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GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE ONE HUNDRED AND THIRD MEETING

Held at Headquarters, New York,
on Monday, 14 September 1987, at 10 a.m.

President:

Mr. CHOUDHURY

(Bangladesh)

- Resumption of the forty-first session
- Scale of assessments for the apportionment of the expenses of the United Nations [116] (continued)
- Adoption of the agenda and organization of work: [8] (continued)
 - (a) Letter from the Chairman of the Committee on Conferences
 - (b) Request for the inclusion of an additional sub-item submitted by the Secretary-General
- Election to fill vacancies in principal organs: [15] (continued)
 - (c) Election of a member of the International Court of Justice

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- (i) Memorandum by the Secretary-General
- (ii) List of candidates nominated by national groups
- (iii) Curriculum vitae of the candidate nominated by national groups
- Review of the efficiency of the administrative and financial functioning of the United Nations [38] (continued)
- Question of Cyprus [43] (continued)
- Implementation of the resolutions of the United Nations [44] (continued)
- Consequences of the prolongation of the armed conflict between Iran and Iraq [45] (continued)
- Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: [62] (continued)
- (d) Comprehensive programme of disarmament: report of the Conference on Disarmament
- Current financial crisis of the United Nations [140] (continued)
- Judgment of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua: need for immediate compliance [146] (continued)
- Concluding statement by the President
- Minute of silent prayer or meditation [2] (continued)
- Closure of the forty-first session

The meeting was called to order at 10.10 a.m.

RESUMPTION OF THE FORTY-FIRST SESSION

The PRESIDENT: I declare the forty-first session of the General Assembly resumed in accordance with decision 41/470 of 19 December 1986.

AGENDA ITEM 116 (continued)

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS
(A/41/1006)

The PRESIDENT: Before taking up the items on our agenda, I should like, in keeping with the established practice, to invite the attention of the General Assembly to document A/41/1006, which contains a letter addressed to me by the Secretary-General in which he informs the Assembly that four Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

I should like to remind delegations that, under Article 19 of the Charter,

"A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years".

May I take it that the General Assembly duly takes note of this information?

It was so decided.

AGENDA ITEM 8 (continued)

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK:

- (a) LETTER FROM THE CHAIRMAN OF THE COMMITTEE ON CONFERENCES (A/41/595/Add.4)
- (b) REQUEST FOR THE INCLUSION OF AN ADDITIONAL SUB-ITEM SUBMITTED BY THE SECRETARY-GENERAL (A/41/246)

The PRESIDENT: The Assembly will now turn its attention to document A/41/595/Add.4, which contains a letter dated 2 September 1987 addressed to the President of the Assembly by the Chairman of the Committee on Conferences. As members are aware, the Assembly, in paragraph 34 of its decision 34/401, decided that no subsidiary organ of the General Assembly should be permitted to meet at Under Nations Headquarters during a regular session of the Assembly unless explicitly authorized by the Assembly.

As indicated in the letter I have just mentioned, the Committee on Conferences has recommended that the General Assembly authorize additional meetings for the Committee for Programme and Co-ordination, which wishes to meet from 14 to 25 September 1987 in order to finalize its work.

Bearing in mind that the scheduled dates overlap with the forty-second session of the Assembly, may I take it that the General Assembly adopts the recommendation of the Committee on Conferences pending a further decision by the forty-second session of the Assembly?

It was so decided.

The PRESIDENT: The Assembly will now consider the request for the inclusion of an additional sub-item in the agenda of the forty-first session under agenda item 15, entitled "Elections to fill vacancies in principal organs". In this connection a note by the Secretary-General has been circulated in document A/41/246.

(The President)

In his note the Secretary-General informs the Assembly that the death of Judge Guy Ladreit de Lacharrière (France) has resulted in a vacancy in the International Court of Justice and draws the Assembly's attention to resolution 595 (1987) adopted by the Security Council on 27 March 1987, whereby the Council decided that the election to fill the vacancy should take place today, 14 September 1987, at a meeting of the Security Council and at a meeting of the forty-first session of the General Assembly.

Inasmuch as agenda item 15 of the forty-first session of the General Assembly does not include a sub-item relating to the election to fill the vacancy, it is proposed that such a sub-item be included in the agenda of the forty-first session.

Unless there is any objection, may I take it that the General Assembly agrees under the circumstances of the present case, just described, that the provision of rule 40 of the rules of procedure, which would require a meeting of the General Committee on the question of the inclusion of this sub-item on the agenda, could be waived.

It was so decided.

