

United States Department of State

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# United States Participation in the United Nations

Report by the President  
to the Congress  
for the year 1983





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# Acronyms and Short Forms

AID	U.S. Agency for International Development
ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
Committee of 24	Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
CD	Committee on Disarmament
CIEC	Conference on International Economic Cooperation
CSCE	Conference on Security and Cooperation in Europe
EC	European Communities
ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLA	Economic Commission for Latin America
ECOSOC	Economic and Social Council
ECWA	Economic Commission for Western Asia
ESCAP	Economic and Social Commission for Asia and the Pacific
FAO	Food and Agriculture Organization
GATT	General Agreement on Tariffs and Trade
G-77	The Group of 77
HHS	U.S. Department of Health and Human Services
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ICJ	International Court of Justice
ICSC	International Civil Service Commission
IDA	International Development Association
IFC	International Finance Corporation
ILO	International Labor Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
ITU	International Telecommunication Union
JIU	Joint Inspection Unit
LDCs	Less Developed Countries
NASA	U.S. National Aeronautics and Space Administration
NATO	North Atlantic Treaty Organization
OAS	Organization of American States
OAU	Organization of African Unity
OECD	Organization for Economic Cooperation and Development



OPEC	Organization of Petroleum Exporting Countries
PLO	Palestine Liberation Organization
SWAPO	South West Africa People's Organization
UNCITRAL	UN Commission of International Trade Law
UNCTAD	UN Conference on Trade and Development
UNDC	UN Disarmament Commission
UNDOF	UN Disengagement Observer Force
UNDP	UN Development Program
UNEP	UN Environment Program
UNESCO	UN Educational, Scientific, and Cultural Organization
UNFICYP	UN Force in Cyprus
UNHCR	Office of the UN High Commissioner for Refugees
UNICEF	UN Children's Fund
UNIDO	UN Industrial Development Organization
UNIFIL	UN Interim Force in Lebanon
UNITAR	UN Institute for Training and Research
UNRWA	UN Relief and Works Agency for Palestine Refugees in the Near East
UNSCEAR	UN Scientific Committee on the Effects of Atomic Radiation
UPU	Universal Postal Union
WFP	World Food Program
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization



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## Part 1

# Political and Security Affairs

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Since 1945 the United Nations has had as its key purpose the promotion of international peace and security. The Charter gives the Security Council and the General Assembly authority to consider and take ways to combat threats to the peace. This is the centerpiece of the UN system.

Primary responsibility for maintaining international peace and security rests with the Security Council. The Charter authorizes the Council to act to achieve pacific settlement of disputes (Chapter VI), and to deal with threats to the peace, breaches of the peace, and acts of aggression (Chapter VII). The Council can only make recommendations for action on matters under Chapter VI. In areas covered by Chapter VII, however, it may take action—including imposition of collective political, economic, and military sanctions—that is, in theory at least, binding on all member states.

The 15-member Council can function continuously when required. The Charter assigns a special role to the five permanent members—China, France, the U.S.S.R., the United Kingdom, and the United States. A negative vote by a permanent member constitutes a veto of any substantive Council decision. A veto occurs only when a draft resolution receives nine positive votes, the minimum required by the Charter to adopt a decision. The other 10 Council members are elected by the General Assembly; by tradition, they represent regional blocs. They serve overlapping 2-year terms in that five members are replaced each year. In January 1984 Zaire, Jordan, Guyana, Poland, and Togo were to be succeeded by Egypt, India, Peru, Ukrainian S.S.R., and Upper Volta, respectively. Council decisions on procedural matters require nine or more positive votes for adoption. In practice the Council usually operates under a rule of consensus on such issues.

The Council has created UN peacekeeping and peace-monitoring operations to help carry out its responsibilities. Five such units existed in 1983: the UN Force in Cyprus (UNFICYP); the UN Disengagement Observer Force (UNDOF) in the Golan Heights between Israel and Syria; the UN Interim Force in Lebanon (UNIFIL) in southern Lebanon; the UN Truce Supervision Organization (UNTSO) in Israel and neighboring countries; and the UN Military Observer Group in India and Pakistan (UNMOGIP). These

operations were launched and deployed with the consent of the governments concerned; that consent remains the basis for their continuing existence. In 1978 the Council authorized creation of a UN Transition Assistance Group (UNTAG) to help the Secretary General's Special Representative to ensure the early independence of Namibia through free and fair elections. Although the composition of UNTAG has been agreed to, its actual formation awaits final agreement on a Namibia settlement.

The Security Council held 98 meetings in 1983, the largest number since 1976 (113) and the fifth largest in the Council's history. All but nine concerned southern Africa, the Middle East, Central America/Grenada, Chadian complaints against Libya, Libyan complaints against the United States, and Cyprus; six meetings were held on the downing of the Korean airliner. The Council passed 17 resolutions that had roughly the same focus. The United States voted for 15 of these resolutions and abstained on 2, both involving southern Africa. In terms of peacekeeping forces, the Council passed resolutions which renewed UNIFIL three times (January 18, July 18, October 18), UNDOF twice (May 26, November 29), and UNIFCYP twice (June 15, December 15). The United States supported all mandate extensions of these peacekeeping forces. Neither UNTSO nor UNMOGIP requires periodic renewal by the Council.

The Council held 44 meetings on African issues: 21 alone on Namibia, 16 on Chad/Libya, and 7 on South Africa. Council members debated Namibia in May and October, Libya/Chad in March and August, and complaints by Lesotho and Angola against South Africa in June and December. The Council passed five resolutions on Africa: resolutions 532 and 539 on Namibia, and resolutions 533, 534, and 545 dealing, respectively, with South African-imposed death sentences on three members of the African National Congress, and complaints by Lesotho and Angola against South Africa. The United States supported three of these resolutions and abstained on 539 and 545. No resolution on the Libya/Chad situation was put to a vote.

The Council held 19 meetings in 1983 on Middle Eastern issues. On nine occasions in February, March, May, July, and August, it debated Israeli practices in the occupied territories. The Council passed no resolutions on this subject, but its President made a brief statement on one occasion. Apart from UNIFIL mandate renewals, the Council held four meetings on Lebanon in September and November, leading to passage of resolution 542. The Council twice met on the Iran-Iraq conflict, on February 21 and on October 31, when it passed resolution 540.

Nicaraguan complaints were the subject of 16 Council meetings, based on three separate petitions: March 23-29, when no resolution was passed; in May, when the Council passed resolution 530; and on September 13, when Nicaragua was the sole speaker. Grenada was

debated on three occasions; Cyprus, on seven (apart from UNFICYP mandate renewals).

The United States cast two vetoes, its 36th and 37th, in 1983: on August 2 on a draft resolution involving Israeli practices in the occupied territories; and on October 28 on a draft resolution involving the Grenada peace operation, following 3 days of debate. By contrast, the U.S.S.R. cast its 115th veto on September 12 against a draft resolution condemning the shooting down by Soviet military planes of a Korean airliner, thus ending a 6-day debate.

On September 22 the Council recommended in resolution 537, and the General Assembly later approved, admission of St. Christopher and Nevis to membership in the United Nations. St. Christopher and Nevis became the 158th member of the United Nations on September 23, 1983.

Except for the anomalous situation of South Africa, all UN member states are currently represented in the General Assembly, which meets annually from mid-September to late December. After 2 weeks of general debate, the work of the Assembly takes place in plenary meetings and in seven main committees. Political subjects are handled in several forums: disarmament in the First Committee; broad political issues in the Special Political Committee and the plenary; human rights in the Third Committee; and dependent territories in the Fourth Committee. The Assembly also has subordinate bodies, sometimes with limited membership, which meet periodically between sessions and report to the plenary. These reports form the foundation of much General Assembly work. Two prominent subordinate bodies are the Committee on the Peaceful Uses of Outer Space and the *Ad Hoc* Committee on the Indian Ocean as a Zone of Peace.

The resumed session of the 37th General Assembly, suspended on December 20, 1982, took place in six meetings between May 10 and 13, 1983. The sole subject was Cyprus. The United States abstained on resolution 37/253, adopted May 13, on the grounds that the text lacked balance and included terms which prejudiced the quest to resume the intercommunal talks. The 37th General Assembly formally ended on September 19, 1983.

The 38th General Assembly convened on September 20, 1983, and was suspended on December 20, 1983. President Reagan addressed the plenary on September 26, the first time he had spoken to a fall session of the General Assembly. A moderate and positive tone marked many debates in the 38th session, which passed more resolutions by consensus than any of its predecessors. The session did not complete work on six agenda items: the Iran-Iraq conflict, Cyprus, election of a new Latin American member of ECOSOC, observance of the 500th anniversary of the discovery of America, implementation of UN resolutions, and global negotiations. In

contrast to the 1982 experience, the Falklands/Malvinas issue played a minor role in the 38th General Assembly. No date was set for the 38th General Assembly to resume in 1984.

