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**FIRST COMMITTEE**  
**47th meeting**  
**held on**  
**17 November 1986**  
**at 3 p.m.**  
**New York**

**VERBATIM RECORD OF THE 47th MEETING**

Chairman: **Mr. ZACHMANN (German Democratic Republic)**

**CONTENTS**

**CONSIDERATION OF AND ACTION UPON DRAFT RESOLUTIONS ON AGENDA ITEMS (continued)**

**ORGANIZATION OF WORK**

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**Distr. GENERAL**  
**A/C.1/41/PV.47**  
**10 December 1986**  
**ENGLISH**

The meeting was called to order at 3.40 p.m.

**CONSIDERATION OF AND ACTION UWN DRAFT RESOLUTIONS ON AGENDA ITEMS 46 TO 65 AND 144**  
(continued)

The **CHAIRMAN**: As I announced this morning, the Committee will take action on draft resolutions *in* cluster 12 - draft resolutions **A/C.1/41/L.71/Rev.1** and **L.54** - and in cluster 6 - draft resolutions **A/C.1/41/L.27, L.44** and **L.50**.

We turn first to draft resolution **A/C.1/41/L.71/Rev.1**.

Mr. BUTLER (Australia): **On** behalf of the delegations of France, the Federal **Republic** of Germany, Iceland, the Netherlands, **Norway**, Samoa, Sweden, the United Kingdom of Great Britain and Northern Ireland and my **own delegation**, I have the honour to introduce the draft resolution contained in document **A/C.1/41/L.71/Rev.1**. On 6 **November**, in this Committee, speaking on behalf of the same group of sponsors, I introduced draft resolution **A/C.1/41/L.71**. Since the time at which that draft resolution was introduced, its sponsors have entered **into** intensive consultations with other delegations, and as a consequence of those Consultations have issued a revised version of the draft resolution, that is, the text in document **A/C.1/41/L.71/Rev.1**.

I might also say immediately that since that time further consultations have taken place, and in this statement I shall be reading out two further small revisions to that document, which are the consequence of those consultations.

First, however, I should like to invite the attention of members of this Committee to the terms of draft resolution **A/C.1/41/L.71/Rev.1**, as a whole and in principle. It is now 10 months since the Secretary-General brought to the attention of this body - and one could indeed say to the attention of the world community - **the** situation then prevailing with regard to the position of Director of **the** United Nations Institute for Disarmament **Research (UNIDIR)**.

**Mr. Perez de Cuellar** made it clear that the failure of Mr. Liviu **Bota** to return

(Mr. Butler, Australia)

from his home country to Geneva to resume the directorship of the United Nations Institute for Disarmament Research. This was a matter for serious concern and a matter which was damaging the conduct of the affairs of that Institute. He indicated his willingness to use what has since been called quiet diplomacy to try to solve the problem and bring about Mr. Bota's return to his proper functions in Geneva at the earliest possible time.

Two weeks ago in this Committee a further report, the latest, was given on behalf of the Secretary-General by the Under-Secretary-General for Disarmament Affairs, Mr. Jan Martenson. That report appears in the verbatim record of the proceedings of this Committee for this session. It does so, of course, because we have on our agenda in this Committee agenda items 62 (e) and 62 (f), which relate to the work of the United Nations Institute for Disarmament Research. Because this subject is validly inscribed on our agenda, a report on the Secretary-General's efforts with regard to the directorship of the Institute was requested and was given, on behalf of the Secretary-General, by Mr. Jan Martenson.

That report gave us a chronological and factual account of what had happened since December 1985 and of the efforts that have been made to rectify the situation. In particular, it was made clear that it was the view of the Secretary-General and of the Advisory Board on Disarmament Studies, which serves as the Board of Trustees of the Institute, that the absence of the Director of the Institute from his job was causing harm to the work of the Institute. The Institute was simply not functioning as it should be, because its head, its Director, was not present. The report also clearly described the efforts that have been made quietly, behind the scenes, to solve the problem and to allow Mr. Bota to return to his post without further delay.

(Mr. Butler, Australia)

Some **discussion** of that report then took place in **this** Committee. There **was** what **is** politely called in our **circles** an exchange of views. I think it is **now** clear to **delegations** in this **room** that the problem at **present remains** unresolved. That **is** a point which I am bound to **emphasize**. There **is** a problem. It **is** the problem of the **directorship** of **the United Nations Institute for Disarmament Research**, a problem which **has arisen** because the Director **is** not present. That problem remains unsolved.

(Mr. Butler, Australia)

Because of the **sponsors'** concern that that problem should be **solved**, we have decided to proceed with the draft **resolution, the text** of which is given in **A/C.1/41/L.71/Rev.1**. The fact that a **revision has** been **issued** makes **clear that** we have, as I said earlier, entered **into extensive** consultations and taken **into** account the **views** of others.

I want now to revise orally the text of draft **resolution A/C.1/41/L.71/Rev.1** to provide two further changes that are the **consequence** of consultations. On page **2** of the **English-language version** of the draft **resolution**, in **operative** paragraph 1, the **sponsors** propose that the first word, "**Deplores**," be replaced by the word "**Regrets**". That **is the first** of the two **changes**.

Turning to operative paragraph 2 on page 2, the **sponsors propose** that, in the **second** line of the **English** text, the words "**end Member States**" be deleted.

That **is the full** extent of the **changes** that have been **suggested**, with the exception that, in operative paragraph 2, for **correctness in English**, the comma will have to be deleted and word "**and**" will need to be inserted between the words "**Secretary-General**," and "**the Advisory Board on Disarmament Studies**," so that the sentence would read "**the Secretary-General and the Advisory Board on Disarmament Studies**".

What is at **issue** in this draft resolution is an important matter, and I want to say with clarity - and I hope quietly, but with **all possible force** - on behalf of the **sponsors** of the draft resolution that we have submitted it for the **decision** of the **First Committee** **because** of our conviction that **this is** an **issue** of deep practical and **principled** importance to all of us. It **is summed** up in the **second preambular** paragraph of the draft resolution, **where reference** is **made** to Article 100 of the United Nations Charter. The fact and principle at issue there is that of the independence and integrity of the Secretariat of the **United Nations**.

(Mr. Butler, Australia)

We sponsors are deeply aware that ~~the~~ Secretariat of the United Nations is a Charter organ. It is integral ~~to~~ the efficient and fair conduct of the business of the United Nations, and this is ~~what~~ is enshrined in ~~Article~~ 100 of the Charter. We firmly believe it in the interest of all of us to see the integrity and independence of the secretariat of the United Nations protected. It is for that reason, and that ~~reason~~ alone, that we seek a decision of the First Committee on this matter which would fundamentally enable the Secretary-General to pursue his quiet diplomacy with those concerned in order to see that the problem I referred to earlier is solved: that ~~is~~, that the Director of the United Nations Institute for Disarmament Research be returned to his job.

We make this proposal in defence of a Charter organ of the United Nations. We make this proposal in the interest of the efficient functioning of the Organization and in the belief that all of us in this room are deeply committed to the Charter and to the efficient functioning of ~~the~~ Charter organ known as the Secretariat.

In conclusion, the changes that have been made from the first version of the draft resolution to revision 1 are extensive, and they do reflect, in the operative paragraphs, the concerns of many delegations. The two changes I have suggested today further reflect those concerns. The sponsors believe they have been sensitive and that the draft resolution should now command widespread support.

