigeria and Jamaica brought forward a number of suggestions for changes in the text. The representative of Indonesia, on behalf of the sponsors, revised the draft as follows:

(a) The title of the draft resolution and of the item, in operative paragraph 4, were revised to read: “Co-operation and assistance in the application and improvement of national information and mass communication systems for social progress and development”;

(b) In the first preambular paragraph, the words “development of national communications systems” were replaced by “establishment and/or development of national information and mass communication systems”;

(c) In the second and third preambular paragraphs, the words “improvement of mass communications system” were replaced by “establishment and/or improvement of national information and mass communication systems”;

(d) In the fifth preambular paragraph, the word “relevant” was inserted before “decisions” and the word “communication” was replaced by the words “mass communications”;

(e) In the sixth preambular paragraph the words “co-operation and assistance in the application and improvement of mass communications” were replaced by “ways and means of achieving the application and improvement of national information and mass communication systems”;

(f) In operative paragraph 1, the words “strengthening of their communication system” were replaced by “establishment and/or strengthening of their national mass communication systems”;

(g) In operative paragraph 2, the words “communication systems” were replaced by “mass communication systems, especially for the benefit of developing countries”;

(h) In operative paragraph 3, the word “mass” was added before “communication”.

6. At the same meeting, the Committee adopted draft resolution A/C.3/31/L.46/Rev.1, as orally revised, without a vote. [For the text, see para. 7 below.]

Recommendation of the Third Committee

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

Co-operation and assistance in the application and improvement of national information and mass communication systems for social progress and development

The General Assembly,

Recalling its resolution 1778 (XVII) of 7 December 1962 and convinced that the establishment and/or development of national information and mass communication systems will play an important role in the promotion of opportunities for the peoples of the developing nations to participate fully in national development and in the promotion of international co-operation, including the efforts to achieve the goals of the International Development Strategy for the Second United Nations Development Decade and the establishment of the new international economic order,

Further recalling its resolution 3148 (XXVIII) of 14 December 1973 and convinced that the establishment and/or improvement of national information and mass communication systems will greatly help preserve and enhance the cultural values of a country and will be one of the most efficient methods for transmitting scientific and technological knowledge and the cultural values of a country,

Desirous that the benefits of co-operation and assistance in the application and the establishment and/or improvement of national information and mass communication systems for social progress and development be considered with a view to disseminating those benefits to all countries regardless of their stages of economic and social development,

Acknowledging the important contributions made and the significant roles being played by the specialized agencies, intergovernmental organizations, regional economic and social commissions, non-governmental organizations and regional communication media training and research institutions in assisting developing countries in the field of mass communications,

Noting with appreciation the relevant decisions taken by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its nineteenth session in the field of mass communications,

Convinced that consideration of ways and means of achieving the application and improvement of national information and mass communication systems for social progress and development will pave the way for improved international co-operation in the field of mass communications,

1. *Invites* the Governments of the developing countries to give due regard to the establishment and/or strengthening of their national mass communication systems within the framework of their over-all development plans;

2. *Requests* the United Nations Educational, Scientific and Cultural Organization to continue and intensify its programme for the development of mass communication systems, especially for the benefit of developing countries;

3. *Requests* the Director-General of the United Nations Educational, Scientific and Cultural Organization, in co-operation with the United Nations, the specialized agencies concerned and other interested organizations, to report to the General Assembly at its thirty-third session on progress achieved in the development of mass communication systems, which report will be used as a basis for discussion at that session of the Assembly;

4. *Decides* to include in the provisional agenda of its thirty-third session the item entitled "Co-operation and assistance in the application and improvement of national information and mass communication systems for social progress and development" and to consider it at that session as a matter of priority.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 102nd plenary meeting, on 16 December 1976, the General Assembly adopted the draft resolution submitted by the Third Committee in its report (A/31/434, para. 7). For the final text, see resolution 31/139.¹

¹ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 120 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|-----------------------------|--|
| A/C.3/31/L.46 | Draft resolution | Replaced by A/C.3/31/L.46/Rev.1 |
| A/C.3/31/L.46/Rev.1 | Revised draft resolution | For the sponsors and the text, see A/31/434, para. 4 |



Agenda item 121:* Situation arising out of unilateral withdrawal of Ganges waters at Farakka

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* For the discussion of the item, see *Official Records of the General Assembly, Thirty-first Session, Special Political Committee*, 20th, 21st and 27th meetings, and *ibid.*, *Special Political Committee, Sessional Fascicle*, corrigendum; and *ibid.*, *Plenary Meetings*, 80th meeting.

DOCUMENTS A/31/195 AND ADD.1 AND 2

Bangladesh: request for the inclusion of a supplementary item in the agenda of the thirty-first session

DOCUMENT A/31/195

**Letter dated 21 August 1976 from the representative
of Bangladesh to the Secretary-General**

*[Original: English]
[23 August 1976]*

Upon instructions from the Government of the People's Republic of Bangladesh I have the honour to request, under rule 14 of the rules of procedure, the inclusion in the agenda of the thirty-first session of the General Assembly of a supplementary item entitled "Question of unilateral diversion of waters of the international river Ganges, in contravention of all international laws and regulations and traditional usages and in violation of solemn pledges on the use of such waters".

An explanatory memorandum in accordance with rule 20 of the rules of procedure will be submitted soon.

*(Signed) Khwaja Mohammed KAISER
Permanent Representative of Bangladesh
to the United Nations*

DOCUMENT A/31/195/ADD.1

**Letter dated 26 August 1976 from the representative
of Bangladesh to the Secretary-General**

*[Original: English]
[26 August 1976]*

Further to my letter of 21 August 1976 (A/31/195) regarding the inclusion of a supplementary item in the agenda of the thirty-first session of the General Assembly, I

have the honour to transmit herewith the explanatory memorandum in accordance with rule 20 of the rules of procedure.