As in previous years, Middle Eastern and southern African issues dominated the political agenda of the 38th General Assembly. The United States supported plenary decisions to reject the challenge to acceptance of Israeli credentials; reaffirm strong resolutions on Afghanistan and Kampuchea; and adopt a consensus resolution on Central America. There was no plenary discussion of Puerto Rico or Micronesia. From the U.S. perspective the debate and votes on Grenada were low points of the 38th General Assembly. The bag of disarmament issues was decidedly mixed.

On the Middle East the Assembly adopted by huge margins 20 resolutions: 5 on the general subject of the situation in the region, 5 on the question of Palestine, 8 on Israeli practices in the occupied territories, and 1 each on the 1981 Israeli raid on the Iraqi reactor and the proposed project to build a canal between the Mediterranean Sea and the Dead Sea. The United States voted against or abstained on all these resolutions, chiefly because of lack of balance or unhelpful language that would set back the quest for a just and lasting peace in the region. The Assembly also passed a cluster of 13 resolutions on UNRWA, the UN relief operation for Palestinian refugees in several Middle Eastern countries. The United States cosponsored and voted for one of these resolutions, which expressed concern for the continued plight of the Palestinian refugees and called for increased contributions to UNRWA and the return of UNRWA Headquarters to the region as soon as practicable. The United States abstained or voted no on the other UNRWA-related resolutions.

The Assembly adopted 12 resolutions on South Africa; 11 of these came under the item, "Policies of Apartheid of the Government of South Africa." While restating firm opposition to apartheid in any form, the United States opposed 10 of these resolutions because of their confrontational, extreme nature. It joined consensus approval of an 11th one, and it abstained on a 12th resolution which condemned the new constitution of South Africa. Consistent with its membership in the Contact Group, the United States abstained on all five resolutions involving Namibia.

On items concerning the situations in Kampuchea (Cambodia) and Afghanistan, the United States joined the overwhelming majority which adopted resolutions seeking to end Vietnam's military occupation of Kampuchea and Soviet military occupation of Afghanistan. Both the Pakistani-initiated resolution on Afghanistan and the ASEAN resolution on Kampuchea equaled the previous record in terms of positive votes obtained. In 1983 credentials of the Delegation of Democratic Kampuchea were not challenged.

On Fourth Committee issues, the United States achieved its objectives and blocked General Assembly initiatives on Puerto Rico and Micronesia. Resolutions on American Samoa, the U.S. Virgin Islands, and Guam were unobjectionable. The Fourth Committee also adopted a consensus resolution on the Western Sahara.

Arms control and disarmament remained the single largest area of activity in the 38th General Assembly. The First Committee handled most of this activity, examining voluminous paper involving a record 68 resolutions, of which 63 were put to a vote and adopted by the plenary. The United States participated actively in these discussions, mobilizing support for the Western text on bilateral nuclear arms negotiations and helping to find consensus language on a resolution on Antarctica. The United States supported the French-led initiative on chemical weapons use, abstained on a Western resolution on a comprehensive nuclear test ban, and opposed the resolution on the prevention of an arms race in outer space, which was adopted.

## **PEACEFUL SETTLEMENT**

### **Middle East**

#### **SECURITY COUNCIL CONSIDERATION**

##### **Situation in the Occupied Territories**

The Security Council considered the situation in Israel's occupied territories on four occasions in 1983, embracing a total of nine formal meetings. While no resolutions were adopted, the United States vetoed one draft resolution. The Council's President issued a statement on behalf of the members on one occasion following informal consultations.

**Israeli Settlements, February.** Continuing an inconclusive debate held in November 1982, the Council convened on February 11 to discuss Israel's settlement activities in the occupied territories. The meeting was called at the request of Jordan in a letter sent February 8 to the Council's President (the U.S.S.R.)<sup>1</sup> on behalf of the Arab Group. The letter referred to Israel's "persistence" in establishing settlements and asked for an urgent session. At the February 11 meeting and two further meetings on February 14 and 16, statements were delivered by representatives of 27 UN members and the Representative of the Palestine Liberation Organization. Nearly all speakers, representing several geographic groupings, criticized Isra-

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<sup>1</sup> The Presidency of the Security Council is held in turn by members of the Security Council in English alphabetical order of country names. Each President holds office for 1 month. The U.S.S.R. held the Presidency in February 1983.

el's policies, although the initiatives varied in content and intensity. The United States did not participate in the debate.

**Alleged "Mass Poisoning" in the West Bank, March-May.** A mysterious illness starting March 21 and affecting a large number of Palestinians in the West Bank, mostly schoolgirls, aroused the alarm of Arab Representatives in New York, resulting in an informal consultative session of the Security Council on April 4. Following the session, the Council President issued a brief statement noting that the Council had met informally "to discuss cases of mass poisoning in the occupied Arab territory of the West Bank" and that the Council was asking the Secretary General to conduct independent inquiries on the causes and effects.

On May 10 the Secretary General responded by submitting a report prepared by the Director General of the World Health Organization (WHO). This report summarized the findings of a WHO team that visited the West Bank in April, just as the illnesses subsided. The report emphasized that the team's inquiry had necessarily been retrospective in its basic approach. It concluded: "Within the above limitations, the WHO inquiry has not been able to indicate any specific cause or causes of this ill-defined health emergency. However, the initial medical records and interviews with cases in the first outbreak and with local health and other authorities suggest that an environmental agent could have provoked at least some cases in the first outbreak." The report also noted that an American team from the Centers for Disease Control (CDC) of the Public Health Service, the U.S. Department of Health and Human Services, was in the West Bank as the WHO team began its investigation. The CDC inquiry, which was independent of the WHO, reported separately as follows: "We conclude that this epidemic of acute illness was induced by anxiety. It may have been triggered initially either by psychological factors or by subtoxic exposure to H<sub>2</sub>S [i.e., hydrogen sulfide]. Its subsequent spread was mediated by psychogenic factors." The CDC report added that there was no evidence of malingering or of symptom fabrication.

**Occupied Territories, May.** The Representative of Qatar, acting for the Arab Group, requested a resumption of the debate on Israeli settlements and other aspects of the situation in the occupied territories in a letter to the Council's President (Zaire) dated May 13. The Council convened on May 20 and heard statements by representatives of four Arab and other non-aligned countries and the Palestine Liberation Organization. All were critical of Israeli policies in the occupied territories. The United States did not speak.

**Occupied Territories, July and August.** The Representative of Democratic Yemen, then serving as spokesman for the Arab Group, sent a letter to the President of the Security Council (China) on July 27 requesting an immediate session of the Council to discuss the



situation in the occupied territories. Several acts of violence at Hebron (also known as Al-Khalil) in the West Bank preceded this call, including the murder of an Israeli settler on July 7, the destruction of part of the town's market shortly thereafter, and a terrorist attack at Hebron University on July 26. The July 26 event was the immediate cause of the Arab appeal to the Council.

The Council held five meetings between July 28 and August 2. On the latter date a draft resolution sponsored by the Arab Group and introduced by Jordan was voted upon. The result of the vote was 14 to 1 (U.S.), with 1 (Zaire) abstention. The U.S. negative vote constituted a veto.

The Arab Group's draft resolution consisted of 5 preambular and 10 operative provisions. The preambular section declared, among other things, that the Israeli settlements were "a major obstacle to all efforts and initiatives toward a comprehensive, just, and lasting peace in the Middle East" and reaffirmed that the regulations annexed to the 1907 Hague Conventions and the provisions of the Fourth Geneva Convention were applicable to the occupied territories. The operative section said that Israel's settlement policies had "no legal validity," that they contravened the Fourth Geneva Convention, and that they were "a major and serious obstruction" to peace.

These policies were strongly deplored, and Israel was asked to rescind its measures and to dismantle existing settlements. One operative paragraph rejected "Israeli arbitrary and illegal actions, especially those which result in the expulsion, deportation, and forcible transfer of Arab populations from the occupied Arab territories." Another operative paragraph, in the text's only reference to the Hebron events, condemned recent attacks against Arab civilians, especially the July 26 killing and wounding of students in "the Arab city of Al-Khalil." The draft asked all states not to give Israel any assistance "to be used specifically in connection with settlements in the occupied territories," and it expressed the Council's determination, if Israel did not comply with the resolution, "to examine practical ways and means" under the Charter to secure full implementation.

Ambassador Charles Lichenstein explained the U.S. veto immediately after the vote. Stressing that the United States shared the anguish of others about the loss of life and destruction of property in the West Bank, he noted that the draft resolution reflected this anguish in only one operative paragraph which addressed the recent series of criminal acts inadequately. He also reaffirmed that the United States shared the view expressed in the draft resolution that the Hague regulations of 1907 and the Fourth Geneva Convention of 1949 are applicable to the territories occupied by Israel. Furthermore, he made clear that the United States did not approve of

Israel's settlement policy. However, Ambassador Lichenstein added, the draft contained elements unacceptable to the United States, and therefore he had voted against it.