I should like to say, quietly, that there has been some suggestion in the corridors that the draft resolution is in ~~some~~ way directed against the Government concerned. On behalf of the sponsors, I reject that. The draft resolution is directed towards the defence of principles and the defence of an institution that is vital to all of us. The draft resolution quite specifically seeks to facilitate the process - one that, by the way, the Government concerned says it wants facilitated - whereby the Secretary-General may further conduct quiet diplomacy or

(Mr. Butler, Australia)

seek whatever other means are required to remedy this situation and to solve the problem involved. On behalf of the sponsors, I commend the draft resolution to the support of the First Committee.

Mr. MARINESCU (Romania) (interpretation from French): After having studied the revised version of draft resolution A/C.1/41/L.71, my delegation would like categorically to reiterate its position, namely, that the draft resolution is unacceptable in content, in every tenor and with regard to the body to which it is being submitted.

The few changes the sponsors have felt constrained to make should not mislead anyone. Both the draft resolution and the problem that has been artificially mooted in the Committee have nothing to do with the First Committee's work and are devoid of any connection with the problems of disarmament and international security that form the burden of the work to which the Committee should be dedicated.

The draft resolution, as presently worded, continues to be a clear attempt to interfere in the internal affairs of a Member State and to deal with a problem purely within the purview of Romania as a sovereign State - or, indeed, of any other state - in dealing with one of its own citizens. Once again, the sponsors of the draft resolution have clearly demonstrated that their purpose is not to find a genuine solution to the problem under discussion in accordance with the interests and rights of the parties concerned, but, rather, to involve the Committee in a political diversion: since the sponsors cannot admit their true political purposes, they are attempting to disguise them by a purported concern over the normal functioning of the United Nations Institute for Disarmament Research (UNIDIR).

(Mr. Marinescu, Romania)

The draft resolution opens the door to many problems. The Romanian side is fully interested in the smooth functioning of the Institute. Because rather high-flown language has once again been used this afternoon, I should like to point out that in its conclusions the report of the Secretary-General on the activities of UNIDIR confines itself to stating that to date the Institute has discharged its functions in a way that has won the confidence of its Advisory Board and the States members of that body. The continuation of the Institute's work under satisfactory conditions is largely reliant on sufficient financial resources and proper staffing.

As we have already stated, the necessary step to that end can easily be taken without the need for my draft resolution. What we require is a true spirit of co-operation and non-interference in a matter which can be solved in a manner satisfactory to all the parties concerned only through the process indicated in the Advisory Board's report, a process that is within the exclusive purview of the Romanian authorities and the Secretary-General.



(Mr. Mar inescu, Romania)

The draft **resolution** before **us**, we are **profoundly** convinced, can only harm **the possibilities of reaching such a solution**. We have never **recognized** the right of any State to interfere in such **matters**, or indeed in any other **matter** pertaining to the sovereign right of another **State**. We do not wish to enter into the details of this matter.

Any delegation of good faith that would like to learn the viewpoint of the **Romanian delegation** can do so by rereading the **statement made** by the **Romanian delegation** on 4 **November**, in document A/C.1/41/PV. 31.

In light of the foregoing I wish, on behalf of my **delegation** to **raise** a point of order and officially request that no decision be taken on draft **resolution L.71/Rev.1**. I request that **this proposal** be put to a vote immediately, under rule 121 of the **rules of procedure** of the **General Assembly**. According to that rule, **any motion** calling for a **decision on** the competence of the **General Assembly** or the Committee to adopt a **proposal submitted** to it shall be put to the vote before a vote is taken on the **proposal in question**. In rising to **this** notion my **delegation** is motivated by its devotion to the **Committee's proper performance** of its tasks relating to **disarmament** and **international security**.

**Mr. MOREL** (France) (interpretation from French): The **representative** of Romania **has** just denied the **competence** of the **First Committee** on the **matter** before **us** and in that **connection** invoked rule 121 of the **rules of procedure** of the **General Assembly**. On that point I **should** like to make two comments: We have already heard the **Legal Counsel of the United Nations**, who, after **considering** the matter, expressed in no uncertain **terms** the view that the **First Committee was competent**. Are we to suppose that the **Legal Counsel** made a mistake and that consequently rule 121 should apply? **My delegation** thinks exactly the **opposite**.

(Hr. Morel, France)

Furthermore, I note that the Romanian delegation itself in document A/C.1/41/L.84 submitted a number of amendments to the draft resolution contained in document L.71/Rev.1. It therefore recognizes ipso facto the competence of our Committee inasmuch as it has officially submitted draft amendments under agenda item 62 (e) ad(f) .

The CHAIRMAN: The representative of Romania has asked that a decision be taken under rule 121. Rule 121 reads as follows:

"Subject to rule 119, any motion calling for a decision on the competence of the General Assembly or the Committee to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question."

Mr. BUTLER (Australia): I have sought to speak on a point of order pursuant to the statement by the representative of France on the procedural proposal made by the Romanian representative under rule 121. My point of order is this: I believe that what the French representative has said is factual in that the Legal Counsel has already ruled on the matter which we are being asked to consider under rule 121. If that is not the case, perhaps the Legal Counsel can tell us otherwise; but if we do already have a ruling, that the matter is within the competence of the First Committee, then, I submit, it is unnecessary to seek a further ruling.

The CHAIRMAN: According to the question raised by the representative of France and by the representative of Australia, I should like to say that the representative of Romania has officially requested that a decision be taken under rule 121. The statement by the representative of the Office of Legal Affairs the other day was not a ruling. The representative of the Office of Legal Affairs is only in a position to give advice to the Committee. But the request of the Romanian representative was to have a decision taken on the competence of the

(The Chairman)

Committee on the action which we are going to take on draft resolution L.71/Rev.1, and that is up to the Committee to decide.

Mr. van BOHEMEN (New Zealand) : Before we proceed to vote on the matter I should like to ask the Legal Counsel again to give us his advice on the question whether the Committee has the competence to consider this issue.

The CHAIRMAN : I do not think there is any necessity of again asking the representative of the Office of Legal Affairs to give his opinion, because that opinion was duly recorded in the verbatim record of the meeting at which the matter was discussed. This was just now confirmed by the representative of the Office of Legal Affairs - that it is not within his competence to make a ruling: he may only give advice.

Rulings fall within the competence of the Chairmen or the Committee itself. Therefore I consider the motion made by the representative of Romania under rule 121 to be in accordance with the rules of procedure.

If there is no other objection I shall put the proposal of the Romanian representative to the vote and I shall now call on the Secretary of the Committee to conduct the voting.

Mr. KHERADI (Secretary of the Committee): The voting will now begin on the proposal made by the representative of Romania.

All those representatives who feel that it is within the competence of the Committee consider the proposal should vote "yes"; those who feel that it is not within the competence of the Committee with respect to rule 121 should vote "no"; and those who wish to abstain should signify accordingly.

The CHAIRMAN : I call upon the representative of Australia on a point of order.

Mr. BUTLER (Australia) : I apologize for intervening while voting is taking place. Normally that would not occur. Nor would it occur that a description of what representatives are voting on would take place while voting is already under way. May I therefore respectfully suggest that we start again, turn the machine off and the Secretary of the Committee be given whatever time he requires to explain with crystal clarity what the proposal is. Therefore we will know how to vote yea or no, according to our opinions . and only thereafter will the process of voting begin.

Mr. MARINESCU (Romania) (interpretation from French): On a point of order, my delegation has no doubt whatsoever about what we are voting on. Those who are not satisfied with the results of that vote, which has been conducted in a perfectly regular way, can explain why. I think we have voted in favour of or against the procedural motion as presented.