*(Signed) Khwaja Mohammed KAISER
Permanent Representative of Bangladesh
to the United Nations*

ANNEX

Explanatory memorandum

1. The rivers of Bangladesh constitute a major resource for the country. The economic well-being and, indeed, the very survival of the people of Bangladesh are inextricably linked with the life-giving waters of its rivers.

2. The river Ganges in particular serves about 37 per cent (20,000 square miles) of the total area and one third of the population of Bangladesh, some 25 million people.

3. Bangladesh today is faced with a problem of crisis proportions. This has resulted from the construction, and actual operation from June 1975, by India of a barrage across the river Ganges at Farakka, 11 miles (17 kilometres) up-stream from its border with Bangladesh, diverting the flow of the river Ganges to the extent of three fourths of its dry season flow, into the river Hooghly in India. The ostensible purpose of this diversion of waters is to flush out deposits of silt in the river Hooghly to improve the navigability of the port of Calcutta.

4. The adverse consequences of the Indian withdrawals of Ganges water at Farakka on Bangladesh, the lower riparian, have been immediate. The impact has been devastating and will worsen with time.

5. Most of the water available to Bangladesh through surface water in the rivers and precipitation within its territory is concentrated in the monsoon period from June to October. The flows in the rivers are significantly low during the other months, when rainfall is also scarce. There is, therefore, the problem of floods during the monsoon period and scarcity of water during the

remaining long dry period. Water supplies are particularly needed during this dry period from November to May for agriculture, domestic and industrial purposes, for maintaining river depths, for sustaining fishery and forestry and for keeping in check inland penetration of sea water from the Bay of Bengal. Major use of this water is needed for agriculture, which supports 80 per cent of the population. The overriding development priority is to maximize the production of food crops during this dry period by extending perennial irrigation facilities. Given Bangladesh's high density of population and current level of food production, insufficient to sustain even the very low *per capita* consumption of 14 ounces per day, the importance of these water supplies cannot be over-emphasized. With adequate water, the cropped area in this region could be more than doubled and, with proper irrigation facilities, diversification and rotation, the entire agricultural economy transformed to meet the needs of the people.

6. India's unilateral diversion of the Ganges waters has not only blocked this vital potential; it has had unprecedented ecological and economic consequences on Bangladesh with a built-in multiplier effect. In the dry season of 1976 the level and discharge of the Ganges River waters fell below the minimum ever observed and recorded during the dry season. Huge shoals have formed in the river, thereby increasing flood hazards in the monsoon. Irrigation facilities, particularly by pumps and shallow and even deep tube-wells, have been hampered and pumps rendered inoperative. Some 400,000 acres of agricultural land have been affected owing to lack of water and soil moisture deficiency. Rice production fell by some 236,000 tons. River navigation was disrupted. Fishery, forestry and livestock resources have been severely depleted. The level of salinity has increased, particularly in the distributory rivers south-west of Bangladesh, seriously jeopardizing power and agricultural production. Shortage of potable water was acute in many districts. The drastic reduction in the dry-season flow of the Ganges in Bangladesh and consequent increased coastal saline water encroachment has affected the whole environment and ecology of the region.

7. The adverse effects of the Farakka project on Bangladesh were anticipated as early as 1951, when India's plan to divert Ganges water was reported in the newspapers. A series of protracted negotiations at the official level between the two countries and an exchange of voluminous technical data followed with little result. In the meantime, India started construction of the barrage in 1961 and completed it in 1975.

8. The Government of Bangladesh took up the matter with the Government of India at the technical, official and ministerial levels. The Government of India at various times gave the solemn assurance that, before the Farakka Barrage was operated, a mutually satisfactory solution of the problem would be arrived at.

9. In April 1975, the Indian Government pointed out that, while discussions regarding allocation of water were continuing, it was essential to run the feeder canal of the Farakka Barrage during the remaining lean period of the year. In good faith and in a spirit of goodwill, Bangladesh agreed under an interim agreement dated 18 April 1975 to the request of the Government of India to test-run the Farakka feeder canal for the specified period from 21 April to 31 May 1975 with discharges varying from 11,000 to 16,000 cusecs. In this agreement, there was no provision for any withdrawal beyond 31 May 1975. However, India continued to operate the feeder canal even after this date to its full capacity of 40,000 cusecs without any consultation with or the concurrence of Bangladesh.

10. In spite of explicit agreements and ignoring repeated requests to settle the matter, India has continued unilaterally to withdraw a large volume of water from the river Ganges.

11. Bangladesh has made all possible efforts to solve the dispute with India in a spirit of friendship and good-neighbourly relations. Bilateral negotiations have spread over a quarter century. Voluminous correspondence has been exchanged. Numerous meetings at all levels have taken place, but the demand for more data and further studies by India continues to proliferate, adding to the burden of those already existing, and no agreed solution appears in sight.

12. Despite 25 years of discussion, the barrage became a fait accompli. It was commissioned. Notwithstanding all the meetings, all the studies, all the explicit undertakings and expressed good intentions, the waters continue to be withdrawn to the grave detriment of the welfare of the people of Bangladesh.

13. Bangladesh has brought the issue of the Ganges water dispute to the attention of the General Assembly in consonance with Article 14 of the Charter of the United Nations. Such a situation directly threatens the economic sovereignty of Bangladesh. It has adversely affected friendly relations between India and Bangladesh and has a direct bearing on the economic welfare of millions of people in Bangladesh. Failure to resolve this issue expeditiously and satisfactorily carries with it the potential threat of conflict affecting peace and security in the area and the region as a whole.

DOCUMENT A/31/195/ADD.2

Letter dated 8 September 1976 from the representative of Bangladesh to the Secretary-General

*[Original: English]
[8 September 1976]*

I have the honour to refer to my letter dated 21 August 1976 (A/31/195) concerning the inclusion in the agenda of the thirty-first session of the General Assembly of a supplementary item entitled "Question of unilateral diversion of waters of the international river Ganges, in contravention of all international laws and regulations and traditional usages and in violation of solemn pledges on the use of such waters" and to request, on instructions from my Government, that the title of the proposed item should read as follows: "Situation arising out of unilateral withdrawal of Ganges waters at Farakka".