The PRESIDENT: May I also take it that the Assembly wishes to include an additional sub-item under item 15 to read as follows:

"(c) Election of a member of the International Court of Justice?"

It was so decided.

AGENDA ITEM 15 (continued)

ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS

(c) ELECTION OF A MEMBER OF THE INTERNATIONAL COURT OF JUSTICE

- (i) MEMORANDUM BY THE SECRETARY-GENERAL (A/41/1000)
- (ii) LIST OF CANDIDATES NOMINATED BY NATIONAL GROUPS (A/41/1002 AND A/41/1005)
- (iii) CURRICULUM VITAE OF THE CANDIDATE NOMINATED BY NATIONAL GROUPS (A/41/1003)

The PRESIDENT: In accordance with the decision just taken, the Assembly will now consider sub-item 15 (c), entitled "Election of a member of the International Court of Justice".

Before proceeding to the elections, I should like to bring the following information to the attention of the Assembly.

First, in accordance with General Assembly resolution 264 (III), a State which is a party to the Statute of the International Court of Justice but not a member of the United Nations may participate in the election in the General Assembly with the same rights as the States Members of the United Nations. On this occasion, I am happy to welcome here the representatives of Liechtenstein, San Marino and Switzerland.

Secondly, I should like to draw the attention of the Assembly to the documents relating to the election. The Assembly has before it document A/41/1000, containing a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the General Assembly and in the Security Council in regard to the election; document A/41/1002, listing the candidate nominated by national groups by 10 July 1987, and document A/41/1005, providing information concerning nominations received from national groups after that date; and document A/41/1003, which contains the curriculum vitae of the candidate nominated by national groups.

(The President)

Thirdly, in conformity with Article 8 of the Statute of the International Court of Justice, the Security Council and the General Assembly will proceed independently to the election of one member of the Court.

Fourthly, the result of the voting in one organ will not be communicated to the other organ until the voting in both organs has been completed.

Fifthly, in accordance with Article 10, paragraph 1, of the Statute of the Court, the candidate who obtains an absolute majority of votes in the General Assembly and in the Security Council shall be considered elected. For the present election 82 votes constitute an absolute majority in the General Assembly.

Finally, representatives are requested to use only the ballot papers now being distributed. Their vote should be indicated by placing a cross at the left of the name of the candidate. No name may be added to the ballot paper; otherwise, the ballot will be considered invalid.

At the invitation of the President, Mr. Budai (Hungary), Mr. Damodaran (India), Mr. Ralebitso (Lesotho) and Mr. Popolizio (Peru) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.40 a.m. and resumed at 11.05 a.m.

The PRESIDENT: The result of the voting is as follows:

<u>Number of ballot papers:</u>	110
<u>Number of invalid ballots:</u>	0
<u>Number of valid ballots:</u>	110
<u>Abstentions:</u>	4
<u>Number of members voting:</u>	106
<u>Required absolute majority:</u>	82
<u>Number of votes obtained:</u>	

Mr. Gilbert Guillaume (France)	106
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Mr. Gilbert Guillaume of France has received the required absolute majority in the General Assembly. I have communicated this result to the President of the Security Council. I shall now read out the following letter from the President of the Security Council communicating the result of the vote in that body:

"I have the honour to inform you that at the 2752nd meeting of the Security Council, held on 14 September 1987 for the purpose of electing a member of the International Court of Justice for a term of office to expire on 5 February 1991, Mr. Gilbert Guillaume obtained an absolute majority of votes."

As a result of the voting which has taken place independently in the General Assembly and in the Security Council, Mr. Gilbert Guillaume of France, having obtained an absolute majority of votes in both organs, has been elected a member of the International Court of Justice for a term of office expiring on 5 February 1991. I take this opportunity to extend to him the congratulations of the Assembly.

(The President)

I should also like to thank the tellers for their assistance.

We have thus concluded our consideration of agenda item 15 (c).

AGENDA ITEM 38 (continued)

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

The PRESIDENT: The Assembly decided on 11 December 1986 to include this item in the provisional agenda of the forty-second session. May I take it that it is the wish of the Assembly to defer further consideration of this item to the forty-second session?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 38.

AGENDA ITEM 43 (continued)

QUESTION OF CYPRUS

The PRESIDENT: Members will recall that on 20 September 1986 the Assembly decided to include this item in the agenda of the present session but deferred a decision on the allocation of the item to an appropriate time in the future.

It is my understanding that it would be desirable to defer consideration of this item to the forty-second session of the General Assembly. May I take it, then, that it is the wish of the Assembly to defer consideration of the item and include it in the draft agenda of the forty-second session?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 43.