First, the draft implied that Israel had deliberately conducted forcible and large-scale transfers of Arab populations from the occupied territories, a charge for which there was no body of evidence. Second, the United States did not believe that it was practical or appropriate for this proposed resolution to call for the dismantling of existing settlements, for that is precisely a key issue which future negotiations must address. Third, the United States could not "accept continuing the sterile argument as to whether the settlements are 'legal' or 'illegal,' an argument which unfortunately has dominated discussions in the United Nations." Fourth, a debate in the Security Council on this point polarizes differences and fails to address the real problem of how to bring about a peaceful resolution of the conflict now raging over the occupied territories. The Ambassador concluded by noting that such heightening of tensions among the protagonists on the ground hinders their entering negotiations "in a spirit of mutual accommodation which is essential if there is ever to be peace in the Middle East."

## **Lebanon**

The Lebanon crisis, dormant in the Council through August, sprang to its attention in the last 4 months of 1983. The Israeli troops who had occupied southern Lebanon up to the Beirut area withdrew in early September to the Awali River, pulling back from their forward positions in the mountainous Aley and Shuf districts overlooking the southern outskirts of the Lebanese capital. This move sparked an escalation in Lebanon's civil warfare, as rival groups (with outside backing in at least some cases) struggled for supremacy in the newly unoccupied regions and as the Lebanese Government sought to exert its authority there. On September 9 Lebanon's Permanent Representative sent a letter to the Security Council President, asking the Council to meet urgently in order to declare a cease-fire and take other measures as it deemed suitable. The letter asserted that "the situation cannot be allowed to continue without endangering international peace and security."

The Council met on September 12 to hear a statement by Mr. Ghassan Tuani, a former Lebanese Permanent Representative in New York. He came as a special envoy from the Lebanese Government. Tuani emphasized the following points: (1) The fate of Lebanon, a founding member of the United Nations, was at stake. Its unique character as a pluralistic society of Christians and Moslems deserved international support; (2) Lebanon had long harbored non-Lebanese forces which had become "all equally unwelcome and all

equally illegitimate." Lebanon, a peace-loving country, was now the arena for everyone's war; (3) the non-Lebanese character of the conflict was heightened by Israel's withdrawal from the Aley and the Shuf, which predictably had triggered the latest escalation of hostilities; (4) the Lebanese alone should determine Lebanon's future, with all parties and communities participating; and (5) Lebanon needed a cessation of hostilities as a first step, an immediate and effective cease-fire, and a withdrawal of foreign forces.

After Tueni's presentation the Council adjourned. No resolution was proposed, and no action was taken. However, consultations continued about a possible UN role in calming the situation in the Aley and Shuf districts.

The Council convened again on November 11. The declared purpose was to hear statements in exercise of the right of reply by representatives who had not had the chance to exercise this right on October 18 when the mandate of the United Nations Interim Force in Lebanon (UNIFIL) was last renewed. As it turned out, however, these reply statements focused on the broader Lebanese problem, and the debate became heated as representatives traded accusations. Two sessions were necessary on November 11 to hear all presentations. Ambassador Lichenstein spoke briefly in the second session, regretting that the debate had "gone rather far afield" and answering an earlier charge by the Soviet Representative about so-called "provocative acts" of the United States in Lebanon. Ambassador Lichenstein stressed that the United States threatened no one. The Ambassador added that U.S. forces in Lebanon as part of the Multinational Observer Force were there at the invitation of the Lebanese Government to assist it in rebuilding its sovereign authority. As long as the U.S. forces were there under these conditions, they would "defend themselves against unprovoked attack from whatever quarter."

At the beginning of the second of these meetings on November 11, the President of the Council (Malta) read a consensus statement on behalf of the Council's members concerning fighting that had erupted in and around Tripoli, the largest city in northern Lebanon, between feuding groups within the Palestine Liberation Organization, both of which were backed by non-Palestinian elements. The Council President expressed "profound concern" at the suffering and loss of life caused by the fighting. He appealed for a cease-fire and urged the parties to settle their differences "exclusively by peaceful means." The President also expressed the Council's appreciation for the humanitarian work of the United Nations Relief and Works Agency (UNRWA) and the International Committee of the Red Cross (ICRC) in helping Palestinian and Lebanese civilians caught in the Tripoli warfare.

The Council convened once more on November 23 at the urging of France. Fighting had intensified in and around Tripoli between the

rival factions of the Palestine Liberation Organization and the allied forces on both sides. Without debate, the Council unanimously adopted a resolution which had been agreed upon during prior consultations. (Resolution 542 (1983).) Much of this resolution echoed the statement delivered on November 11 by the President of the Council, formalizing its appeals. The resolution deplored the loss of life caused by the events in northern Lebanon. It asked the parties to accept an immediate cease-fire and to settle their differences by peaceful means. It paid tribute to the humanitarian work of the UNRWA and the ICRC in alleviating the suffering of Palestinian and Lebanese civilians in the Tripoli area. It also reiterated the Council's desire that Lebanon's sovereignty, political independence, and territorial integrity be respected.

Negotiations for a cease-fire in the Tripoli area and the evacuation from that city of Palestinian fighters loyal to Yassir Arafat reached a culminating stage at the beginning of December. The question arose of whether permission should be granted for the UN flag to fly on the ships evacuating these fighters. The flag would fly alongside the national flags of ships concerned and, in Lebanese territorial waters, the Lebanese flag. The Secretary General sought the advice of the Security Council, delivering a statement in a consultative session of the Council on December 3. The statement, later made public, stressed that this measure would be taken "on purely humanitarian grounds to facilitate the resolution of a situation which has already cost many innocent lives and created great destruction." The purpose would be solely to give "symbolic protection" to the evacuation. The Lebanese Government had no objection to the use of the UN flag in this way, the Secretary General reported. After the consultative process, the President of the Council issued a statement confirming that the Secretary General's statement had "the support of the members of the Council."

## **UNIFIL**

The mandate of the United Nations Interim Force in Lebanon (UNIFIL) came before the Security Council for renewal on three occasions in 1983. The Council decided to extend the mandate on each occasion for further periods of either 3 or 6 months.

**UNIFIL Renewal, January.** With UNIFIL's latest mandate due to expire on January 19, the Council met on January 18 and adopted resolution 529 (1983), prolonging the existing mandate for an additional 6 months, i.e., until July 19. The resolution called on "all parties concerned to cooperate with the United Nations Interim Force in Lebanon for the full implementation of this resolution." A preambular provision noted that the Council's renewal was in response to a Lebanese Government request. The vote was 13 (U.S.)

to 0, with 2 (Poland, U.S.S.R.) abstentions, continuing the pattern of previous UNIFIL extensions in which the East European Bloc abstained in an otherwise unanimous vote. The Soviets do not contribute to the UNIFIL peacekeeping operation.

Several countries expressed their views about UNIFIL during the session. Speaking for the United States, Ambassador Lichenstein declared that the renewal of UNIFIL's mandate reaffirmed international support for the Lebanese Government's goals of restoring its sovereignty throughout its territory and securing the withdrawal of external armed forces. He alluded to negotiations then underway on arrangements to secure these ends and stated that, while it was not yet possible to define precisely the role UNIFIL would play in these arrangements, the Council had wisely ensured that UNIFIL would be available.

Secretary General Perez de Cuellar also spoke in the debate. Noting that UNIFIL's present situation was provisional in nature, he said the force would continue to perform the interim tasks assigned to it after the events of June 1982. In particular, it would help the Lebanese Government "in assuring the security of all the inhabitants of its area without any discrimination." He hoped all the parties concerned would cooperate fully.

**UNIFIL Renewal, July.** The need to consider another extension of UNIFIL's mandate before its expiration on July 19 convened the Council again on July 18. The Lebanese Foreign Minister, Mr. Elie Salem, spoke on behalf of his Government, requesting a 3-month renewal of the mandate that was currently in effect. The Council then adopted resolution 536 (1983), extending the existing mandate for 3 months, i.e., until October 19, and asking all parties concerned to cooperate with UNIFIL in its tasks as originally defined in 1978 and other Council decisions. A preambular paragraph noted that the Council's action responded to a request of the Lebanese Government. The vote, conforming to the previous pattern of UNIFIL votes in the Council, was 13 (U.S.) to 0, with 2 (Poland, U.S.S.R.) abstentions.

Among the speakers commenting after the vote, Ms. Sally Grooms, for the United States, supported the 3-month extension. She called the renewal a reaffirmation of the international community's commitment to the goals of restoring Lebanese sovereignty and securing the withdrawal of all unauthorized external forces.

**UNIFIL Renewal, October.** The Council reconvened on October 18, the day before the UNIFIL mandate was again due to lapse. By the usual vote of 13 (U.S.) to 0, with 2 (Poland, U.S.S.R.) abstentions, the Council adopted resolution 538 (1983), prolonging the existing mandate for 6 months, i.e., until April 19, 1984. The terms of the resolution closely resembled those of resolution 536, the immediately previous renewal resolution of UNIFIL. A preambular paragraph noted that the resolution responded to a Lebanese Government request.