I should appreciate it if this letter could be circulated as an official document of the General Assembly.

*(Signed) Khwaja Mohammed KAISER
Permanent Representative of Bangladesh
to the United Nations*

DOCUMENT A/31/359

Report of the Special Political Committee

*[Original: English]
[26 November 1976]*

1. In letters dated 21 and 26 August and 8 September 1976 (A/31/195 and Add.1 and 2), the representative of Bangladesh requested the inclusion of a supplementary item

entitled "Situation arising out of unilateral withdrawal of Ganges waters at Farakka" in the agenda of the thirty-first session.

2. At its 4th plenary meeting, on 24 September 1976, 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 Special Political Committee considered the item at its 20th, 21st and 27th meetings, on 15, 16 and 24 November 1976.

4. At its 20th meeting, the Special Political Committee heard a statement by the representative of Bangladesh, who introduced a draft resolution (A/SPC/31/L.8) which read as follows:

"The General Assembly,

"Having considered item 121 of its agenda,

"Mindful of its responsibilities under Article 14 of the Charter of the United Nations,

"Bearing in mind that a dispute has arisen between Bangladesh and India over the diversion of waters of the international river Ganges upstream of Bangladesh through the construction and operation, since 1975, of the Farakka Barrage in India,

"Recognizing the urgency of the situation particularly with the onset of another dry season starting in November,

"Desirous of preventing the situation created by the dispute from impairing friendly relations between the two countries,

"1. Calls upon the parties concerned in the interest of peace and prosperity of the region to arrive at an immediate resolution of the dispute arising from the diversion of the Ganges river waters;

"2. Recognizes that an immediate resolution of the dispute is an essential prerequisite for a future permanent settlement;

"3. Recommends that, in the meantime, no unilateral action be taken that would adversely affect the historical and traditional usages of the Ganges river waters;

"4. Requests the Secretary-General to assist the parties concerned in the immediate resolution of the dispute and in reaching a fair and expeditious settlement, using also, as appropriate, such assistance as may be available through the relevant elements of the United Nations system;

"5. Requests the Secretary-General to follow up the implementation of the present resolution and report thereon to the General Assembly at its thirty-second session;

"6. Decides to include the item entitled "Situation arising out of the unilateral withdrawal of the Ganges water at Farakka" in the provisional agenda of its thirty-second session."

At its 21st meeting, the Committee heard a statement by the representative of India.

5. At its 27th meeting, the Committee approved the consensus statement (A/SPC/31/7) which had been read by the Chairman (see para. 6 below). The Chairman also announced the withdrawal by Bangladesh of its draft resolution.

Recommendation of the Special Political Committee

6. The Special Political Committee recommends to the General Assembly the adoption of the following draft consensus to be read by the President of the Assembly:

1. The parties affirmed their adherence to the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations¹ and stressed, in this regard, their unalterable commitment to strengthen their bilateral relations by applying these Principles in the settlement of disputes.

2. The parties recognized the urgency of the situation, particularly with the onset of another dry season.

3. Both parties agreed that the situation called for an urgent solution and, to that end, have decided to meet urgently at Dacca at the ministerial level for negotiations with a view to arriving at a fair and expeditious settlement.

4. The parties asserted that the prime objective of such intensified contact was to promote the well-being of their peoples and agreed to facilitate the establishment of an atmosphere conducive to the successful outcome of the negotiations.

5. The parties undertook to give due consideration to the most appropriate ways of utilizing the capacity of the United Nations system.

6. It is open to either party to report to the General Assembly at its thirty-second session on the progress achieved in the settlement of the problem.

¹ General Assembly resolution 2625 (XXV), annex.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 80th plenary meeting, on 26 November 1976, the General Assembly adopted the recommendation submitted by the Special Political Committee in its report (A/31/359, para. 6) (see decision 31/404²).

² See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list contains the documents pertaining to agenda item 121 that are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|------------------------------------|
| A/SPC/31/7 | Consensus statement approved by the Special Political Committee at its 27th meeting on 24 November 1976 | See A/31/359, para. 6 |
| A/SPC/31/L.8 | Bangladesh: draft resolution | <i>Ibid.</i> , para. 4 |



Agenda item 122: * Question of the Comorian island of Mayotte

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first session, Plenary Meetings*, 33rd to 39th meetings.

DOCUMENT A/31/241

Madagascar: request for the inclusion of an additional item in the agenda of the thirty-first session

*[Original: French]
[31 August 1976]*

LETTER DATED 30 AUGUST 1976 FROM THE REPRESENTATIVE OF MADAGASCAR TO THE SECRETARY-GENERAL

On behalf of the group of African States and in conformity with resolution CM/Res.497 (XXVII) adopted at the thirteenth ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity held in Mauritius, I have the honour to request, under rule 15 of the rules of procedure, the inclusion in the agenda of the thirty-first session of the General Assembly, of an additional item entitled "Question of the Comorian Island of Mayotte".

In accordance with rule 20 of the rules of procedure, an explanatory memorandum is attached.

(Signed) Henri RASOLONDRAIBE
Chargé d'affaires, a.i. of Madagascar
President of the African group

Explanatory memorandum

1. During their twenty-seventh and thirteenth sessions respectively, held in Mauritius from 24 June to 6 July

1976, the Council of Ministers and the Assembly of Heads of State and Government of the Organization of African Unity (OAU) studied the situation of the Comoro islands. Particular attention was paid to the situation of the island of Mayotte.

2. The Heads of State and Government, supporting in that connexion the recommendations of the Council of Ministers, felt *inter alia* that the so-called referendums imposed on the inhabitants of the Comorian island of Mayotte constituted aggression against the whole of the Comorian people and a violation of the territorial integrity of the Comoro islands, and that the continued occupation of the Comorian island of Mayotte by France constituted a flagrant violation of the principles and relevant resolutions of the OAU, which uphold, in particular, the inalterable character of the borders inherited from the colonial administration.