AGENDA ITEM 44 (continued)

IMPLEMENTATION OF THE RESOLUTIONS OF THE UNITED NATIONS

Mr. MOUSHOUTAS (Cyprus): Being sponsors of agenda item 44, entitled "Implementation of the resolutions of the United Nations", we propose that its consideration be deferred to the forty-third session of the General Assembly and that it be included in the provisional agenda of that session.

The PRESIDENT: In the light of what has just been said, I take it that it is the General Assembly's wish to defer consideration of this item to the forty-third session and to include it in the provisional agenda of that session.

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 44.

AGENDA ITEM 45 (continued)

CONSEQUENCES OF THE PROLONGATION OF THE ARMED CONFLICT BETWEEN IRAN AND IRAQ

The PRESIDENT: The Assembly decided on 20 September 1986 to include this item in the agenda of the forty-first session.

It is my understanding that it would be desirable to defer consideration of this item to the forty-second session of the General Assembly.

May I take it that it is the wish of the Assembly to defer consideration of the item and to include it in the draft agenda of the forty-second session?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 45.

AGENDA ITEM 62 (d) (continued)

REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH SPECIAL SESSION:

(d) COMPREHENSIVE PROGRAMME OF DISARMAMENT: REPORT OF THE CONFERENCE ON DISARMAMENT (A/41/27/Add.1)

The PRESIDENT: The Assembly has before it the report of the Conference on Disarmament on this item (A/41/27/Add.1).

May I take it that the Assembly takes note of the report of the Conference on Disarmament regarding the comprehensive programme of disarmament (A/41/27/Add.1)?

It was so decided.

The PRESIDENT: May I also take it that it is the wish of the Assembly to defer further consideration of the item and to include it on the draft agenda of the forty-second session?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 62 (d).

AGENDA ITEM 140 (continued)

CURRENT FINANCIAL CRISIS OF THE UNITED NATIONS

The PRESIDENT: May I take it that it is the wish of the General Assembly to defer further consideration of this item to the forty-second session and to include it in its draft agenda?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 140.

AGENDA ITEM 146 (continued)

JUDGMENT OF THE INTERNATIONAL COURT OF JUSTICE OF 27 JUNE 1986 CONCERNING MILITARY AND PARAMILITARY ACTIVITIES IN AND AGAINST NICARAGUA: NEED FOR IMMEDIATE COMPLIANCE

The PRESIDENT: The Assembly decided on 31 October 1986 to include this item on the agenda of the forty-first session of the General Assembly.

May I take it that it is the wish of the Assembly to defer consideration of this item and to include it in the draft agenda of the forty-second session?

It was so decided.

The PRESIDENT: That concludes our consideration of agenda item 146.

CONCLUDING STATEMENT BY THE PRESIDENT

The PRESIDENT: We have come to the closing moments of what has been in many ways an epochal session. For me personally it has been an exhilarating experience to have had the honour of serving the General Assembly as its President. It falls to me, therefore, to say the last words before the formal conclusion of the session.

It has been said that a Greek temple or a Gothic cathedral is never quite finished, for it is in a constant state of embellishment. The United Nations is no different; the Organization is in many ways the pantheon of contemporary values.

(The President)

Every session adds to it, laying fresh bricks, as it were, upon the structure. That is what we have done in the session that is about to conclude. I am happy to be able to say at the end that our session has indeed been a most fruitful one. Though it is for history to pass the final judgement, we can say without fear of contradiction that our achievements have been significant. I believe we can all rest serene and secure in the knowledge of a job well done.

Allow me to capture in a few words what I believe was the essence of the forty-first session - what our work over the past 12 months was really about.

We sought to create a better United Nations for a better world, which had to begin with the restoration of global confidence in the United Nations system. The task was not an easy one. At the end we were, hopefully, able to achieve a modicum of success in the attainment of our goals. That is not to say that the crisis has dissipated in its entirety, nor must we allow ourselves to be enervated by a sense of complacency. As of liberty, the price of a successful United Nations is constant vigilance.

Several features marked the forty-first session of the General Assembly, features which I shall briefly recapitulate. We confronted a long agenda, comprising a total of 146 items. Owing to a sense of deep dedication and commitment on the part of all delegations, co-operation and understanding on the part of the Secretariat and leadership and skilful guidance on the part of the Committee Chairmen, we were able to conclude most of our work by the end of November. What remained was the debate and decisions on reforms, on which I shall focus later. In all, we adopted 213 resolutions and 90 decisions.