The United States did not participate in the debate that took place during the October 18 session. The debate grew rather heated, and the Council's President (Jordan) announced at the end that some requests (i.e., Israel's) to exercise the right of reply would be deferred until a later date.

## **UNDOF**

As in previous years, the Security Council routinely renewed the mandate of the United Nations Disengagement Observer Force (UNDOF) each time the issue came up in 1983. This peacekeeping force has separated Israeli and Syrian forces on the Golan Heights since 1974.

**UNDOF Renewal, May.** With UNDOF's latest 6-month mandate due to expire on May 31, the Council met May 26 to consider its renewal. The Council unanimously passed resolution 531 (1983), extending the mandate for a further 6 months, i.e., until November 30. As in the past, the resolution called on "the parties concerned to implement immediately Security Council resolution 338 (1973)." Also in line with previous practice, the Council President made a statement on behalf of the Council's members approving a standard passage in the Secretary General's latest report concerning UNDOF calling the Middle East situation "potentially dangerous" and likely to remain that way despite the calm on the Golan Heights, "unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached."

**UNDOF Renewal, November.** On November 29, the day before UNDOF's mandate was again due to expire, the Council unanimously passed resolution 543 (1983), renewing the mandate until May 31, 1984, an additional 6 months. The terms of the resolution were identical to those of resolution 531 (1983), the previous UNDOF extension. The President of the Council delivered the same statement as before, drawing on the same standard passage in the Secretary General's latest report on UNDOF.

## **GENERAL ASSEMBLY CONSIDERATION**

### **Israeli Credentials**

Repeating its action of the previous year, Iran in the October 20 plenary session of the General Assembly orally submitted a proposal to reject the Israeli Delegation's credentials. The Iranian proposal took the form of an amendment adding the phrase "except with regard to the credentials of Israel" to the routinely phrased draft resolution accepting the first report of the Credentials Committee. The Committee's report, which was put before the Assembly in this

meeting, accepted the Israeli credentials along with those of all the other states under the Committee's consideration.

Shortly after Iran's action, Norway rose on behalf of the five Nordic countries and moved formally that no action be taken on the Iranian amendment. Norway's motion was made under Rule 74 of the General Assembly's procedures, which provides for "adjournment of the debate" on items. After considerable discussion in the plenary about the proper legal interpretation of Rule 74, which was resolved in favor of the Norwegian motion's propriety as a means of stopping further consideration of the Iranian amendment, the Assembly proceeded to vote on the Norwegian move. The result was 79 (U.S.) to 43, with 19 abstentions. The Iranian amendment was thus put aside, and the Assembly adopted without a vote the resolution accepting the first report of the Credentials Committee with no changes.

The day before the above plenary session, 44 Assembly members circulated a letter entering their reservations concerning the credentials of Israel's Delegation. This action was based on what the letter termed Israel's "flagrant and persistent violation of the Charter of the United Nations and the principles of international law." The letter did not challenge the Israeli credentials, but the signers reserved the right to raise the matter later. Iran was one of the signers, and six additional states adhered to the letter the next day. On that day also the Permanent Representative of Israel circulated a letter criticizing those who had entered the reservations. The Israeli letter referred to the "gratuitous and completely unfounded attack on the credentials of the Delegation of Israel . . . notwithstanding the fact that they were found in due form by the Credentials Committee."

## **The Situation in the Middle East**

The General Assembly's annual debate under the agenda item titled "The Situation in the Middle East" took place in nine plenary meetings between December 7 and 19. On the latter date the plenary adopted five resolutions submitted under this item. The first four of these resolutions were submitted by groups of states from all geographic areas. One other proposed resolution was not brought to a vote. The Assembly's consideration of this topic proceeded as follows:

—Fourteen states introduced a lengthy text strongly condemning Israel for its "failure to comply" with the December 1981 Security Council resolution 497 that had declared the extension of Israeli laws, jurisdiction, and administration to the occupied Golan Heights to be null and void. The proposed Assembly resolution called this Israeli measure "an act of aggression" and "a continuing threat to international peace and security." The United States, mentioned

only as “a permanent member of the Security Council,” was attacked for having vetoed the proposed followup Security Council resolution to resolution 497. Criticizing other alleged Israeli practices in the occupied territories, the draft text called on states to refrain from assisting or cooperating with Israel in all fields and it asked international institutions “to conform their relations with Israel to the terms of the present resolution.” The text also reiterated a previous Assembly declaration that “Israel’s record, policies, and actions confirm that it is not a peace-loving Member State” of the United Nations. This measure was adopted as resolution 38/180 A by a vote of 84 to 24 (U.S.), with 31 abstentions. Even though the votes in favor were a majority of the Assembly’s membership, the negative votes and abstentions were unusually large for a resolution on an Arab-Israeli subject.

—The second draft was submitted by 15 countries and condemned the alleged “plundering” of Palestinian archives and cultural items in Beirut by the Israeli Army in 1982. The text called on the Israeli Government to make full restitution of these materials through UNESCO. The Assembly plenary adopted this measure as resolution 38/180 B by 121 votes in favor to 1 (Israel) against, with 20 (U.S.) abstentions.

—Another draft, sponsored by 16 countries, reiterated an earlier Assembly declaration “that Israel’s decision to impose its laws, jurisdiction, and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever.” The draft also deplored the transfer of some states’ diplomatic missions to Jerusalem. Adopted as resolution 38/180 C, this text won 137 votes to 1 (Israel) against, with 3 (U.S.) abstentions.

—Fifteen states introduced a lengthy draft resolution containing a mixture of condemnatory provisions against Israel and also criticizing the United States. The text considered “the agreements on strategic cooperation between the United States of America and Israel signed on 30 November 1981 together with the recent accords concluded in this context” to be aggressive and threatening. Several operative provisions outlined a position on the Middle East that, among other things, affirmed the “inalienable national rights” of the Palestinians, including the right to a sovereign state and viewed the Palestine Liberation Organization as “the representative of the Palestinian people.” One operative provision supported the convening of an international peace conference on the Middle East. The draft was adopted as resolution 38/180 D by a vote of 101 to 18 (U.S.), with 20 abstentions.

—Finally, 19 Arab states submitted a draft resolution that highlighted in a critical way the relationship between the United States and Israel. It declared “the international responsibility of any party or parties that supply Israel with arms or economic aid that augment



its war potential." It demanded that "all states, particularly the United States of America," refrain from steps supporting Israel's war capacity. This text was the subject of diplomatic demarches by the United States urging governments to oppose it. This effort probably helped to reduce the vote in favor of it on December 19 to 81 against 27 (U.S.) negative votes and 29 abstentions. Although narrowly a majority of Assembly members and easily enough for passage of the text as resolution 38/180 E, this vote in favor was exceptionally low compared to other resolutions on Arab-Israeli issues. The negative votes and abstentions were unusually large.

—A draft resolution, introduced by Iran, highlighted the U.S.-Israeli relationship in a more extreme and condemnatory way than the text that was adopted as resolution 38/180 E. The Representative of Iran declared that he would not seek a vote on this competing text, and therefore it was withdrawn.

Following these votes on December 19, the U.S. Representative, Congressman Stephen J. Solarz, spoke on behalf of the United States concerning the resolutions just adopted. Without reference to the two resolutions on which the United States abstained—both of which resembled resolutions of the previous General Assembly on which the United States had also abstained—Mr. Solarz spoke in broad terms about this "ill assortment of resolutions" passed by the Assembly with "the comfortable majorities we have come to expect on Middle East issues." These measures would not help "to further the cause of peace, to recover Arab territories at present occupied by Israel, to meet the legitimate needs of the Palestinian people," or to ensure the aims of Security Council resolution 242, which Mr. Solarz called "one of those too-rare occasions when the United Nations did act decisively, fairly, and with a view to establishing the basis for a just and durable peace." He stressed that peace can come only through "direct, unconditional negotiations among the parties to the conflict." The United States, he added, will judge every draft resolution on the Middle East against this measure. "Resolutions which further the peace process, we support; those which hinder it, we oppose." The resolutions just passed failed the test, because they placed blame on one party to the conflict and sought to dictate the results of a settlement. By hardening the stands of the parties, they would probably make negotiations less likely and would "erode confidence in the General Assembly as a body competent to play a constructive role in the resolution of the problems in the Middle East."

Mr. Solarz said further that one of these resolutions was especially repugnant to the United States. The reference was to resolution 38/180 E, which he called "an inadmissible intrusion into the right of one sovereign state to conduct relations with another." The recent strengthening of the U.S.-Israeli relationship was "not aimed against

any state in the region,” and the United States would not be deterred from reaffirming such relations with friendly governments.