3. Faced with this aggression and taking into account this violation of the principles of the OAU with serious implications for the peace and security of this region, the Heads of State and Government felt that this matter should be the object of serious study by the General Assembly of the United Nations at its thirty-first session.

DOCUMENT A/31/L.3/REV.1 AND ADD.1*

Algeria, Benin, Burundi, Chad, Comoros, Congo, Democratic Kampuchea, Egypt, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zaire and Zambia: revised draft resolution

[Original: French]
[20 October 1976]

The General Assembly,

Recalling that the people of the Republic of the Comoros as a whole, in the referendum of 22 December 1974, expressed by an overwhelming majority its will to accede to independence in conditions of national unity and territorial integrity,

Considering that the referendums imposed on the inhabitants of the Comorian island of Mayotte constitute a violation of the sovereignty of the Comorian State and of its territorial integrity,

Considering that the occupation by France of the Comorian island of Mayotte constitutes a flagrant encroachment on the national unity of the Comorian State, a Member of the United Nations,

Considering that such an attitude on the part of France constitutes a violation of the principles of the relevant resolutions of the United Nations, in particular of General Assembly resolution 1514 (XV) of 14 December 1960 concerning the granting of independence to colonial countries and peoples, which guarantees the national unity and territorial integrity of such countries:

1. *Condemns* and considers null and void the referendums of 8 February and 11 April 1976 organized in the

Comorian island of Mayotte by the Government of France, and rejects:

(a) Any other form of referendum or consultation which may hereafter be organized on Comorian territory in Mayotte by France;

(b) Any foreign legislation purporting to legalize any French colonial presence on Comorian territory in Mayotte;

2. *Strongly condemns* the presence of France in Mayotte, which constitutes a violation of the national unity, territorial integrity and sovereignty of the independent Republic of the Comoros;

3. *Calls upon* the Government of France to withdraw immediately from the Comorian island of Mayotte, an integral part of the independent Republic of the Comoros, and to respect its sovereignty;

4. *Invites* all Member States to render effective assistance, individually and collectively, to the Comorian State and to co-operate with it in all fields with a view to enabling it to defend and safeguard its independence, the integrity of its territory and its national sovereignty;

5. *Appeals* to all Member States to intervene, individually and collectively, with the Government of France to persuade it to abandon once and for all its plan to detach the Comorian island of Mayotte from the Republic of the Comoros;

6. *Calls upon* the Government of France to enter into negotiations immediately with the Comorian Government concerning the implementation of the present resolution.

* Document A/31/L.3/Rev.1/Add.1 of 21 October 1976 was issued to add Liberia and Mozambique to the list of sponsors of the draft resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 39th plenary meeting, on 21 October 1976, the General Assembly adopted, by 102 votes to 1, with 28 abstentions, draft resolution A/31/L.3/Rev.1 and Add.1. For the final text, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*, resolution 31/4.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of 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/31/L.3 and Corr.1 | Algeria, Benin, Botswana, Burundi, Chad, Comoros, Congo, Democratic Kampuchea, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Sudan, Swaziland, Togo, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zaire and Zambia: draft resolution | See <i>Official Records of the General Assembly, Thirty-first Session, Plenary Meetings</i> , 36th meeting, para. 40. Replaced by A/31/L.3/Rev.1 and Add.1 |



Agenda item 123:* Drafting of an international convention against the taking of hostages

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, Sixth Committee*, 55th to 60th and 69th and 70th meetings; *ibid.*, *Sixth Committee, Sessional Fascicle*, corrigendum, *ibid.*, *Fifth Committee*, 50th meeting; and *ibid.*, *Plenary Meetings*, 99th meeting.

DOCUMENT A/31/242

**Federal Republic of Germany: request for the inclusion of an additional item in the agenda
of the thirty-first session of the General Assembly**

*[Original: English]
[28 September 1976]*

*Letter dated 28 September 1976 from the Vice-Chancellor
and Minister for Foreign Affairs of the Federal Republic
of Germany to the Secretary-General*

On behalf of the Government of the Federal Republic of Germany, I have the honour to request the inclusion in the agenda of the thirty-first session of the General Assembly, as an important and urgent matter, of a separate item entitled "Drafting of an international convention against the taking of hostages".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached.

*(Signed) Hans-Dietrich GENSCHER
Vice-Chancellor and Minister for Foreign Affairs
of the Federal Republic of Germany*

EXPLANATORY MEMORANDUM

1. In recent years the number of cases in which persons were taken hostage, deprived of their personal liberty and threatened with death with a view to impelling others to do certain acts against their will has assumed frightening proportions all over the world. Such acts mostly affect more than one State and nationals of several States simultaneously. In almost all cases in which hostages are taken, not only the hostages but also their relatives and

friends are subject to great suffering. In many cases the incident ends with the deliberate killing of the hostages. It is in the nature of such acts that they may at any time set off an uncontrollable chain of events, threatening not only the lives of those directly involved but the security of many other people as well and frequently also endangering international peace and transnational relations.

2. Several times hostages have been taken with the aim of forcing the Government of the Federal Republic of Germany to act in a way not consistent with its independent sovereignty. For example, on 24 April 1975 the personnel of the Federal Republic of Germany's Embassy in Stockholm was taken hostage by six criminals with the aim of obtaining the release of 26 persons who were serving prison sentences. Two of the hostages lost their lives during the incident.

3. It is common knowledge that the problem is not limited to the Federal Republic of Germany. As can be seen from many incidents in the past, nobody is immune from being taken hostage. Each individual, each group and even each State Member of the United Nations may suddenly become the target of blackmail through the seizure of hostages.

4. Under the new dimensions of these acts, the evil of hostage taking can affect equally women, children, members of Governments, businessmen and delegations to international conferences.

5. The dignity and the fundamental rights of every individual are among the basic values upheld by the United Nations. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights proclaim everyone's right to life, liberty and security of person. The Government of the Federal Republic of Germany trusts that, in compliance with these principles, States recognize that certain acts are too abhorrent and inhuman to be undertaken by anyone and that the taking of innocent hostages for whatever purpose constitutes an act which is absolutely intolerable and incompatible with universally accepted standards of human conduct.