The CHAIRMAN: We are now at the stage of the voting process. The Secretary of the Committee tried to explain to the Committee what was the subject of the voting. He was repeating what I had already indicated. On a point of order, the representative of Australia has asked that the voting process be started again. My intention is to call again on the Secretary of the Committee and, after his explanation of what we are going to vote on under rule 121 concerning the competence of the Committee on the proposal before us, we shall start the voting process again.

I call on the representative of Australia on another point of order.

Mr. BUTLER (Australia): First of all, may I say this. It is, in my experience, unprecedented - I have never seen it before - that an explanation is given of what States are voting upon after the voting has commenced. The chairman has agreed that we should therefore start again, but with all respect, I also proposed that the machine should be turned off and let go back to zero and that we follow the correct procedure that we are told what we are voting on before the machine is turned on. Quite frankly, I heard delegations around me saying, "What are we voting on?" May I please ask that we go back to zero, have a full explanation and then commence the voting.

The CHAIRMAN: We shall therefore start from the beginning, after listening to the Secretary of the Committee. The voting machine has been turned off.

(The Chairman)

I call on the **representative** of Romania to speak on a point of order.

**Mr. MARINESCU (Romania)** (interpretation from French) : My motion was presented as follows: "On behalf of my **delegation**, I officially request that no decision be taken on draft resolution **A/C.1/41/L.71/Rev.1**". That was how my motion was worded and that is what I asked the Chairman to put to the **vote immediately**. My motion was raised under rule 121, which reads:

"... any motion calling for a decision on the **competence** of the General Assembly or **the committee** to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.\*

Of course this **must** be interpreted in the light of the wording of the proposal put forward by the **Romanian** delegation.

The CHAIRMAN: I had already informed the Committee that the **Romanian representative's** motion fell under rule 121, on the competence of the **Committee**. I shall now call on the Secretary before we come to the voting, and I would like all members of the **Committee** to listen to the Secretary of the Committee before voting.

**Mr. KHERADI** (Secretary of the **Committee**) : After having consulted - in the intervening period - the representative of the Office of Legal Affairs, I can **only** repeat what I said earlier: we are voting on the motion made by the **representative** of Romania within the framework of rule 121, which reads:

"Subject to rule 119, any motion calling for a decision on the competence of the General Assembly or the **committee** to adopt a **proposal submitted** to it shall be put to the vote before a vote is taken on the proposal in question.\*

I will now repeat what I said **earlier** with respect to the vote, **something** that I have already repeated twice, but if I am requested, I shall do so a third time.

The CHAIRMAN: The Secretary **must** complete the explanation **before** the machine is unlocked. There is, however, another point of order by Australia, which makes the voting process very difficult, I must say.

Mr. BUTLER (Australia): I am not prepared to accept comment8 about who is or is not making the voting process difficult. Let me make it simple for the representative of Romania. The proposal that he has submitted is that no decision be taken. With all respect, that is not rule 121. This is why our secretary is having such difficulty.

Rule 121 relates to the competence of the General Assembly. I submit that the only motion that can be put under that rule is to say: "I submit that this Assembly is not competent to consider that issue". If the Romanian representative wishes to submit that motion, we will vote accordingly, and that vote will be accurately taken under rule 121. I would welcome the advice of the Legal Counsel if I am wrong, but I do not believe I am.

If, on the other hand, the Romanian representative wishes to say that his motion is that we take no decision on this matter - which is quite different from the question of competence - that falls under another rule, and there my assistance stops, because I am not actually prepared at this stage to tell him which it is. He can find it for himself.

Mr. MARINESCU (Romania) (interpretation from French): On a point of order, it seems to us that we are in the middle of a voting procedure and rule 128 is quite clear about that. What the representative of Australia has told us is ● imply a lesson on how to vote after the voting has started. I think we ● should abide by what is stipulated in this very clear rule, which is so very often invoked and respected.

The CHAIRMAN: The motion raised by the representative of Romania was made under rule 121 and I again call on the Secretary of the Committee in order to conduct the voting process.

Mr. KHERADI (Secretary of the Committee): I hope I do not sound like a broken record, but once again we are on **rule 121** and I will repeat what I said earlier. Those who feel that it is within the Committee's competence to consider the proposal before the **Committee**, that **is**, in document **A/C.1/41/L.71/Rev.1**, vote **"yes"**; those who feel that the **Committee** is not competent to take action on that **proposal**, vote **"no"**; those who wish to abstain, signify accordingly.

The CHAIRMAN: Is there still uncertainty on the action **to** be taken? I think it **is** clear and we can proceed to the vote.

I call on the representative of Peru, who has asked to speak on a point of order.

Mr. MORELLI (Peru) (interpretation from Spanish): In the attempted vote of a few moments ago, those who voted **"no"**, did **so** thinking very clearly that what the **representative** of Romania had **requested was** that this Committee be declared not **competent** on this matter. Those of us who voted **•** non are voting against that **procedural position**, **as** submitted by Romania; but what the Secretary has just said **creates a great deal of** confusion and **makes** me think that I **should** vote the opposite. So **I** think we **must** be absolutely clear on what we are voting on.

The CHAIRMAN: For the third or fourth time, rule 121 reads:

"Subject to rule 119, any motion calling **for** a decision on the competence of the General Assembly or the **Committee** to adopt **a** proposal submitted to it shall be put to a vote **before** a vote **is** taken on the **proposal in question.**"

The representative of **Romania** has made this motion under rule 121, that the **Committee** has to decide on the **competence** of the Committee to take action on the **draft** resolution contained in document **A/C.1/41/L.71/Rev.1**. That **is** the motion **under** rule 121, and that covers not only the competence of the General Assembly: it is the competence of the **Committee** as well, because rule 121 concerns **actions** taken **by** the **Committee**.



(The Chairman)

Therefore, I shall again call on the Secretary of the **Committee** to repeat what we are going to vote on.

Mr. KHERADI (Secretary of the Committee): I think there is confusion only because there may be some misunderstanding among **delegations**: I can ~~see~~ very well that there is nodding on one side of the room and that hands ~~are~~ waving on the other side. However, the manner in which I put the vote - which should be rather clear on the proposal made by the representative of **Romania** under rule 121 would be as follows during the voting procedure, and I will **repeat** it very **slowly**.

Those ~~who~~ feel that the Committee is competent to act on the proposal -

The CHAIRMAN: I call on the representative of Romania who has asked to speak again on a point **of order**.

Mr. MARINZSCU (Romania) (interpretation from French) : I think the representative of Peru **gave** a very adequate summary of the situation and the problem we are faced with. Why should we not proceed in the simplest, most logical way? Let us vote on the proposal which ~~was~~ made. Those who are in favour of the proposal, or the motion **if you will**, put **forward** by the **Romanian delegation** will vote in favour, and those who are against that motion will vote against it. That is my proposal.

The CHAIRMAN: I **call** on the representative of Australia, who has asked to speak on a point of order.

Mr. BUTLER (Australia) : For the second time, matters having been clarified, the Secretary of the Committee has commenced stating the true position. The true position is that rule 121 deals with the **competence** of **this body** to deal **with** an issue, not, may I say, to adopt it or reject it - that is for the committee to decide - but to deal with it: the competence to deal with an issue.

(Mr. Butler, Australia)

Romania **has** put a proposition under rula 121 to the effect that the Committed **is** not oompetent. Therefore the **issue** is **clear: Those** who believe that this Committee is competent to deal with the **issue** should vote **"yes"**; those who believe it is not should vote **"no"**; and, of course, we all know what abstention means.

I think that is the only viable **proposition** that can be put under rule **121**, because it **deals** only with competence, not **with** some other substanrive motion, just **competence**.