All that was made possible, distinguished representatives - and for this I am deeply in your debt - by your heeding my appeal for a puntual commencement of meetings, by a reduction in quorum requirements and by organizing the schedule of work in an appropriate manner.

(The President)

There was no curtailment of substantive discussions on any items. We concentrated on the rationalization of work and displacement of quantity by quality. As in other years, considerable time was taken up by discussion of such crucial issues as apartheid, Namibia, Palestine and the Middle East, Kampuchea, Central America, disarmament, debt problems, human rights and drug traffic. Through rationalization of work the number of resolutions on economic and financial questions was reduced by half. All but 10 of them were adopted by consensus. This reflected the identity of views with regard to some crucial issues.

Our work was enriched and our achievement enhanced by the attendance of a large number of statesmen and leaders, some of whom had travelled great distances to be with us, despite many preoccupations. They addressed us, participated in our deliberations and rendered us advice and counsel. They included as many as 20 Heads of State or national cabinet and 103 Foreign Ministers. They brought their thoughts, reflections and concerns to bear upon our task and joined hands with us in the cause of promoting global peace, security and understanding. We are indebted to them for their support.

As we are all aware, a major success of our efforts has been the unanimous adoption of consensus resolution 41/213 on the subject of the efficiency of the administrative and financial functioning of the United Nations. You may recall that the Group of 18 High-Level Intergovernmental Experts set up at the fortieth session of the United Nations General Assembly to review the matter had made 71 recommendations concerning personnel, administration and co-ordination in the United Nations systems. While the Group could not agree with regard to modification in the budgetary process in the United Nations, a number of suggestions in that respect was made in chapter VI of the report.

Under agenda item 38 the forty-first session of the General Assembly was required to take a decision on the recommendations as well as on the suggested

(The President)

modifications in the budgetary process. In my inaugural address as President I had expressed confidence in the political will of the Member States to arrive at a general agreement on the matter. I was vindicated, as was my own faith in the system. What initially resembled the fruitless toils of Sisyphus ended in the successful adoption of this historic resolution. I had put the weight and prestige of the United Nations General Assembly presidency behind those intramural negotiations, and, thanks to the unswerving commitment and dedicated work of our colleagues, the result was a consensus

That was doubtless a landmark in multilateral diplomacy. The measures envisaged in the resolution will initiate a process which, if properly implemented, will bolster the credibility of the United Nations system. One of its objects was to ensure the continued financial support of the contributors to the funding of the activities of the Organization. The implementation of the reform measures therefore has a major bearing on this aspect. So far, the reforms that have been set in motion have been able to generate a positive response from a large number of contributors.

In the resolution the Committee for Programme and Co-ordination was given crucial expanded responsibilities. It was also entrusted with the task of monitoring the implementation of the reform measures already under way. Its last session provided ample evidence that the Committee has assumed its new responsibilities in all earnestness. As for the administrative reform measures, the Secretary-General has been taking some important steps designed to ensure a lean, effective and efficient United Nations system.

The United Nations was born of the vision of its founding fathers to create a strife-free world. They crafted the Charter ever so carefully so that it might serve as a framework for the ground rules of inter-State relationships. However, the system was born on one set of assumptions but was moved almost immediately

(The President)

afterwards by a new set of political realities. The post-Second World War political setting has been radically altered in the four intervening decades. To my mind, part of the crisis of confidence in the United Nations is owed to this change. The Organization, like all institutions, was the product of the times in which it was conceived and established. The United Nations has had to adapt itself to changing circumstances, to the dynamism of contemporary situations. That is what we attempted to do at the forty-first session. That is what might be required to be done again and again in the future. All institutions require renovation and reform to sustain and prosper. Ours is no different.

If we had some success in fashioning a better United Nations, have we been able to create a better world? The query is bound to attract mixed response. Over the years the United Nations has done much. It has usually reacted to breach of peace by timely action, though not always successfully. But then, signal achievements have been made in the social, economic and humanitarian spheres. The specialized agencies have done yeoman work in this respect. This includes technical assistance to projects, expansion in food production, succour to refugees, eradication of contagious diseases, protection of the rights of women and children, human rights in general, disaster relief and many more. It is evident, therefore, that the United Nations has displayed a remarkable resilience over the years in dealing with the challenges of an increasingly complex world. There is, of course, the scope to make it more responsive to the perceptions and priorities of a changing world.