6. International concern over the exceptionally reprehensible nature of acts involving the taking of hostages has already found specific expression in the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in General Assembly resolution 2645 (XXV) of 25 November 1970, condemning aerial hijacking or interference with civil air travel.

7. The increasing number of cases in which hostages are taken is proof that the family of nations is confronted here with a problem of international dimensions and of the utmost importance and urgency. This phenomenon can no longer be accepted by the States Members of the United Nations without reaction; the international community owes it to its own self-respect to fight this evil. Therefore, the General Assembly at its present session should consider effective international co-ordinated measures to put an end to these most dangerous practices.

8. Desiring to promote the solution of this problem, the Government of the Federal Republic of Germany intends to propose to the General Assembly the drafting and adoption, as a matter of priority, of a convention on international action against the taking of hostages and to invite States to become parties to such a convention.

9. Considering the legal importance of such a convention, the Government of the Federal Republic of Germany suggests that the proposed item be referred to the Sixth Committee.

DOCUMENT A/31/430

Report of the Sixth Committee

[Original: English]
[14 December 1976]

1. By a letter dated 28 September 1976, the Federal Republic of Germany requested the inclusion in the agenda of the thirty-first session of the General Assembly of an additional item entitled "Drafting of an international convention against the taking of hostages".

2. At its 16th plenary meeting, on 4 October 1976, the General Assembly 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 55th to 60th and 69th and 70th meetings, between 26 November and 10 December 1976.

4. At the 55th meeting, the representative of the Federal Republic of Germany introduced a draft resolution (A/C.6/31/L.10) on behalf of Austria, the Central African Republic, Colombia, Costa Rica, Denmark, Ecuador, Germany, Federal Republic of, Iran, Italy, Liberia, Luxembourg, Nepal, the Netherlands, Surinam, Sweden, Turkey and Venezuela, later joined by Barbados, Belgium, Bolivia, Canada, Chile, El Salvador, France, Greece, Grenada, Ireland, Japan, Nicaragua, Norway, the Philippines, Portugal, Singapore, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The draft resolution read as follows:

"The General Assembly,

"Considering that the progressive development of international law and its codification contribute to the implementation of the purposes and principles set forth in Articles 1 and 2 of the Charter of the United Nations,

"Considering that, in accordance with the principles proclaimed in the Charter, freedom, justice and peace in the world are founded on the recognition of the inherent dignity and the equal and inalienable rights of all members of the human family,

"Having regard to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights which provide that everyone has the right to life, liberty and security,

"Recognizing that the taking of hostages constitutes an act which must be denounced as absolutely intolerable and incompatible with universally accepted standards of human conduct,

"Gravely concerned at the increase in such acts which endanger or take human lives and violate human dignity,

"Recalling the prohibition of the taking of hostages in articles 3 and 34 of the Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War, the Tokyo Convention of 1963 on Offences and Certain Other Acts Committed on Board Aircraft and the Hague Convention of 1970 for the Suppression of Unlawful Seizure of Aircraft, as well as General Assembly resolution 2645 (XXV) of 25 November 1970 condemning aerial hijacking or interference with civil air travel,

"Recognizing the urgent need for further effective measures to put an end to all acts involving the taking of hostages,

"*Mindful* of the need to conclude, under the auspices of the United Nations, an international convention against the taking of hostages,

"1. *Decides* to establish an *Ad Hoc* Committee on the Drafting of an International Convention against the Taking of Hostages, composed of thirty-five Member States;

"2. *Requests* the President of the General Assembly, after consultations with the Chairmen of the regional groups, to appoint the members of the Committee on the basis of equitable geographical distribution and representing the principal legal systems of the world;

"3. *Requests* the Committee to draft at the earliest possible date an international convention against the taking of hostages on the basis that the taking of hostages should be condemned, prohibited and punished and that persons who perpetrate such acts should be prosecuted or extradited for the purpose of prosecution;

"4. *Authorizes* the Committee, 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-first session of the General Assembly;

"5. *Requests* the Secretary-General to afford the Committee any assistance and provide it with all facilities it may require for the performance of its work, to prepare for the use of the Committee a study containing all pertinent information regarding possible measures against the taking of hostages, as well as to assure that summary records on the Committee's meetings will be drawn up and submitted;

"6. *Requests* the Committee to submit its report and to make every effort to submit a draft convention to the General Assembly in good time for consideration at its thirty-second session, and requests the Secretary-General to communicate the report to the Member States;

"7. *Decides* to include the item entitled 'Drafting of an international convention against the taking of hostages' in the provisional agenda of its thirty-second session."

5. At the 58th meeting, the representative of the Libyan Arab Republic introduced amendments (A/C.6/31/L.11) to the draft resolution. The amendments were as follows:

"(a) Insert the word 'innocent' before the word 'hostages' in the fourth, seventh and eighth paragraphs of the preamble and in operative paragraphs 1, 5 and 7;

"(b) Replace operative paragraph 3 with the following:

"'3. *Requests* the Committee to draft at the earliest possible date an international convention against the taking of innocent hostages.'"

6. At the 69th meeting, the representative of the Federal Republic of Germany introduced a revised version (A/C.6/31/L.10/Rev.1) of the draft resolution on behalf of Austria,

Barbados, Belgium, Bolivia, Canada, the Central African Republic, Chile, Colombia, Costa Rica, Denmark, Ecuador, El Salvador, France, Germany, Federal Republic of, Greece, Grenada, Iran, Ireland, Italy, Japan, Liberia, Luxembourg, Nepal, the Netherlands, Nicaragua, Norway, the Philippines, Portugal, Singapore, Surinam, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, later joined by Australia, Finland and Senegal. [*For the text, see para. 11 below.*]

7. At the same meeting, the representative of the Libyan Arab Republic indicated that he would not press his amendments (A/C.6/31/L.11) to a vote.