The CHAIRMAN: I call on the **representative** of Romania, **who** has asked to speak on a point **of** order.

Mr. MARINESCU (Romania) (interpretat **on** from French) : In connection with what hae just been **said**, my **proposal was** not to the effect that the Committee should not deal with the issue. **The** proposal **was** linked to the process of decision **making**; that **the** Committee should not take a decision - which is quite different.

The CHAIRMAN: Hay I ask the representative of Romania **again:** the motion which he made under rule 121 **is** on the competence **of** the General Assembly or **the** Committee to adopt the proposals submitted. Rule 116 is the rule which refers to **ad'journment of** the debate, and under rule 116, a decision may be taken not to **take** action. SO one **is** a question **of competence** and the other is a question of not taking action, which would come under rule **116**.

I call on the representative of **Romania** on a point of order.

Mr. MARINESCU (Romania) (interpretation from French): I apologize for having to repeat what I have just *said*.

Mr. Chairman, if you put to the vote the motion I have introduced the conclusion will be quite **clear**: that the First committee has no decision to take on draft **resolution L.71/Rev.1**. If, on the other hand, our motion is rejected, the Committee will proceed to vote on the draft resolution as revised.

In other words, I think we must vote on the basis of the actual **wording** of the proposal made by delegation. Those in favour of that motion will vote **"yes"**; those against it will of course vote "no".

The CHAIRMAN: The representative of **Romania** has repeated his request for a vote on a motion based on rule **121**: namely, that the Committee **is** not competent to take a decision on the draft resolution before us. Those in favour of the motion proposed by the **representative** of Romania would vote **"yes"**; those against it would vote "no". That is now clear. The motion has been formulated under rule 121.

After that clarification by the delegation of **Romania**, I think we can **now begin** the **voting** process.

I Call upon the Secretary of the Committee.

Mr. KHERADI (Secretary Of the Committee) : **To** repeat what you said, Mr. Chairman, on the basis of the new wording provided by the representative of Romania, his motion is that the Committee is not competent to take a decision on **this** proposal before the Committee. Accordingly, those in favour of Romania's motion would vote **"yes"**; those who are against the motion - that is, that the **Committee** is competent - would vote "no"; and those abstaining **would** signify accordingly.

The CHAIRMAN: The Committee will now **proceed** to the vote on the motion of the delegation of Romania under rule 121 of the rules of procedure.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, **Angola**, Bangladesh, **Benin**, Bulgaria, Burkina Faso, **Burundi**, **Byelorussian Soviet Socialist Republic**, China, **Comoros**, Cuba, **Czechoslovakia**, Democratic Yemen, Ethiopia, German Democratic Republic, Guinea, **Hungary**, **Indonesia**, **Kuwait**, Lao People's **Democratic Republic**, Libyan Arab **Jamahiriyah**, **Madagascar**, **Malaysia**, Mali, **Mongolia**, **Mozambique**, Poland, **Romania**, Rwanda, Somalia, Syrian Arab **Republic**, Tunisia, Ukrainian Soviet Socialist **Republic**, Union of Soviet **Socialist Republics**, Viet Nam, **Zambia**, **Zimbabwe**.

Against : **Argentina**, Australia, **Austria**, **Bahamas**, Belgium, Cameroon, **Canada**, Chile, **Colombia**, **Côte d'Ivoire**, **Denmark**, **Ecuador**, **Finland**, France, **Germany**, **Federal Republic** of Greece, Guatemala, Iceland, Ireland, **Israel**, Italy, Japan, Lesotho, **Luxembourg**, **Nepal**, **Netherlands**, New Zealand, **Norway**, Paraguay, Peru, Philippines, **Portugal**, **Samoa**, **Senegal**, **Sierra Leone**, Singapore, **Spain**, **Sweden**, **United Kingdom** of Great Britain and Northern Ireland, **United States** of America, Uruguay, Venezuela.

Abstaining,: Bolivia, Botswana, **Brazil**, **Congo**, Egypt, Ghana, India, Kenya, Liberia, **Mauritania**, **Mexico**, Nicaragua, Niger, Nigeria, **Oman**, Sri Lanka, Suriname, Turkey, **Uganda**, **United Republic** of Tanzania, Yugoslavia, Zaire.

The motion was rejected by 42 votes to 38, with 22 abstentions.

The CHAIRMAN: We shall now consider the draft resolution in document A/C.1/41/L.71/Rev.1, as orally revised by the representative of Australia.

Mr. MARINESCU (Romania) (interpretation from French): The amendments contained in document A/C.1/41/L.84 are, I think, fairly clear in their purport and in harmony with what we said on 4 November.

May I first draw attention to the new preambular paragraph we have proposed, which is intended to emphasize that international civil servants not only have rights but also have obligations and duties.

In connection with the operative paragraph that calls on all interested parties to co-operate, this, I think, is a very important idea. All those who are really anxious to find a satisfactory solution to the problem being discussed here should support it - precisely in order to facilitate such a solution.

(Mr. Marinescu, Romania)

The wording is the same as that used in the report of the Secretary-General on the activities of the Governing Council of UNIDIR.

The amendments could be put to the vote at the same time.

The CHAIRMAN: Does any other delegation wish to make a statement or to comment before we take action on this draft resolution? It appears not.

I shall now call on those delegations wishing to explain their votes before the vote.

Mr. HEPBURN (Bahamas): Before I get into the reason for my asking to speak, I should like to say that it is very heartening to my delegation to note that the representatives of the First Committee have finally had their procedural hour.

Besides listening very carefully to the debate on the question of the Advisory Board on Disarmament Studies and the United Nations Institute for Disarmament Research (UNIDIR), I have participated in many discussions with representatives on all sides of the question. One factor that seldom came through clearly to me, however, was the middle position on the relationship between the Institute and the United Nations in its efforts to promote general and complete disarmament. Some presentations of views were oftentimes clouded with personal concerns and face-saving devices.

(Mr. Hepburn, Bahamas)

It **seemed** at the Outset that **polarization** had **already** set in and that **delegations** were already **expected** to act in one way or another. That is very unfortunate. My delegation **cannot** profess to **understand** the matter in its entirety, but there is no doubt in our **minds** that the issue before us involves a number of **sensitive** aspects, including the legal, the financial and the **humanitarian**. My **delegation** further realises that at **almost** all stages of the exchange of views greater priority **was** given to national interests than to the role of the **United Nations**, which provides the platform for airing these differences. **My delegation** realises, above all, that **human** nature prevents us from being totally objective about matters that touch us **closely**, and that we therefore tend to ignore the "every-dog-has-its-day" syndrome **until** it is too **late**. We fail to be mindful of the **simple** truth that right **choices** at the beginning of all **negotiations** save us from the threat of **unfair treatment** at a **later** stage; that is, precedent ensures that all **questions** be treated or **considered** on their **individual** merits. But I **suppose** that if such a truism were applied life in general would be dull indeed.

In the early stages of our deliberations **on this** matter **my delegation** was extremely **ambivalent** and even sensed an ill wind that could bring no good. The waning of much of the scepticism I had was due in **part** to the **wisdom** of the sponsors of draft **resolution A/C.1/41/L.71** in revising the text. The **revision**, though still imperfect for a number of **reasons**, **manages** to present the issue without **committing the** grave sin of **interference**. On the other hand, it seems to **my delegation** that the **amendments** contained in document **A/C.1/41/L.84** call for the elimination of some of its aspects; **this could** negate the role of the **United Nations** in upholding the **principles** of the Charter. An **affirmative** vote by the **Bahamas delegation**, then, while it **does not ignore** the **conscious** or unconscious

(Mr. Hopburn, Bahamas)

political nuances,, will be cast first **and foremost** in **support** of the **work** of the **Institute** as a **necessary** body, and with a view to **seeing its life-span** extended and to ensuring that it **is given** the Proper **requirements** for its effective **operation**.