### **Question of Palestine**

On December 13 the General Assembly in plenary session adopted five resolutions under the annual agenda item titled “Question of Palestine,” culminating a debate extending over six plenary meetings from November 28. The Assembly’s consideration proceeded in the following manner:

—Twenty states from all geographic areas introduced a draft resolution endorsing the work of the Assembly’s Committee on the Exercise of the Inalienable Rights of the Palestinian People. In the voting on December 13, a separate vote was first requested on an operative paragraph drawing the Security Council’s attention to specific recommendations of the Committee which had been “repeatedly endorsed” by the Assembly and on which action was “long overdue.” The vote on this paragraph was 118 to 5 (U.S.), with 18 abstentions. The draft as a whole was then adopted by a vote of 126 to 2 (U.S.), with 19 abstentions. (Resolution 38/58 A.)

—The same 20 states introduced a draft resolution endorsing the work of the Secretariat’s Division for Palestinian Rights and requesting an expansion of its program. One operative paragraph noted with appreciation that member states had observed the International Day of Solidarity with the Palestinian People on November 29. This text was adopted on December 13 as resolution 38/58 B by a vote of 127 to 3 (U.S.), with 17 abstentions.

—Twenty-one states, mostly overlapping the list of sponsors for the two resolutions above, submitted a text endorsing the idea of an international peace conference on the Middle East, a proposal that had originated in the International Conference on the Question of Palestine held in August and September 1983 in Geneva. The text set forth guidelines for such a peace conference, including participation by the Palestine Liberation Organization “on an equal footing” and self-determination for the Palestinians including the right to establish an independent state. The plenary Assembly adopted this proposal by a vote of 124 to 4 (U.S.), with 15 abstentions. (Resolution 38/58 C.)

—The same 20 states that introduced the first two resolutions also sponsored a brief text urging agencies of the UN system to assist the Palestinian people as recommended by five regional preparatory meetings leading up to the Geneva Conference on Palestine of August and September 1983. This draft was adopted as resolution 38/58 D by the plenary by 144 votes to 2 (U.S.), with no abstentions.

—Again, the same 20 states submitted a draft resolution urging greater efforts by the Secretariat’s Department of Public Informa-

tion on behalf of the Palestinian cause. It was adopted in the plenary Assembly by a vote of 125 to 3 (U.S.), with 15 abstentions. (Resolution 38/58 E.)

In his explanation of vote the U.S. Representative, Congressman Joel Pritchard, said that the United States was deeply concerned about the plight of the Palestinians and shared many of the concerns expressed during the debate, and furthermore the United States had given concrete support to UN activities alleviating the living conditions of Palestinians. The United States remained active in the search for a just settlement of the Palestinian problem, which could only be achieved through "free and unconditional negotiations among the parties to the conflict." He invited the parties to "take up the challenge for peace" offered by President Reagan's initiative of September 1, 1982, through the direct negotiations which it envisaged. Regarding the resolutions just adopted, Mr. Pritchard stressed that they were "without substantial merit" in furthering peace. Instead, they promised only inflamed oratory and attempted to dictate the outcome of negotiations in advance. They called for costly UN activities to propagate partisan views. For these reasons the United States had opposed them.

### **Israeli Practices in the Occupied Territories**

In a series of meetings between November 23 and December 7, the General Assembly's Special Political Committee considered the annually recurring agenda item titled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories." The Special Political Committee examined eight draft resolutions, all of which it recommended favorably to the plenary. These recommendations were all accepted when the plenary Assembly voted to adopt the eight texts on December 15, although one of the resolutions was amended in the plenary before passage.

The Special Political Committee took the following specific actions on the eight texts it considered:

—On November 30, 19 states, most of them Arab League members, introduced a draft resolution condemning Israel for having "kidnapped" Ziyad Abu Ein, a Palestinian extradited to Israel from the United States in December 1981 who was serving a sentence in Israel for murder. The "kidnapping" charge arose from the circumstance that Abu Ein may have been among a group of Palestinians which Israel agreed to release in late November 1983 "through the good offices of the International Committee of the Red Cross." Whether Abu Ein was meant for release was in dispute, but he seems to have been moved to the ICRC transfer point and then returned to prison; in any case he was not freed. Though introduced first, this draft

resolution was voted on last in the Committee's consideration of this series. On December 7 the Committee approved the draft by a vote of 75 to 3 (U.S.), with 30 abstentions. It demanded Ziyad Abu Ein's "immediate release."

—On December 5 the Committee approved a resolution sponsored by 12 states from all geographic areas condemning Israel for not applying the Fourth Geneva Convention<sup>2</sup> to the occupied territories. The United States first requested a separate vote on an operative paragraph that simply reaffirmed the applicability of the Convention to "Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem." By voting in favor of this provision, the United States joined a majority of 114 states supporting the applicability of the Convention, against 1 negative vote (Israel), with no abstentions. The draft resolution as a whole was then approved by a vote of 112 to 1 (Israel), with 1 (U.S.) abstention.

—Also on December 5 the Committee adopted a draft resolution, introduced by the same 12 states, concerning Israeli settlements in the occupied territories. The vote was 113 to 1 (Israel), with 1 (U.S.) abstention. The text declared that measures "designed to change the legal status, geographical nature, and demographic composition" of the occupied territories are a violation of the Fourth Geneva Convention, an obstruction to peace, and "therefore have no legal validity." The draft especially deplored the establishment of Israeli settlements.

—The same 12 states, plus Mongolia, sponsored another draft resolution adopted by the Committee on December 5. A lengthy text, this draft contained numerous criticisms of Israeli policies and practices in the occupied territories. One operative paragraph declaring Israel's "grave breaches" of the Fourth Geneva Convention to be "war crimes and an affront to humanity" was first voted upon separately. It was adopted by a vote of 85 to 20 (U.S.), with 10 abstentions. The draft resolution as a whole was then adopted 93 to 2 (U.S.), with 20 abstentions.

—The same 12 states, without Mongolia, introduced a draft resolution reiterating previous Assembly demands that Israel rescind measures taken in 1980 to expel and imprison the mayors of Hebron and Halhul and the Sharia Judge of Hebron. The Committee adopted this draft resolution on December 5 by a vote of 115 to 1 (Israel), with 1 (U.S.) abstention.

—Mongolia rejoined the 12 states to sponsor a draft resolution dealing with the Golan Heights, which the Committee approved on December 5 by a vote of 114 to 1 (Israel), with 1 (U.S.) abstention. The draft condemned Israel for its "refusal to comply" with previous Security Council and General Assembly resolutions on this subject,

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<sup>2</sup> Convention Relative to the Protection of Civilian Persons in Time of War; done at Geneva, August 12, 1949; entered into force for the United States February 2, 1956.

particularly Security Council resolution 497 of December 1981, adopted just after the Knesset action formally extending Israeli authority to the Golan Region. The draft also condemned other "repressive" Israeli measures in that region.

—Of the same 12 states, 11 cosponsored a text speaking of Israeli "repression" against educational institutions in the occupied territories. One operative provision drew special attention to what it called "the policy of opening fire on defenseless students, causing many casualties." This draft was approved in the Committee on December 5 by a vote of 90 to 2 (U.S.), with 24 abstentions.

—With the same 11 states as cosponsors, the Committee on December 5 adopted a draft resolution expressing concern that Israel had not apprehended the individuals who tried to assassinate Palestinian mayors in 1980. The vote was 114 to 1 (Israel), with 1 (U.S.) abstention.

Ambassador Lichenstein delivered a statement in explanation of vote in the Special Political Committee on December 5, just after the votes on seven of the resolutions under this item. Since the voting on the draft resolution concerning Abu Ein was not held until December 7, Ambassador Lichenstein's statement did not deal with it. He began with the draft resolution concerning the Fourth Geneva Convention, noting that the United States had requested a separate paragraph vote in order to reaffirm its belief that the Convention applies to the territories occupied by Israel since 1967. As the Ambassador declared, the United States believed that this "landmark" Convention must be applied "without regard to the nature of the conflict which results in military occupation." However, the United States had abstained on the resolution as a whole because the U.S. Government refused to accept the text's "ritualistic condemnation" of Israel for not applying the Convention. In addition, the United States wished to make clear that it regarded the phrase "Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem," which appeared in the resolution and elsewhere in this series, as "merely a demographic and geographic description, and not indicative of sovereignty."