8. The Sixth Committee had before it a note by the Secretary-General on the financial implications of the draft resolution (A/C.6/31/L.12).

9. At its 70th meeting, the Sixth Committee adopted draft resolution A/C.6/31/L.10/Rev.1 by consensus.

10. Statements in explanation of vote were made by the representatives of the Union of Soviet Socialist Republics, Iraq, the Byelorussian Soviet Socialist Republic, Mongolia, Democratic Yemen, Jamaica, Egypt, the Ivory Coast, Madagascar and Somalia.

Recommendation of the Sixth Committee

11. The Sixth Committee recommends to the General Assembly for adoption the following draft resolution.

Drafting of an international convention against the taking of hostages

The General Assembly,

Considering that the progressive development of international law and its codification contribute to the implementation of the purposes and principles set forth in Articles 1 and 2 of the Charter of the United Nations,

Considering that, in accordance with the principles proclaimed in the Charter, freedom, justice and peace in the world are inseparable from the recognition of the inherent dignity and the equal and inalienable rights of all members of the human family,

Having regard to the Universal Declaration of Human Rights¹ and the International Covenant on Civil and Political Rights² which provide that everyone has the right to life, liberty and security,

Recognizing that the taking of hostages is an act which endangers innocent human lives and violates human dignity,

Gravely concerned at the increase of such acts,

Recalling the prohibition of the taking of hostages in articles 3 and 34 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August

¹ General Assembly resolution 217 A (III).

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

1949,³ the Hague Convention of 1970 for the Suppression of Unlawful Seizure of Aircraft,⁴ the Montreal Convention of 1971 for the Suppression of Unlawful Acts against the Safety of Civil Aviation,⁵ the Convention of 1973 on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents,⁶ as well as General Assembly resolution 2645 (XXV) of 25 November 1970 condemning aerial hijacking or interference with civil air travel,

Recognizing the urgent need for further effective measures to put an end to the taking of hostages,

Mindful of the need to conclude, under the auspices of the United Nations, an international convention against the taking of hostages,

1. *Decides* to establish an *Ad Hoc* Committee on the Drafting of an International Convention against the Taking of Hostages, composed of thirty-five Member States;

2. *Requests* the President of the General Assembly, after consultations with the Chairmen of the regional groups, to

³ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁴ United States Treaties and Other International Agreements, vol. 22, part 2 (1971), p. 1644.

⁵ *Ibid.*, vol. 24, part 1 (1973), p. 568.

⁶ General Assembly resolution 3166 (XXVIII), annex.

appoint the members of the *Ad Hoc* Committee on the basis of equitable geographical distribution and representing the principal legal systems of the world;

3. *Requests* the *Ad Hoc* Committee to draft at the earliest possible date an international convention against the taking of hostages and authorizes the Committee, 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-first session of the General Assembly;

4. *Requests* the Secretary-General to afford the *Ad Hoc* Committee any assistance and provide it with all facilities it may require for the performance of its work, to provide the Committee with pertinent information on the taking of hostages and to ensure that summary records on the meetings of the Committee will be drawn up and submitted;

5. *Requests* the *Ad Hoc* Committee to submit its report and to make every effort to submit a draft convention to the General Assembly in good time for consideration at its thirty-second session and requests the Secretary-General to communicate the report to Member States;

6. *Decides* to include the item entitled "Drafting of an international convention against the taking of hostages" in the provisional agenda of its thirty-second session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 99th plenary meeting, on 15 December 1976, the General Assembly adopted the draft resolution submitted by the Sixth Committee in its report (A/31/430, para. 11). For the final text, see resolution 31/103.⁷

⁷ See *Official Records of the General Assembly, Thirty-first session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 123 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|---|---|
| A/31/479 | Appointment of the members of the <i>Ad Hoc</i> Committee on the Drafting of an International Convention against the Taking of Hostages | Mimeographed |
| A/C.6/31/3 | Letter dated 4 October 1976 from the President of the General Assembly to the Chairman of the Sixth Committee | Ditto |
| A/C.6/31/L.10 | Draft resolution | For the sponsors and the text, see A/31/430, para. 4 |
| A/C.6/31/L.10/Rev.1 | Revised draft resolution | <i>Idem</i> , paras. 6 and 11 |
| A/C.6/31/L.11 | Amendments to document A/C.6/31/L.10 | <i>Idem</i> , para. 5 |
| A/C.6/31/L.12 | Administrative and financial implications of the draft resolution contained in document A/C.6/31/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/31/430</i> | |
| A/C.5/31/87 | Note by the Secretary-General | Ditto |
| A/31/441 | Report of the Fifth Committee | See <i>Official Records of the General Assembly, Thirty-first Session, Annexes</i> , agenda item 92 |



Agenda item 124:* Conclusion of a world treaty on the non-use of force in international relations

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* For the discussion of this item, see *Official Records of the General Assembly, Thirty-first Session, First Committee*, 11th to 19th meetings; *ibid.*, *Sixth Committee*, 50th to 54th meetings; and *ibid.*, *Plenary Meetings*, 57th and 97th meetings.

DOCUMENT A/31/243

Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the thirty-first session

*[Original: Russian]
[28 September 1976]*

Letter dated 28 September 1976 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the Secretary-General

The Government of the USSR proposes the inclusion in the agenda of the thirty-first session of the General Assembly, as an important and urgent question, of an item entitled "Conclusion of a world treaty on the non-use of force in international relations".

The thirty-first session of the General Assembly is taking place in the atmosphere of substantial positive changes in the international situation. Considerable successes have been achieved in consolidating the principles of peaceful coexistence and developing co-operation among States.

However, despite the general improvement in the international situation, hotbeds of war still exist in a number of areas as a consequence of aggression and the use of force against States and peoples.

The Soviet Union believes that under current conditions it is necessary to make additional efforts to ensure strict observance by all States of the principle of the non-use of force or the threat of force in their international relations. These objectives would be served by drawing up and concluding a world treaty on the non-use of force in international relations. Parties to such a treaty, including,

naturally, the nuclear Powers, would undertake to refrain from resorting to force or the threat of force by the use of any types of weapons, including nuclear and other types of weapons of mass destruction.