Mr. EKE'S (Sweden): The **Advisory Board on Disarmament** Studies, which **serves** am the **Board of Trustees** of the **United Nations Institute for Disarmament Research (UNIDIR)**, **stated unanimously** in its **latest** report that it found itself faced with a very difficult situation **in UNIDIR** owing to the absence of the **Director**. Furthermore, the following was **stated**:

"The **serious impairment** to the work of the Institute caused by the continued **absence** of the Director **was** noted by **many** metiers of the Board. It was felt that the effect was particularly critical at the present **state** of the Institute's development when the **presence** of an active Director was vital. It was **decided that the** Secretary-General should be given every **support** by the Board in his efforts to find a **solution** oatiafactory to all **concerned**".

(A/41/666, para. 26)

It is self-evident that, in the faoe of the alarming information provided by the Board, the **First Committee** cannot **remain** inpaaaave. Dr ft resolution **A/C.1/41/L.71/Rev.1**, as orally revised, **embodies** a necessary statement to be **issued** by the General **Assembly** as a reaction to the **report on** 'the **severe** problems within **UNIDIR**.

Document **A/C.1/41/L.84** contains **proposed amendments** to draft **resolution** **A/C.1/41/L.71/Rev.1**. The **members** of the **First Committee** should share the view that it **is** the **Committee's** duty to act on the **problem** of the absence of the Director of **UN IDIR**. The Committee has just decided that it is canpetent to **do so**. **Agreement** having been reached **on** that fundamental pint, it **now remains** to decide **on the** ccntentr of the draft resolution finally to be adopted by the committee.

(Mr Ekens, Sweden)

I wish to state the following with regard to the amendments **proposed** in document A/C.1/41/L.84: apart from **sane language designed** to play **down** the harm inflicted on **UNIDIR**, the amendments include a call **upon** all concerned to co-operate in finding a satisfactory solution. We have all been informed that **during** a period of some 11 **months** the Secretary-General has been carrying out quiet **diplomacy** **marked** by numerous **proposals** and initiatives in order to rectify the situation. **Secondly**, the Advisory Board - the **Board of Trustees** of **UNIDIR** - has spent **considerable** time and effort in the search for **a solution**. **Thirdly**, **Member States** have discreetly **and** consistently tried in different **ways** to **resolve** the **matter** in a non-confrontational way. **Only** one of the **parties concerned** has **made** no effort **whatsoever**, in spite of the numerous **appeals** directed to it.

In the light of **those facts** and **of** the great efforts of the Secretary-General, **it** would be singularly **unfair** to the **Secretary-General** to call upon **him** to **co-operate**, bearing in mind what is crystal-clear to all in this room, including the delegation sponsoring document A/C.1/41/L.84: that **it** is **only** one concerned **Government** that has consistently refused to co-operate in the efforts to resolve the **matter**. Document A/C.1/41/L.84 must therefore be rejected.

**Only** **draft** resolution A/C.1/41/L.71/Rev.1, as orally **revised**, contains what is needed to reach an agreed solution to the **problem**, namely a call upon the **Government concerned** to co-operate in resolving the matter. The language is low-key and non-provocative, but clear enough to be **understood**.

**By** rejecting document A/C.1/41/L.84 and **voting** in favour of draft resolution A/C.1/41/L.71/Rev.1 as orally **revised**, this Committee will support the efforts of the **Secretary-General**.



**Mr. J. MEISZTER (Hungary):** The Hungarian delegation wishes to explain in explanation of vote before the voting on draft resolution A/C.1/41/L.71/Rev.1 as orally revised. The Hungarian delegation participates in the work of the First Committee with a clear mandate: to be party to any deliberation or action meant to lead to, or foster, a real disarmament process. To translate that into plain English, this means, with respect to the present stage of our work, that my delegation is ready to vote on all draft resolutions that have a clear bearing on true disarmament issues.

But, in our view, the main thrust of draft resolution A/C.1/41/L.71/Rev.1 has nothing to do with disarmament measures. This is proved indirectly, inter alia, by the fact that the same question was allocated for discussion in the Fifth Committee on the basis of a report of the Secretary-General dated 10 October 1986, entitled "Principal questions: Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations" (A/C.5/41/12).

(Mr. Meister, Hungary)

I hope that no one will question the Secretary-General's ability correctly to inscribe an issue in the category in which it properly belongs. Taking that into account, I voted accordingly a few moments ago on the procedural motion made by the Romanian delegation. The motion was not carried. That being the case, and bearing in mind the fact that we are prepared to vote only on substantial disarmament issues, I feel obliged to inform delegation8 that the Hungarian delegation will not participate in the voting.

Hr. BUTLER (Australia): I have sought briefly to explain my delegation's vote before the voting - obviously, not on the draft resolution concerned, because we are concerned, but, in fact, on the amendments to it submitted by the delegation of Romania in document A/C.1/41/L.9

A few moments ago the representative of Romania stated that the sponsoring delegations were "constrained to make amendments" to their resolution. I should like to say, quietly and firmly, that there was no such constraint. We are free delegations. The amendments we made were made voluntarily in order to make the most serious and constructive approach we could make, in the light of the views of other delegations and in order to assist the process of solving the problem at hand.

It was also suggested that the United Nations Institute for Disarmament Research was in no difficulty and that we had suggested that the opposite was true and that it was experiencing some difficulty by way of masking, in some way, a political motive. Now, ~

The CHAIRMAN: I call upon the representative of Romania, who has asked to speak on a point of order.

Mr. MARINESCU (Romania) (interpretation from French): Perhaps the Chair could ask the representative of Australia what he is talking about. We are discussing the amendments to the draft resolution. Instead of that, we are for the first time hearing a speech on the United Nations Institute for Disarmament Research

(Mr. Marinescu, Romania)

and its working conditions and a new plea for the draft resolution that has been submitted and resubmitted. Perhaps the speaker could hew to the subject under discussion. If he wishes to address the amendments, he may do so; as a sponsor, however, he should not again discuss draft resolution A/C.1/41/L.71/Rev.1.

The CHAIRMAN: I would ask the representative of Australia, as he himself indicated he was going to do in speaking in explanation of vote, to speak to the amendments submitted in document A/C.1/41/L.84. With that understanding, I again call upon him.

Mr. BUTLER (Australia): To be quite specific: one of the amendments in document A/C.1/41/L.84, paragraph 3, reform to

"the continuing absence of the Director of the United Nations Institute for Disarmament Research and the serious effect that this is having on the work of the Institute".

That is the amendment I am addressing, and I am, therefore, speaking to the subject.

I found it incomprehensible that the charge be made that we are in some way suggesting that the Institute is not in difficulty.

In any case, it does not matter. The Ambassador of Sweden has read into the record paragraph 26 of the Advisory Board's report. I was going to do exactly the same thing, but it is now no longer necessary. That has answered the point utterly and entirely. As is stated therein, the United Nations Institute for Disarmament Research (UNIDIR) is in deep trouble because of the absence of its Director. It is unnecessary to read it into the record again, and I think that that answers the point Romania has made.