To my mind there are two areas where the United Nations system could and, indeed, must contribute towards the making of a better world. The first is in redressing the balance between the world's rich and poor. The pride of the latter half of the twentieth century is global fellow-feeling, an acknowledged and shared responsibility of all to ameliorate the sufferings of some. While some countries

(The President)

continue in their opulence, there are others in whom the pangs of poverty instill a numbing sense of despair. Co-ordinated action to alleviate their sufferings is called for. It must flow from a harmonious dialogue between the nations of the North and those of the South. The urgency increases every day. In this endeavour the United Nations can and should provide an appropriate forum.

(The President)

The second is in disarmament. The deepest concern in the nuclear age stems from the fear that this planet suddenly, through accident or design, may become an Armageddon of horror and destruction. We have no choice but to convert disarmament from an idea into a faith. I know how difficult it is to put the nuclear genie, once out, back into the bottle. Even though we cannot do that, we must take care never to press the genie into service in our conflicts. Also, we must bear in mind, all wars since 1945 have been conventional. Our efforts must, therefore, be directed towards arms control in conventional weaponry as well.

I am encouraged by the burgeoning conversion to the belief that the acquisition of nuclear arms does not necessarily enhance security. We must learn to accept intellectually, that acquisition of weaponry, nuclear or otherwise, increases the risk of war. The recent Conference on Disarmament and Development has unmistakably shown the linkage between the two phenomena. Our actions must be guided by this knowledge. The 65 resolutions on disarmament and 7 others on related items during this session is ample indication of the growing concern of the United Nations in this area. Never was the survival of man so much at stake on a single issue.

We are happy that some headway is being made towards the solution of an issue of major concern to us today. As Members are aware, the Secretary-General is currently engaged in an effort to bring to a close the disastrous conflict between Iran and Iraq. The Security Council has, in an expression of historic unanimity, rendered him its full approval and support for his trip to the embattled region. It is our fervent prayer that his journey is fruitful and that this sad episode in human history is finally concluded.

Less than a month ago, I was at Panmunjom. I was profoundly saddened by the melancholy spectacle of a people living in divided isolation, and brother

(The President)

confronting brother with guns. I could not but wonder if we in the Organization could not have done more to reduce this needless tension so as to enable the Koreans, in conformity with the United Nations premise of universal membership, to take their rightful place in this assembly of nations. Is it not possible for us to devise a method whereby, like the German people, the Koreans could also be represented in this august house in their existing State-identities, till such time as they themselves are able to take the final decision, whether to sit as single or separate entities. What is most important, I feel, is that this mighty nation, heir to a great culture, must not continue to be denied their right of having their urges reflected, and voice heard, in this global forum.

As I address the Assembly, my country is in great pangs in the aftermath of the ravages wrought by an unprecedented flood, with people running into millions being affected and rendered homeless, and the entire standing crops being washed away. My heart is with my people, who are struggling to overcome this deluge. Let me testify as to how the United Nations - this great Organization of ours - can come to be of invaluable assistance to millions of disaster-stricken people around the globe, as it has done in sensitizing the international community to the gravity of this natural calamity in Bangladesh.

It was during the course of the forty-first United Nations General Assembly that our Secretary-General, Mr. Javier Perez de Cuellar, was reappointed to serve for a second term. He has established himself as a tireless international civil servant. His humane philosophy, his capacity for understanding, and his relentless efforts on behalf of the global unfortunates are qualities that have endeared him to all. I wish him success in all his endeavours.

Throughout the period I have held office, I have received unflinching support from Under-Secretary-General William Buffum, who has now earned his well-deserved

(The President)

retirement. The strength and recognition of his Department are a silent tribute to his excellent work spanning over many years. His able successor, Ambassador Joseph Verner Reed, is an illustrious personage of charming manners, sterling character, great ability and high integrity. I have every confidence he will be eminently successful in his new office.

There are many others who have greatly contributed to our work in the forty-first United Nations General Assembly and to them I owe a debt of gratitude. They include Vice-Presidents, Committee Chairmen and their bureaux, and a host of Secretariat functionaries, both seen and unseen.

And, finally, to your representatives I wish to express my sincere thanks. You are colleagues with whom I am proud to be associated.

We have a common task ahead of us, just as the one behind. As before, we shall address ourselves to it as a common endeavour.

AGENDA ITEM 2 (continued)

MINUTE OF SILENT PRAYER OR MEDITATION

The President: We are now coming to the end of the forty-first session of the General Assembly. I invite representatives to stand and observe one minute of silent prayer or meditation.

The members of the Assembly observed a minute of silent prayer or meditation.

CLOSURE OF THE FORTY-FIRST SESSION

The President: I declare closed the forty-first session of the General Assembly.

The meeting rose at 11.40 a.m.