This is necessitated by the fact that, despite the provision of the United Nations Charter on the need to refrain from the use or threat of force, the years which have passed since the signing of the Charter have witnessed numerous armed conflicts between States. The use of force for the purposes of aggression, acquisition of territories and oppression of other peoples has always caused wars. With the emergence of nuclear weapons the danger of local conflicts developing into world nuclear war, with all the disastrous consequences for mankind ensuing therefrom, has immeasurably increased.

In their desire to eliminate the danger of outbreak of war and armed conflicts, to enhance the effectiveness of the obligation not to use force, and to exclude the very possibility of solving international disputes by recourse to arms, States repeatedly declared in the post-war period their renunciation of the use of force. This was reflected in a series of bilateral, regional and multilateral treaties and agreements.

The principle of the non-use of force is embodied in many important documents adopted by the United Nations

in recent years: in the Definition of Aggression (resolution 3314 (XXIX)); in the Declarations on the Strengthening of International Security (resolution 2734 (XXV)) and 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)); in the General Assembly resolution on the non-use of force in international relations and the simultaneous permanent prohibition of the use of nuclear weapons (resolution 2936 (XXVII)). The States participating in the Conference on Security and Co-operation in Europe declared in the Final Act their intention to conduct relations with all States in the spirit of the principles of primary significance set forth therein, among which the principle of the non-use of force holds its rightful place. In their forums the non-aligned States have repeatedly come out in favour of strict observance of the principle of the non-use of force or threat of force in international relations.

The conclusion of a world treaty on the non-use of force in international relations would be a natural continuation of the efforts of the United Nations and of its Member States to consolidate international peace and security and would reduce the risk of an outbreak of another world war. This would undoubtedly create more favourable conditions for curbing the arms race, reducing armaments, including nuclear arms, and moving ahead towards general and complete disarmament, with resulting benefit for all States irrespective of their social systems, the size of their territory or population, or whether or not they possess nuclear weapons.

The conclusion of such a treaty must in no way prejudice the legitimacy of the struggle of colonial peoples for their freedom and independence.

The General Assembly could give all-round consideration to the question of drawing up and concluding a world treaty on the non-use of force in international relations and outline specific steps for the implementation of this proposal. The United Nations would thereby make a concrete contribution to deepening international détente and strengthening peace and international security.

The corresponding draft treaty is attached to this letter.

I would request you to regard this letter as an explanatory memorandum in accordance with the rules of procedure of the General Assembly and circulate it as an official document of the General Assembly.

(Signed) A. GROMYKO
Minister for Foreign Affairs
of the Union of Soviet Socialist Republics

DRAFT WORLD TREATY ON THE NON-USE OF FORCE IN INTERNATIONAL RELATIONS

The High Contracting Parties,

Solemnly reaffirming their objective of promoting better relations with each other, ensuring a lasting peace on earth and safeguarding the peoples against any threat to or attempt upon their security;

Seeking to eliminate the danger of the outbreak of new wars and armed conflicts between States;

Proceeding on the basis of their obligations under the Charter of the United Nations to maintain peace and to refrain from the threat or use of force;

Bearing in mind that the definition of aggression formulated and adopted by the United Nations provides new opportunities for the principle of the non-use or threat of force to be consolidated in inter-State relations;

Taking into consideration the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and other resolutions of the United Nations expressing the will of States strictly to abide by the principle of the non-use of force or the threat of force;

Noting with satisfaction that the principle of the non-use of force or the threat of force has been formalized in a series of bilateral and multilateral international instruments, treaties, agreements and declarations;

Recalling in this connexion that the States participating in the Conference on Security and Co-operation in Europe have declared in the Final Act their intention to conduct relations with all States in the spirit of the principles of primary significance set forth therein, among which the principle of the non-use of force or the threat of force holds its rightful place;

Recalling also that the non-aligned States have expressed themselves in their highest forums in favour of strict observance of the principle of the non-use of force or the threat of force in international relations;

Inspired by the desire to make renunciation of the use or threat of force in international relations involving all types of weapons, a law of international life;

Have agreed as follows:

Article I

1. The High Contracting Parties shall strictly abide by their undertaking not to use in their mutual relations, or in their international relations in general, force or the threat of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

They shall accordingly refrain from the use of armed forces involving any types of weapons, including nuclear or other types of weapons of mass destruction, on land, on the sea, in the air or in outer space, and shall not threaten such use.

2. They agree not to assist, encourage or induce any States or groups of States to use force or the threat of force in violation of the provisions of this Treaty.

3. No consideration may be adduced to justify resort to the threat or use of force in violation of the obligations assumed under this Treaty.

Article II

The High Contracting Parties reaffirm their undertaking to settle disputes among them by peaceful means in such a manner as not to endanger international peace and security.

For this purpose they shall use, in conformity with the United Nations Charter, such means as negotiation, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice, including any settlement procedure agreed to by them.

The High Contracting Parties shall also refrain from any action which may aggravate the situation to such a degree as to endanger the maintenance of international peace and security and thereby make a peaceful settlement of the dispute more difficult.

Article III

Nothing in this Treaty shall affect the rights and obligations of States under the Charter of the United Nations and treaties and agreements concluded by them earlier.

Article IV

The High Contracting Parties shall make all possible efforts to implement effective measures for lessening military confrontation and for disarmament which would constitute steps towards the achievement of the ultimate goal—general and complete disarmament under strict and effective international control.

Article V

Each High Contracting Party shall consider the question of what measures must be taken, in accordance with its

constitutional procedure, for ensuring the fullest compliance with its obligations under this Treaty.

Article VI

This Treaty shall be of unlimited duration.

Article VII

This Treaty shall:

1. Be open for signature by any State of the world at any time;
2. Be subject to ratification by signatory States. Instruments of ratification shall be deposited with the Secretary-General of the United Nations, who is hereby designated the Depositary;
3. Enter into force for each Contracting Party upon the deposit of its instrument of ratification with the Depositary.