Bringing my statement to a conclusion, there is really nothing more for me to say with regard to the amendments in A/C.1/41/L.84. It has all been said admirably and completely by the representative of Sweden. Those amendments will not strengthen the hand of the Secretary-General in the way we all most surely desire

(Mr. Butler, Australia)

that it be strengthened in order that he **may** solve this deeply regrettable **problem**. **Under those** circumstances, my delegation will vote against the **amendments**.

Mr. KAROUI (Tunisia) (interpretation from French): I should like to explain Tunisia's **vote** before the voting on draft resolution **A/C.1/41/L.71/Rev.1** relating to Mr. **Bota's prolonged** absence from his post as Director of the **United Nations Institute for Disarmament Research (UNIDIR)**.

My delegation believes that this is not a **matter** that should figure on the **agenda** of the **Fir at Commi ttee**, whose essential duty **is to** deal with matters connected with disarmament. **Tunisia therefore** feels that matters relating to **Un ed Nations** civil **servants** and their working **conditions** - particularly **outside** the **Organization's Headquarters** - should be taken up in **other United Nations** bodies that are more co-tent and **authorized** to deal with **personnel** matters. **Hence** my delegation cannot support the **draft resolution**.

Nevertheless, my delegation would like to reserve its right to speak to the **substance** of this **matter** in due course in the appropriate forum.

The CHAIRMAN: Since there **are** no other **delegations** wishing to make statements in explanation of vote **before the** voting, the Committee will now begin the voting on draft resolutions in Cluster 12. Before taking **action** on draft **resolution A/C.1/41/L.71/Rev.1**, the Committee will vote upon the amendments to that draft **resolution** contained in **document A/C.1/41/L.84**.

**Before voting** on the amendments in **A/C.1/41/L.84**, I would remind delegations that draft resolution **A/C.1/41/L.71/Rev.1** has already **been** orally revised by the representative **of** Australia. Paragraph 4 of **A/C.1/41/L.84**, therefore, is not the subject of a vote, since that revision has already been made orally by the **sponsors**. Operative paragraph **2** of draft resolution **L.71/Rev.1** now reads:

(The Chairman)

"Fully supports the **continuing** efforts being made by the **Secretary-General** and the **Advisory Board on Disarmament Studies** to rectify this situation'.

I shall now put the **amendments** in document **A/C.1/41/L.84** to draft resolution **A/C.1/41/L.71/Rev.1**, as **orally** revised, to the **vote**. The voting **covers** paragraphs 1, 2, 3, 5 and 6.

I call **on** the representative of **Mexico**, who has asked to speak on a point of order .

Mr. GARCIA ROBLES (Mexico) (**Interpretation** from Spanish): I should like to request a separate vote on paragraph 3 of the amendments **submitted** by Romania in document **A/C.1/41/L.84**.

**The CHAIRMAN:** There has just been a **request** for a separate vote on paragraph 3 of the amendments to the draft resolution contained in document **A/C.1/41/L.84**. If there are no **objections** we will vote separately on **paragraph 3**.

I call on the representative of **New Zealand** on a point of order.

**Mr. van BOHEMEN** (New **Zealand**): I should just like a clarification. I had **understood** that we were to vote on all these amendments as a group, **as indeed** had **been suggested** by the **sponsor** of the amendments, Romania.

**The CHAIRMAN:** As representatives know, any delegation has **the right** to request a separate **vote** on a particular paragraph, and we have taken into account the request that was made by the representative of **Mexico** for a separate vote on paragraph 3 of the **amendments**.

There being no request to have a **separate** vote on each of the amendments, we will take paragraphs 1, 2, 5 and 6 as a group. Then we will have a separate vote on paragraph 3.

If there is no objection we shall act accordingly.

It was so decided.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Angola, **Bangladesh**, Bulgaria, Burkina Faso, **Byelorussian** Soviet Socialist Republic, China, **Comoros**, Cuba, Czechoellovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Iran (Islamic Republic of), Iraq., Kuwait, Lao People's Democratic Republic, **Madagascar**, Mongolia, Mozambique, Nicatayua, **Oman**, Poland, Romania, Rwanda, Senegal, Somalia, Syrian Arab Republic, Tunisia, Ukrainian Soviet Socialist Republic, Union of **Soviet** Socialist Republics, Viet Nam, Yemen- Yugoslavia, Zaire, **Zimbabwe**

Against: Australia, Austria, Belgium, **Canada**, Chile, Colombia, **Côte d'Ivoire**, Denmark, **Ecuador**, Finland, France, Germany, **Federal** Republic of, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, Now Zealand, Norway, Paraguay, **Philippines**, Portugal, **Samoa**, **Singapore**, Spain, Sweden, United **Kingdom** of Great Britain and Northern Ireland, United **States** of America, Uruguay, **Venezuela**

Abstaining: Argentina, **Bahamas, Barbados**, Bhutan, Bolivia, Rotewana, **Brazil**, Burundi, Cameroon, Congo, **Egypt, Ghana, Greece, Guatemala**, Guyana, India, **Israel**, Kenya, Lesotho, Liberia, Mauritania, Mexico, Nepal, **Niger**, Nigeria, Pakirtan, Peru, Sri Lanka, **Sudan**, Suriname, Togo, Trinidad and Tobago, Turkey, Uganda, United Republic of Tanzania, Zambia ..

Paragraphs 1,2, 5 and 6 document A/C.1/41/L.84 were adopted by 36 votes to 31, with 36 abstentions.

The CHAIRMAN: We will now vote on paragraph 3 of document A/C.1/41/L.84 on which a separate recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Angola, **Bangladesh**, Bulgaria, Burkina Faso, **Byelorussian Soviet Socialist** Republic, China, **Comoros**, Cube, Czechoslovakia, Democratic Yemen, Ethiopia, German **Democratic** Republic, India, Iraq, Kuwait, Lao **People's Democratic** Republic, **Madagascar, Mauritania, Mexico**, Mongolia, **Mozambique**, Nicaragua, Niger, **Philippines**, Poland, Romania, Rwanda, Senegal, **Somalia**, **Syrian Arab Republic, Tunisia**, Ukrainian Soviet **Socialist** Republic, Union of Soviet **Socialist Republics**, United **Republic of** Tanzania, Viet **Nam**, Yemen, Yugoslavia, Zaire, **Zambia, Zimbabwe**

Against: **Australia**, Auatria, Belgium, Canada, Chile, Colombia, **Denmark**, Finland, France, Germany, Federal Republic **of**, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Paraguay, Peru, Portugal, Samoa, Singapore, Spain, Sweden, **United Kingdom of Great Britain and Northern Ireland, United States of** America, Venezuela

Abstaining: **Argentina, Bahamas, Barbados**, Bhutan, Bolivia, **Botswana, Brazil**, Burundi, Cameroon, Congo, Ecuador, Egypt, Ghana, Greece, **Guatemala**, Guyana, Iran (**Islamic Republic of**), **Israel**, Kenya, **Lesotho**, Liberia, Nepal, Nigeria, **Oman**, Pakistan, Sri Lanka, Sudan, **Suriname**, Togo, Trinidad and **Tobago**, Turkey, Uganda, Uruguay

Paragraph 3 of document A/C.1/41/L.84 was adopted by 41 votes to 28, with 33 abstentions.

The CHAIRMAN: We will now take a **decision** on the draft **resolution** as a whole.

I call on the representative of Australia on a point of order.

Mr. BUTLER (Australia): On behalf of ~~the~~ sponsors of the draft resolution contained in **L.71/Rev.1** I move now , under rule 118 of the rules of procedure of the General Assembly, For a suspension ~~of~~ the meeting **for 30** minutes to enable consideration of further action on this subject to be undertaken by delegations.