Continuing, Ambassador Lichenstein explained the abstention of the United States on the draft resolution concerning Israeli settlements by noting that, while President Reagan had urged a settlements freeze, the U.S. Government "will not be distracted by unproductive legal debate from its fundamental objective of promoting peace through negotiations." As for the lengthy draft containing criticisms against Israeli occupation practices, which the United States had voted against, the Ambassador called it "simply another exercise in the polemics and bias which characterize so many resolutions on Arab-Israeli issues." It tended "only to widen differences." The draft resolution highlighting the deportations of Pales-

tinian leaders received an abstention from the United States because, while the United States considered the deportations to be contrary to the Fourth Geneva Convention, there was no reference in the text to the factors leading up to the deportations. Concerning the Golan Heights resolution, Ambassador Lichenstein stressed that the Golan Heights is occupied territory to which the Fourth Geneva Convention applies. The United States had supported the Security Council's resolution of December 1981 on this problem, which was "the authoritative UN action on this issue." Unfortunately, the draft resolution at hand went far beyond the Council's declaration, and hence the United States abstained. Regarding the "sweeping condemnatory language and inflammatory character" of the draft resolution on educational institutions, the United States could not support it even though there were features of Israeli policy toward academic institutions in the occupied territories which the United States viewed as "open to criticism." Finally, as the Ambassador explained, the draft concerning the assassination attempts against Palestinian mayors received an abstention because it implied, without presenting evidence, that the Israeli authorities were not making an effort to capture the perpetrators. The Ambassador expressed sympathy for the victims of these crimes. "Such acts of violence and hatred—from whatever source—can never be justified."

Summing up his remarks, Ambassador Lichenstein said that "prolonged military occupation of another's land is a corruption" for every party concerned. "For the corruption to end, the occupation must end." The only way to end the Israeli occupation, he stated, was through negotiations "based upon Security Council resolutions 242 (1967) and 338 (1973) and within the framework of the Camp David Accords and the peace proposals outlined by President Reagan."

When the Special Political Committee approved the draft resolution concerning Ziyad Abu Ein on December 7, Mr. Michael Davis, of the U.S. Delegation, declared shortly before the voting that the United States would vote against the draft, because there were conflicting versions of the events surrounding the ICRC prisoner releases. The Committee needed an independent statement from the ICRC giving all the necessary details, he explained.

The Special Political Committee's recommendations came before the plenary Assembly on December 15. The plenary disposed of them on that day in the following manner:

—Prompted by a press release issued 2 days earlier by the International Committee of the Red Cross claiming that Israel had not yet lived up to an agreement to release Ziyad Abu Ein, Saudi Arabia proposed three amendments to the Special Political Committee's draft resolution on that subject. One suggested amendment added a preambular paragraph taking note of the ICRC's press release; the second eliminated the operative paragraph charging that

Israel had "kidnapped" Ziyad Abu Ein and substituted language condemning Israel for "the fact that one prisoner, Ziyad Abu Ein, who had been registered before embarkation by delegates of the ICRC at Tel Aviv Airport, was taken at the last minute by the Israeli authorities"; the third amendment added a section to another operative paragraph so that it demanded the "immediate release" not only of Ziyad Abu Ein but also of others.<sup>3</sup> Although Israel had replied to the ICRC charges with a December 14 announcement claiming that oversights on both the Red Cross and Israeli sides had caused the problem rather than any Israeli failure to comply, the Saudi amendments were adopted by votes, respectively, of 115 to 2 (U.S.), with 17 abstentions; 106 to 2 (U.S.), with 26 abstentions; and 107 to 2 (U.S.), with 24 abstentions. The new text as a whole then passed by a vote of 110 to 2 (U.S.), with 29 abstentions. (Resolution 38/79 A.) The U.S. negative votes in these instances continued the previous posture of the United States in the Special Political Committee.

—In considering the draft resolution on the Fourth Geneva Convention, the plenary first voted separately at U.S. request on the provision confirming the applicability of the Convention to the occupied territories. It was adopted by a vote of 146 (U.S.) to 1 (Israel), with 1 abstention. The resolution as a whole then was adopted by a vote of 146 to 1 (Israel), with 1 (U.S.) abstention. (Resolution 38/79 B.) These U.S. votes paralleled the previous U.S. position in the Special Political Committee.

—The draft resolution on Israeli settlements was adopted by a vote of 147 to 1 (Israel), with 1 (U.S.) abstention. (Resolution 38/79 C.) The United States had also abstained in the Special Political Committee.

—The draft resolution containing various criticisms of Israeli occupation policies and practices passed as resolution 38/79 D by a vote of 115 to 2 (U.S.), with 27 abstentions. The U.S. negative vote conformed to its stand in the Special Political Committee.

—The draft centering on the expulsion of Palestinian leaders was adopted as resolution 38/79 E by 146 votes to 1 (Israel), with 1 (U.S.) abstention. The United States had also abstained in the Special Political Committee.

—The draft concerning the Golan Heights was adopted by a vote of 144 to 1 (Israel), with 1 (U.S.) abstention. (Resolution 38/79 F.) This U.S. vote likewise conformed to its previous abstention in the Special Political Committee.

—The United States voted against the draft resolution dealing with educational institutions in the occupied territories, as it had in

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<sup>3</sup> Saudi Arabia submitted the first and third of these amendments in a document circulated December 15 before the plenary's consideration of the agenda item. Saudi Arabia orally introduced the second amendment during the session, and the circulating document was revised accordingly.

the Special Political Committee. The plenary adopted this measure as resolution 38/79 G by 116 votes to 2 (U.S.), with 28 abstentions.

—The final draft resolution in the series, criticizing Israel for the fact that the would-be assassins of Palestinian mayors in 1980 had not been caught, was adopted by a vote of 145 to 1 (Israel), with 1 (U.S.) abstention. (Resolution 38/79 H.) This U.S. vote also conformed to its position in the Special Political Committee.

The United States did not make a statement in the December 15 plenary on any of these resolutions.

### **Armed Israeli Action Against Iraqi Nuclear Installations**

Repeating its practice of the two previous regular sessions, the 38th General Assembly in three plenary meetings from November 2 to 10 considered Israel's June 1981 raid on the Iraqi nuclear reactor near Baghdad. The Assembly adopted an Iraqi-initiated resolution at the November 10 session by a vote of 123 to 2 (Israel, U.S.), with 12 abstentions. (Resolution 38/9.)

The adopted resolution reiterated condemnation of "Israel's continued refusal to implement Security Council resolution 487 (1981)" (the Council condemnation of Israel's raid shortly after the attack). The Assembly resolution continued by noting that Israeli statements had not removed fears of similar Israeli actions in the future. The resolution demanded that Israel withdraw "its threat to attack and destroy nuclear facilities in Iraq and other countries." It reaffirmed a call for consideration internationally of legal measures to prohibit armed attacks against nuclear installations, as well as threats of such attacks. The resolution expressed appreciation for an expert study on the June 1981 raid conducted under the Secretary General's supervision, and the closing paragraph included the same agenda item on the provisional agenda of the 39th General Assembly.

The U.S. Representative, John L. Loeb, Jr., speaking in explanation of vote on November 10, said that the resolution "serves no useful purpose." It went far beyond Security Council resolution 487, which had been the Council's unanimous action taken soon after the incident. "To adopt this measure two and a half years later is both unnecessary and unproductive." The U.S. negative vote also reflected the view that the expert study recently submitted by the Secretary General was superfluous, too costly, and flawed by not considering the context surrounding the Israeli attack.

Several other delegations, also speaking after the vote, questioned the utility of keeping this item on the agenda for the 39th General Assembly. They believed that an annual deliberation of the matter tended to ritualize the debate. In reply, the Iraqi Representative said the Assembly had a duty to ensure not only that the Security Council's original resolution would be followed up but also that the



alleged Israeli threat to repeat the act would be "withdrawn in a meaningful way." The Israeli Representative, in explaining his negative vote, declared for the record that he could have voted in favor of the provision calling for international legal measures to prohibit attacks against nuclear facilities, had there been a separate vote on that operative paragraph. He reiterated a previous statement of his Government that "Israel has no policy of attacking nuclear facilities."

### **Canal Linking the Mediterranean Sea and the Dead Sea**

In sessions from December 5 to 7, the General Assembly's Special Political Committee dealt with the Israeli project to build a canal linking the Mediterranean Sea and the Dead Sea. This was on the agenda as a special Jordanian concern, carried over from previous years. The Committee considered a draft resolution introduced by Jordan and cosponsored by Iraq and Pakistan. Its preambular paragraphs declared that the proposed canal would violate international law, affect the interests of the Palestinian people, and damage Jordan's rights. The operative provisions deplored Israel's "noncompliance" with the Assembly's resolution of 1982 on this subject, emphasized that the canal "if constructed" would be contrary to international law, demanded that Israel cease planning the project, and asked states and other institutions not to help Israel with it. The Secretary General was requested to assess with expert help all aspects of "the adverse effects on Jordan and on the Arab territories occupied since 1967, including Jerusalem, arising from the implementation of the Israeli decision to construct this canal." The Special Political Committee approved this text on December 7 by a vote of 112 to 2 (U.S.), with no abstentions.

The Special Political Committee's favorable action on the draft resolution came before the plenary on December 15, which approved the resolution without change on that date by 141 votes to 2 (U.S.). As in the Committee, there were no abstentions. (Resolution 38/85.)