The Depositary shall promptly inform the Governments of all signatory States of the date of each signature and the date of deposit of each instrument of ratification.

Article VIII

This Treaty, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretariat of the United Nations. Duly certified copies of this Treaty shall be transmitted by the Secretary-General of the United Nations to the Governments of the signatory States.

DOCUMENT A/31/305**Report of the First Committee**

*[Original: English]
[2 November 1976]*

1. The item entitled "Conclusion of a world treaty on the non-use of force in international relations" was proposed for inclusion in the agenda of the thirty-first session of the General Assembly by the Union of Soviet Socialist Republics (A/31/243).

2. In accordance with the decision of the General Assembly taken at its 16th plenary meeting and communicated to the Chairman of the First Committee in a letter dated 4 October 1976 from the President of the General Assembly (A/C.1/31/1/Add.1), the First Committee considered the item at its 11th to 19th meetings, from 25 to 29 October.

3. At the 11th meeting, on 25 October, the representative of the Union of Soviet Socialist Republics introduced a draft resolution (A/C.1/31/L.3), which was subsequently co-sponsored by Afghanistan, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Czechoslovakia,

the German Democratic Republic, Guinea, Guinea-Bissau, Hungary, India, Mauritius, Mongolia, Mozambique, Poland, Romania and the Ukrainian Soviet Socialist Republic (for the text, see paragraph 5 below).

4. At the 19th meeting, on 29 October, the draft resolution was adopted by a roll-call of 94 votes to 2, with 35 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kenya, Kuwait, Lao People's

Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Oman, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Surinam, Swaziland, 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 Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against Albania, China.

Abstaining Australia, Austria, Belgium, Benin, Canada, Chile, Denmark, Fiji, France, Germany (Federal Republic of), Grenada, Iceland, Ireland, Israel, Italy, Japan, Jordan, Luxembourg, Malawi, Malta, Mauritania, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Paraguay, Portugal, Sierra Leone, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America.

Recommendation of the First Committee

5. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Conclusion of a world treaty on the non-use of force in international relations

The General Assembly,

Recalling the principle proclaimed in the Charter of the United Nations that States shall refrain in their international relations from the threat or use of force,

Noting with satisfaction that the principle of the non-use of force or the threat of force has been incorporated into a number of bilateral and multilateral international instruments, treaties, agreements and declarations, including resolutions adopted by the United Nations,

Noting the need for universal and effective application of this principle in international relations and for assistance by the United Nations in this endeavour,

Having considered the item entitled "Conclusion of a world treaty on the non-use of force in international relations",

Taking note of the draft world treaty on the non-use of force in international relations submitted by the Union of Soviet Socialist Republics (see A/31/243),

1. *Invites* Member States to examine further the above-mentioned draft world treaty on the non-use of force in international relations as well as other proposals and statements made during the consideration of the item entitled "Conclusion of a world treaty on the non-use of force in international relations";

2. *Requests* Member States to communicate to the Secretary-General their views and suggestions on this subject not later than 1 June 1977;

3. *Requests* the Secretary-General to report to the General Assembly at its thirty-second session on the communications received by him pursuant to paragraph 2 above;

4. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Conclusion of a world treaty on the non-use of force in international relations".

DOCUMENT A/31/360

Report of the Sixth Committee

*[Original: English]
[26 November 1976]*

1. At its 16th plenary meeting, on 4 October 1976, the General Assembly decided to include in the agenda of its thirty-first session an additional item proposed by the Union of Soviet Socialist Republics (A/31/243) and entitled "Conclusion of a world treaty on the non-use of force in international relations". The Assembly also decided to allocate the item to the First Committee and to refer it, at the appropriate stage, to the Sixth Committee for examination of its legal implications.

2. At its 57th plenary meeting, on 8 November, the General Assembly, after adopting resolution 31/9 on the recommendation of the First Committee (see A/31/305, para. 5) decided that the Sixth Committee should consider the legal implications of the item and report thereon as soon as possible during the current session.

3. The Sixth Committee considered the legal implications of the item at its 50th to 54th meetings, held between

22 and 25 November. The summary records of these meetings contain the views of representatives who spoke during the consideration of the item.

Decision of the Sixth Committee

4. At its 54th meeting, the Sixth Committee, on the recommendation of its Chairman, decided, by consensus, to include in its report to the General Assembly the following text:

"The Sixth Committee has noted the adoption by the General Assembly of resolution 31/9, entitled 'Conclusion of a world treaty on the non-use of force in international relations'. In this connexion, the Sixth Committee requests the General Assembly to recommend that Member States, in their consideration of statements and proposals on this item to be reported to the Secretary-General, should give due weight to the im-

portant legal issues involved. The Sixth Committee recalls the role it played in elaborating the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations¹ and the

Definition of Aggression.² The legal issues which the item under discussion involves have been, and will need to be, examined in the current and future deliberations on this subject which any further consideration of this item by the General Assembly will entail.”

¹ General Assembly resolution 2625 (XXV), annex.

² General Assembly resolution 3314 (XXIX), annex.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 57th plenary meeting, on 8 November 1976, the General Assembly, by a vote of 88 to 2, with 31 abstentions, adopted the draft resolution submitted by the First Committee in its report (A/31/305, para. 5). For the final text, see resolution 31/9.³

At its 97th plenary meeting, on 13 December 1976, the General Assembly adopted the text of the decision of the Sixth Committee contained in paragraph 4 of its report (A/31/360) (see decision 31/410³).

³ See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39*.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents relating to agenda item 124 which are not reproduced in the present fascicle.

| <i>Document No.</i> | <i>Title or description</i> | <i>Observations and references</i> |
|---------------------|--|------------------------------------|
| A/C.1/31/L.3 | Draft resolution | See A/31/305, para. 3 |
| A/C.6/31/7 | Letter dated 8 November 1976 from the President of the General Assembly to the Chairman of the Sixth Committee | Mimeographed |

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