The CHAIRMAN: **If** there is no objection, it will be **so** decided.

**It** was so decided.



The meeting was suspended at 5.05 p.m. and resumed at 6.05 p.m.

The **CHAIRMAN**: We still have before us draft resolution A/C.1/41/L.71/Rev.1, as orally revised and subsequently amended.

Before we come to the vote on this draft resolution, I shall call upon the representative of Australia.

Mr. **BUTLER** (Australia): Before we proceed to vote on draft resolution L.71/Rev.1, as orally revised and then as amended by the process of voting in the Committee on the basis of the amendments submitted by Romania in document L.84, I have been asked to make a brief statement on behalf of the following delegations, in addition to my own: the delegations of France, the Federal Republic of Germany, Iceland, the Netherlands, Norway, Samoa, Sweden and the United Kingdom of Great Britain and Northern Ireland.

The draft resolution we have submitted in document L.71/Rev.1, as orally revised by us, has now been amended by a vote of the Committee. The effect of those amendments, in our view, is to change the thrust and purpose of our draft resolution in fundamental ways and in ways that are not acceptable to us. In particular, implications are made in the amendments with regard to the conduct of the present Director of the United Nations Institute for Disarmament Research as an international civil servant - implications which we can in no way support, because, in our view, they have been in no way substantiated. We will not be associated with such implications.

Implications are also made about the conduct of the Secretary-General in his attempts to solve the problem with regard to the directorship of the United Nations Institute, and those implications about the conduct of the Secretary-General are equally implications with which we utterly disassociate ourselves.

(Mr. Butler, Australia)

Under these circumstances, as you know, Mr. Chairman, the ruler of procedure are such that, as the draft resolution has been amended in the way that ours has, we are of course no longer sponsor of it. Those are the rules of procedure, but I do want to underline that point and, consistent with what I have just said on behalf of the sponsors of what was L.71/Rev.1, we will be voting on the amended draft resolution accordingly.

Mr. MARINESCU (Romania) (interpretation from French): The situation in which the representative of Australia finds himself at his inconvenience are quite understandable. Actually, immediately after the draft resolution was submitted in its initial form, two of the original sponsors saw fit immediately thereafter to withdraw.

(Mr. Marinescu, Romania)

It is clear that the draft resolution is becoming a millstone and that the list of sponsors is shrinking before our very eyes. The fact that some ideas now embodied in the draft as amended by the will of this Committee are not pleasing to the sponsors is quite understandable because, in the final analysis, what does this draft resolution say in its amended form? It simply says in the preambular part, without making any specific charges, that an international civil servant not only enjoys privileges and rights, but has obligations and duties as well. And one of those obligations, which is to be found in the first article of the Staff Regulations, is that he is not allowed to be involved in activities which are at variance with his being an international civil servant.

Secondly, and above all, we said - and these repeated statements, particularly from the representative of Australia, have convinced us of this even more - that what is being sought essentially is not a solution to the so-called problem of the directorship of the United Nations Institute for Disarmament Research (UNIDIR), a problem which could be very simply and quickly resolved; the desire has been to create a confrontation and a political diversion as well as a false problem. For that reason, there has been inadmissible abuse of the name and authority of the Secretary-General by trying to convince this Committee that everything done on behalf of these sponsors, who now find it very awkward that their signature is on this draft, has been, as they say, by authority of the Secretary-General. That assertion must be categorically and firmly rejected. The creation of a non-existent problem is abundantly clear.

Those who genuinely want a solution have only one true and reasonable way out of the problem, the way in which such problems are normally resolved in a satisfactory way, satisfactory to all parties involved and concerned - and that is through dialogue and through discussion between the Secretary-General and the Romanian authorities, the only people who are directly and properly concerned, and

(Mr. Marinescu, Romania)

who are entitled, therefore, to make my judgement about a matter relating to a citizen of our state.

This unfortunate episode should, I think, teach us all a lesson for the future, because we cannot allow States, which today are no longer prepared to be gone, to create to themselves the right to interfere in matters which are not their concern and to be guilty thus of state of intervention in the internal affairs of other States. If now this draft is no longer to the liking of the delegations which originally sponsored it, that of course is their affair. So far as we are concerned, our attitude to this draft, both in its original and present form, has I think been clearly explained and all delegations are, in a fully informed way, adopt whatever decision they feel to be the most judicious and the most likely to resolve this affair which has been used as a pretext to create a false problem and which has abused the precious time of the First Committee in the name of so-called disarmament matters.

Mr. CROMARTIE (United Kingdom of Great Britain and Northern Ireland): My delegation cannot support draft resolution A/C.1/41/L.71/Rev.1 as it has now been amended by the adoption of the amendments in A/C.1/41/L.84. We were in favour of the text as it appeared in A/C.1/41/L.71/Rev.1 and were among its sponsors. However, the draft resolution as it now reads appears to endorse the allegation by the delegation of Romania that the Director of the United Nations Institute for Disarmament Research (UNIDIR) has engaged in activities that are incompatible with his official duties. That is certainly not an issue on which this Committee is competent to pronounce itself.

Moreover, we very deeply regret the implicit criticism of the Secretary-General in the draft resolution as it now stands. We shall therefore vote against the draft resolution in its present form.

(Mr. Cromartie, United Kingdom)

We have supported and continue to support the efforts of the Secretary-General to bring this matter to a speedy and satisfactory conclusion.

Mr. ROCHE (Canada): This afternoon has been a time of some confusion in the Committee because of the manner in which our discussions have developed. Throughout that confusion, Canada has tried to keep one thought central to us, and that one central thought is to express fairness to Mr. Bota. We believe, moreover, that the whole Committee has an obligation to express fairness to the Director of UNDIR. We want to send a message - a clear, unequivocal message - of fairness to Mr. Bota and we want to strengthen the hand of the Secretary-General of the United Nations to carry out his responsibilities to ensure that there will be fairness to Mr. Bota.

Now, we have examined the draft resolution that is now going to be voted on by the Committee as it has been amended, and we find that there have been brought into the amended draft resolution thoughts which are contrary to the original intention of the sponsors of the draft resolution to express fairness, and that indeed what we now have before us is an amended draft resolution that in fact endorses unsubstantiated allegations against Mr. Bota.

Therefore, in our considered view, Canada will vote "no" on this draft resolution because we want to express our clear, unequivocal desire to all the relevant authorities that fairness must be exerted towards Mr. Bota, and it is only through a "no" vote that such fairness will be manifested.

Finally, Canada's commitment to an effective United Nations Institute for Disarmament Research is clear. I am not going to dwell on that now, but we have to remember that equally clear is the commitment by all of us to the principles embodied in the United Nations Charter and the Convention on the privileges and immunities concerning the international character of the Secretary-General and his staff.

(Mr. Roche, Canada)

Simply put, without universal respect for these principles the United Nations could not function. We have been disturbed that the work of UNIDIR has for some 10 months been seriously hampered because the Director has been unable to return to his post. We have made our concerns known to the appropriate parties, and we have been unequivocal in support of the Secretary-General in his efforts to have the situation rectified.

Now we look to those who have the power to do so to respect the principles of the Charter and the privileges and immunities of the United Nations and to send a clear, unequivocal message in protection of the Director of UNIDIR and in fairness towards him by voting "no".

Hr. van BOHEMEN (New Zealand); New Zealand attaches the highest importance to the United Nations. I would like to recall some of the principles on which this Organization was based.