The United States did not deliver a statement on this topic in either the Special Political Committee or the plenary. The negative vote of the United States on the resolution was consistent with its vote on the nearly identical measure that the previous General Assembly had passed. (Resolution 37/122).

### **UN Relief and Works Agency for Palestinian Refugees in the Near East**

The Special Political Committee on December 2 adopted 11 resolutions concerning UNRWA, all of which were adopted by the General Assembly plenary on December 15. The United States

supported four of these resolutions, which dealt with UNRWA finances and assistance to Palestinian refugees, including student scholarships. The United States sponsored one of the resolutions.

The first three of the resolutions were introduced on November 22 and the rest on December 2. The United States introduced the first draft resolution entitled "Assistance to Palestine refugees." As in past years, the resolution, *inter alia*: (1) noted with regret that the repatriation or compensation to refugees as provided for in General Assembly resolution 194(III) had not been effected, nor substantial progress made toward either repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of concern; (2) noted that the level of income of UNRWA, although increased due to the efforts of the Commissioner General, was still insufficient to cover essential budget requirements, and urged all governments to cooperate in contributing to the needs of UNRWA; (3) called for UNRWA's Headquarters to be "relocated to its former site within its area of operations as soon as practicable"; and (4) called for extension of UNRWA's mandate to June 30, 1987.

In introducing this resolution, Ambassador Lichenstein commended UNRWA for reopening schools and restoring vital services in Lebanon, lamented the continuing violence in the area and consequent creation of more refugees, noted continued U.S. commitment to substantial contributions to the agency, and underscored the U.S. policy of seeking a just and comprehensive Middle East peace. The Committee approved the draft resolution by a vote of 113 (U.S.) to 0, with 1 (Israel) abstention. It was adopted in the plenary Assembly by 147 (U.S.) to 0, with 1 (Israel) abstention. (Resolution 38/83 A.)

The Netherlands introduced a draft resolution entitled "Working group on the financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East." This resolution, commending the work and extending the mandate of the working group on UNRWA financing, was approved in Committee without a vote and adopted in the same manner by the plenary Assembly. (Resolution 38/83 B.)

Finally, on November 22 Sweden introduced a resolution called "Assistance to persons displaced as a result of the June 1967 and subsequent hostilities." The resolution, endorsing the efforts of the Commissioner General to provide relief services to Palestinians displaced by war, was approved in Committee and adopted by the General Assembly without a vote. (Resolution 38/83 C.)

On December 2 Bangladesh introduced the first of that day's draft resolutions. It was entitled "Offers by member states of grants and scholarships for higher education, including vocational training, for Palestine refugees." It appealed to states, specialized agencies, and private organizations to increase special contributions for scholar-

ships and grants. It also urged contributions toward Palestinian universities and vocational training centers and for the University of Jerusalem for Palestine refugees. The resolution was approved in Committee by a vote of 114 (U.S.) to 0, with 1 (Israel) abstention. The plenary Assembly adopted the resolution by a vote of 147 (U.S.) to 0, with 1 (Israel) abstention. In explanation of the U.S. vote, Mr. Davis noted that his Government's support did not extend to reference to the University of Jerusalem, which the United States opposes. (Resolution 38/83 D.)

Pakistan introduced a draft resolution entitled "Palestine refugees in the Gaza Strip." It demanded that the "Israeli occupying authorities" cease "their policy of demolishing on punitive grounds shelters occupied by refugee families" and also halt resettling refugees from the Gaza Strip. The United States opposed the resolution because of its harsh and condemnatory tone against Israel. The Committee approved it by a vote of 114 to 2 (U.S., Israel), and it was adopted in the plenary Assembly by a vote of 146 to 2 (U.S., Israel), with no abstentions.

Pakistan also introduced a draft resolution entitled "Resumption of the ration distribution to the Palestinian refugees," which requested the UNRWA Commissioner General to resume on a continuing basis and as soon as possible the interrupted general ration distribution to Palestinian refugees in all fields. The United States opposed this resolution because the real need for general ration distribution had ended, and its financing adversely affected other high priority UNRWA activities, such as education. The resolution was approved in the Committee by a vote of 92 to 19 (U.S.), with 3 abstentions. It was adopted in the plenary Assembly by a recorded vote of 123 to 19 (U.S.), with 3 abstentions. (Resolution 38/83 F.)

A resolution entitled "Population and refugees displaced since 1967" was introduced by Bangladesh. It reaffirmed the right of persons displaced since 1967 to return to their homes, condemned Israel for failing to comply with this right, and called on Israel to "desist from all measures that obstruct the return of the displaced inhabitants." The United States opposed this resolution because it was considered to be oversimplistic, one-sided, and polemical in tone. It was approved in the Committee by a vote of 97 to 2 (U.S., Israel), with 17 abstentions. The plenary Assembly adopted the resolution by a recorded vote of 128 to 2 (U.S., Israel), with 17 abstentions. (Resolution 38/83 G.)

Bangladesh also introduced a draft resolution entitled "Revenues derived from Palestine refugees' properties," which, *inter alia*, called upon the Secretary General to take measures to protect and administer Arab property and assets in Israel and to establish a fund for the receipt of income derived from the properties. The United States opposed the resolution because it prejudged issues of refugee

repatriation and compensation which the United States believes should be settled through negotiation. The resolution was approved in the Committee by 97 to 2 (U.S., Israel), with 19 abstentions, and adopted in the plenary Assembly by a vote of 125 to 2 (U.S., Israel), with 20 abstentions. (Resolution 38/83 H.)

A draft resolution entitled "Protection of Palestinian refugees" was introduced by Pakistan which (1) urged the Secretary General to take measures to guarantee the safety, security, and legal and human rights of Palestinian refugees; (2) called upon Israel to release Palestinian detainees, including UNRWA employees, and to cease interfering with UNRWA services in Lebanon; (3) urged UNRWA to rehouse in Lebanon Palestinian refugees whose houses were razed by the Israelis; and (4) called upon Israel to compensate UNRWA for damages "resulting from the Israeli invasion of Lebanon." The United States opposed the resolution because it raised the problem of what kind of effective measures the Secretary General might take to guarantee refugee safety and rights and which refugees would qualify. There was also concern that similar charges of detentions, razings of homes, and hindering of UNRWA services could be made in general debate against the Government of Lebanon. The Committee approved this resolution by a vote of 103 to 2 (U.S., Israel), with 13 abstentions. It passed in the plenary by 129 to 2 (U.S., Israel), with 15 abstentions. (Resolution 38/83 I.)

Pakistan introduced yet another resolution, "Palestine refugees in the West Bank," which noted with alarm Israeli "plans to remove and resettle Palestinian refugees of the West Bank and to destroy their camps" and called upon Israel to refrain from taking such actions. The United States opposed the resolution because of its distorted description of Israeli proposals and its sweeping admonition against any resettlement. The Committee adopted the resolution by a vote of 116 to 2 (U.S., Israel), with no abstentions. It was adopted in the plenary Assembly by a vote of 145 to 2 (U.S., Israel), with no abstentions. (Resolution 38/83 J.)

The last resolution was introduced by Jordan and entitled "University of Jerusalem 'Al Quds' for Palestine refugees" which called for establishment of a university for Palestinian refugees in Jerusalem and urged Israel, "as the occupying power," to "remove hindrances which it has put in the way" of establishing a university. The United States opposed the draft resolution on grounds that it was an unreasonable and unworkable approach to the higher education needs of Palestinian refugees. The Committee approved the draft resolution by a vote of 116 to 2 (U.S., Israel). It was passed by the General Assembly by a recorded vote of 146 to 2 (U.S., Israel), with no abstentions. (Resolution 38/83 K.)

## Conflict Between Iran and Iraq

### SECURITY COUNCIL CONSIDERATION

The Security Council met twice during 1983, as it had done in 1982. At that time two resolutions were adopted. The first, resolution 514, of July 12, 1982, expressed concern about the prolongation of hostilities between the two countries. Two operative paragraphs called for a cease-fire and withdrawal of forces to internationally recognized boundaries, and another urged continuation of mediation efforts "in a coordinated manner through the Secretary General with a view to achieving comprehensive, just, and honorable settlement acceptable to both sides of all the outstanding issues." Another operative paragraph decided to dispatch a team of UN observers to verify, confirm, and supervise the cease-fire and withdrawal. The Secretary General was asked to report to the Council.

During the discussion the U.S. Representative, Ambassador William Sherman, said that the United States was willing to support a constructive and equitable action by the Council working toward preserving the independence and territorial integrity of both belligerent states. The text met that test. It sought an honorable settlement of the outstanding issues, and it did not prejudice.

Iran launched its expected offensive less than 48 hours after the passage of resolution 514 (1982). In a letter dated July 14, 1982, to the Secretary General, Iran declared that the resolution "deliberately fails to recognize that an Iraqi armed aggression and occupation has been going on for 22 months." Iran dissociated itself from Security Council actions taken so far in the war but stood ready to cooperate with the Council when the latter was able to "take its responsibilities seriously and deal with the realities existing on the scene."