It should have an independent secretariat. The Secretary-General is its chief administrative officer. The secretariat is a principal organ of the United Nations. States are obliged to respect its independence and integrity. These principles are set out in Chapter XV of the Charter. All Members of this Committee have undertaken a legal obligation to observe those provisions.

The draft resolution in document L.71/Rev.1 and the amendments in L.84 touch directly on those principles. Contrary to what some have said, the objective of L.71 was not to generate a battle between one group of States and another. The objective was to uphold the authority of the Secretary-General and to encourage him in the efforts he has been making to resolve the most unfortunate situation of Mr. Bota in accordance with the Staff Rules of the Organization.

The role of the Secretary-General is not an easy one. If he is to carry it out properly, he must have the support and co-operation of Member States.

(Mr. van Bohemen, New Zealand)

In the opinion of the New Zealand delegation, the amendments to L.71/Rev.1 that have been adopted could **seriously** undermine the efforts of the Secretary-General, who has been making to resolve the **situation**. Indeed they almost amount to a negation of the efforts he **has** made **so** far.

As **was** pointed out by the representative of Sweden, it **is** not the Secretary-General who has failed to **co-operate**; it **is** the one Government concerned.

We **find** it most **disturbing** that in the amendments the efforts of the Secretary-General should be equated with the actions of that Government.

**For that reason we will** vote against the draft resolution as amended.

The CHAIRMAN: I call on the representative of Australia on a **point** of order.

Mr. BUTLER (Australia): Yes, **I** do have a point of order, Mr. Chairman, which, as I think you will **recognize**, it **is** my right to make. I am sorry if that **disappoints** you. **I** will be brief, and I will not hold up the voting procedure any further.

**I simply** want to make the point of order that on **five occasions** during his statement the representative of Romania referred to "the sponsors of the amended **resolution**". **I spoke** on behalf of nine States, indicating **that** we were no longer **sponsors**, and, of course, **according** to the **rules of** procedure, once a draft resolution **has been so** amended there are no **sponsors**. So I think it is very important before we vote that representatives in **this room recognize** the fact that the draft resolution on which we are about to vote has no **sponsors**.

The CHAIRMAN: I shall now put to the vote the draft resolution contained in document A/C.1/41/L.71/Rev.1, ~~as~~ orally revised and ~~subsequently~~ amended. It is ~~entitled~~ "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth ~~special~~ session: Advisory Board on Disarmament ~~Studies~~; and United Nations ~~Institute~~ for Disarmament ~~Research~~".

A recorded vote has ~~been~~ requested.

A recorded vote was taken.

In favour: None

Against: Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, ~~Côte d'Ivoire~~, Democratic Yemen, Ecuador, Finland, ~~France~~, Germany, Federal Republic of, Greece, Guatemala, Iceland, Ireland, Italy, Luxembourg, Netherlands, New ~~Zealand~~, ~~Norway~~, Paraguay, Peru, Philippines, Portugal, ~~Samoa~~, Singapore, Spain, Sweden, United ~~Kingdom~~ of Great Britain and Northern Ireland, United States ~~of America~~, Uruguay, Venezuela

Abstaining: Argentina, Bahamas, Bangladesh, Barbados, Bhutan, Botswana, ~~Brazil~~, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, China, ~~Comoros~~, Congo, Egypt, ~~Ethiopia~~, ~~Gabon~~, Ghana, Guyana, India, ~~Iran~~ (Islamic Republic of), ~~Iraaq~~, ~~Iarsel~~, Japan, Kenya, Lesotho, Liberia, Maldives, ~~Mauritania~~, ~~Mexico~~, ~~Nepal~~, Nicaragua, Niger, Nigeria, Oman, Pakistan, Rwanda, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, ~~Togo~~, Trinidad and Tobago, Turkey, Uganda, ~~United Arab Emirates~~, United ~~Republic~~ of Tanzania, Yugoslavia, Zaire, Zambia, Zimbabwe

Draft resolution A/C.1/41/L.71/Rev.1, as orally revised and amended, was rejected by 34 votes to none, with 54 abstentions.

The CHAIRMAN: We shall hear the explanations of vote after the vote on draft resolution 1 ~~.71/Rev.1~~ tomorrow because we can extend this meeting by ~~only~~ 30 minutes. However, the representative of the Federal Republic of Germany has asked to speak, and I call on him.

Mr. FISCHER (Federal Republic of Germany): As a former sponsor of draft resolution L.71/Rev.1, we should like, given the situation, to use this opportunity to ~~speak~~ on our vote after the vote.



(Mr. Fischer, Federal Republic of Germany)

The **sponsors** of draft resolution **L.71/Rev.1** intended it to give solid support to the necessary further actions of the Secretary-General to **restore the** proper **functioning** of the **United Nations Institute** for Disarmament Research (UNIDIR). Much to our regret the amendment to the draft resolution introduced -

The CHAIRMAN: I am sorry to interrupt **the** representative **of** the Federal **Republic** of Germany, but I would ask him kindly to be **as brief as possible, because** we have only one minute to go, and I have requested **representatives** wishing to **speak** after the vote to do so tomorrow morning. Please take into account my personal appeal. I call **on** the representative of the Federal Republic of Germany.

Mr. FISCHER (Federal Republic of Germany) : Mr. Chairman, I promise to be brief, but we think that what we have to say **is** important.

Much **to** our **regret** the amendments introduced into the draft by virtue of document **L.84** left my delegation no choice but to vote "no". It **is** our conviction, despite this situation, that the Secretary-General, in contacts with the one Government concerned, will continue to apply his efforts in order to solve the problem **before us**. He, the **Secretary-General**, will, as in the **past**, have the **full support** of my Government.

The CHAIRMAN: In view of the lateness of the hour, I propose that remaining delegations wishing to speak in explanation of vote after the voting on draft resolution A/C.1/41/L.71/Rev.1, as orally revised and further amended, do so at tomorrow morning's meeting.

#### ORGANIZATION OF WORK

The CHAIRMAN: Our programme for tomorrow morning will be as follows: We shall first conclude our consideration of draft resolutions in cluster 12 - that is draft resolution A/C.1/41/L.54, the financial implications of which are set out in document A/C.1/41/L.85, which has been reissued for technical reasons. We shall then take up draft resolutions in cluster 6: A/C.1/41/L. 27, L. 44 and L.50.

Afterward, in conformity with the Committee's programme of work and timetable, the Committee will proceed to general debate and consideration of and action upon agenda item 66, "Question of Antarctica". With a view to making effective and efficient use of the facilities set aside for the consideration of that item, I urge delegations kindly to place their names on the list of speakers as soon as possible. I therefore suggest that the list of speakers on agenda item 66 be closed tomorrow, Tuesday, 18 November, at 12 noon. May I take it that the Committee agrees to that proposal?

It was so decided.

The CHAIRMAN: I urge delegations wishing to submit draft resolutions under agenda item 66 kindly to make every effort to meet the deadline for the submission of draft resolutions under that item, which is also tomorrow at 12 noon.

I call now on the Secretary of the Committee.

Mr. KHERADI (Secretary of the Committee): I wish to point out that owing to the rush of events associated with the issuance of the revised text of draft resolution **A/C.1/41/L.27**, which was circulated this afternoon in a provisional **"blue"** version as document **A/C.1/41/L.27/Rev.1**, the list of sponsors does **not** correspond to the situation as it evolved subsequent to the issuance of the original draft resolution. The list of sponsors of draft resolution **A/C.1/41/L.27/Rev.1** should read as follows: Prance, Roland and Sweden. The document will be re-issued tomorrow in final **form**; that-change would, of **course**, be reflected in the final version.

The meeting rose at **6.35** p.m.