On July 15 the Secretary General issued a report relating to stationing of UN observers. After stating his belief that it would be necessary to get the agreement of the parties involved to initiate action toward stationing observers, he noted that Iran had responded negatively to the resolution while Iraq had expressed readiness to cooperate.

On the same day the Security Council President, after informal Council negotiations, issued a statement on behalf of members expressing concern that resolution 514 (1982) had not been implemented. He said he would remain in touch with the two sides to explore ways to achieve an end of the hostilities and resolve the underlying issues.

No progress was made in ending the hostilities through the summer and into the fall. On October 1, 1982, Iraq requested another Security Council meeting in a letter which claimed that Iran had mounted a major armed attack earlier that day.

The Council met on October 4 and, after a short debate, approved resolution 522 (1982). It was similar to resolution 514 (1982) and reaffirmed the "necessity of implementing without further delay its decision to dispatch UN observers." After the vote the Secretary General delivered a statement about the Council's call for UN observers. He noted that the effective stationing of observers "is naturally contingent on the concurrence and cooperation of the parties concerned and on the existence of a cease-fire."

On October 4, after the Council meeting, Iran presented a statement to the Secretary General stressing that the latest Iranian military operation "was only aimed at liberating Iranian territories occupied by Iraqi forces at the beginning of the war." To restore Iranian confidence in the Council, the statement said, a resolution would have to be passed which (1) condemned Iraq, (2) held Iraq responsible for reparations, and (3) stressed the need for the repatriation of exiled Iraqis. The statement considered the Council's resolutions adopted so far on the situation between Iran and Iraq to be "non-binding on the Islamic Republic of Iran."

The Secretary General on October 7 issued an overall report on the implementation of resolutions 514 (1982) and 522 (1982). Noting that he had conveyed the text of the latter resolution to the two belligerents, he said that the Iraqi Government, while saying it desired peace, had considered all past Council resolutions on the situation between Iran and Iraq to be invalid and quoted the Iranian statement of October 4. The Secretary General then reaffirmed his determination to seek a just and lasting settlement of the conflict and announced that Mr. Olof Palme of Sweden would continue as his Special Representative.

During 1983 the Security Council again met twice, once informally and once formally, to consider the continuing warfare between Iran and Iraq. Both occasions were prompted by a rise in the intensity of the fighting or in its dangers to the international community.

The Council met informally on February 21 to consult about a recent escalation of the conflict resulting from an offensive launched by Iran. The Council's members authorized the President (the U.S.S.R.) to issue a statement on their behalf expressing their "deep concern" at the situation. The statement deplored "the grave human losses and the considerable material damage," and it reaffirmed the need to implement the Council's previous resolutions on the matter. "The members of the Council," it declared, "urgently call once again for an immediate cease-fire and an end to all military operations as well as the withdrawal of forces up to internationally recognized boundaries with a view to seeking a peaceful settlement in accordance with the principles of the Charter." The Secretary General was asked to continue his mediation efforts aimed at achieving a peaceful settlement.

The warfare between Iran and Iraq continued through the rest of the year, sometimes with fierce fighting and heavy losses on both sides. In October several developments threatened to widen the conflict into new regions of the Persian Gulf and to hinder navigation and commerce in the Gulf as a whole. The Security Council met to consider this danger on October 31, the last day of Jordan's tenure as the Council's President.

A draft resolution sponsored by Guyana, Togo, and Zaire was before the Council at the beginning of the debate. This draft, which had been the subject of much informal discussion among Council members for some days, was brought to a vote after little discussion. The text passed by a vote of 12 (U.S.) to 0, with 3 abstentions, becoming resolution 540 (1983).

In its preambular section this resolution recalled previous Security Council resolutions that had sought a comprehensive cease-fire between the two belligerents and also recalled the Secretary General's report of June 20 on the mission sent to inspect damage to civilian areas. The report was praised as "factual, balanced, and objective." The resolution's operative section began by asking the Secretary General to continue his mediation efforts toward a just settlement and by calling for the immediate cessation of military operations against civilian targets. The key operative paragraph affirmed "the right of free navigation and commerce in international waters," calling on states to respect this right and on the belligerents to cease hostilities "in the region of the Gulf, including all sea lanes, navigable waterways, harbor works, terminals, offshore installations, and all ports with direct or indirect access to the sea, and to respect the integrity of the other littoral states." The two combatants were asked to refrain from actions endangering peace and security as well as marine life in the Gulf region, and other states were asked to "refrain from any act which may lead to further escalation."

Several Council members spoke in explanation of vote before and after the resolution was adopted. The United States did not speak either before or after the vote.

The Iraqi Government announced its acceptance of resolution 540 (1983) in a statement attached to a letter sent to the Secretary General by the Iraqi Permanent Representative on November 1. The Iranian Government set forth its official reaction to the resolution in the same manner and at considerable length on December 11, rejecting the Council's action completely as biased toward Iraq and passed hastily "on the last day of the Presidency of the Representative of Iraq's primary ally in its war of aggression against Iran."

The Secretary General reported to the Council on December 13 about the implementation of resolution 540 (1983). In addition to describing the reactions he had received from the Iranian and Iraqi Governments, he reported that the Iranian Permanent Represent-

ative had sent him several letters requesting a new UN mission to inspect war damage to civilian areas. Three of these Iranian letters, the Secretary General noted, had stated that Iraq had used chemical weapons. The report then observed that Iraq, after the Secretary General had consulted its Permanent Representative, had rejected the Iranian proposal. Iraq took the position that the Iranian request must be considered in the context of Security Council resolution 540 (1983), which the Iraqis viewed as an indivisible whole. The Secretary General concluded, therefore, that "practical difficulties" prevented his carrying out the Iranian request. Nevertheless, he reiterated his readiness and that of his Special Representative, Mr. Palme, to help achieve "a comprehensive, just, and honorable settlement" of the Iran-Iraq conflict.

## **SECRETARY GENERAL'S ACTIVITIES**

On May 2, 1983, the Permanent Representative of Iran, acting on instructions, asked the Secretary General to send a representative to civilian areas in Iran to inspect war damage. The Secretary General discussed the matter the next day with the Permanent Representative of Iraq, who consulted his Government and replied on May 12 that the Iraqi Government wished to have the representative visit similar areas in Iraq.

The Secretary General immediately informed the Security Council of his intention to send a small mission to both countries. A four-man team consisted of two Secretariat officials and two military specialists seconded by the Swedish Government. The team toured war zones in Iran from May 21 to 26 and war zones in Iraq from May 28 to 30. On June 20 it issued its findings under cover of a report by the Secretary General to the Security Council.

The team's report confined itself to a factual description of the damage observed and to conclusions felt to be clearly sustainable by the evidence on such data as the types of munitions used. Political judgments were consistently avoided. Observations at 12 sites in Iran and 7 in Iraq were described in considerable detail. The mission refrained from stating which side had suffered the wider or more intensive civilian damage, letting the weight of the evidence speak for itself.

## **GENERAL ASSEMBLY CONSIDERATION**

On August 5, 1982, Iraq formally requested that a new item entitled "Consequences of the prolongation of the armed conflict between Iran and Iraq" be included in the agenda of the 37th General Assembly. Iran responded to this move on October 19 in a memorandum sent to the Secretary General outlining the history of



the conflict as seen by Iran and including a "model resolution" the Assembly could pass if it wished. This text condemned Iraq as the aggressor and affirmed Iran's right to receive reparations.

Iran's "model resolution" was not introduced. Another draft was introduced by 14 states, mostly Arab, which declared that the conflict endangered peace and security and affirmed the necessity of a cease-fire and a withdrawal to internationally recognized boundaries. It also called on the Secretary General to continue his efforts toward a peaceful settlement. Resolution 37/3 was adopted on October 22 by a vote of 119 (U.S.) to 1 (Iran), with 15 abstentions. The United States did not deliver a statement during the debate.

In a letter dated October 28, 1982, addressed to the Secretary General, Iran criticized resolution 37/3, which it claimed had been "imposed upon the General Assembly" by Iraq. The letter regretted that the United Nations had again decided "to turn a blind eye to Iraq's criminal acts of aggression." The United Nations was invited to send a factfinding delegation or an individual to visit the war fronts.

On July 29, 1983, Iraq again requested in a letter to the Secretary General that a supplementary item entitled "Consequences of the prolongation of the armed conflict between Iran and Iraq" be included on the agenda of the 38th General Assembly. The letter asked for discussion of the item directly by the plenary "in view of the importance of the subject." A memorandum enclosed with the letter noted that the 37th General Assembly had adopted a resolution on this topic and that Iran had "stood alone against the will of the international community" as expressed in that resolution, which had called for a cease-fire. Iran, the letter said, "has willfully persisted in its policy aimed at prolonging and widening the conflict." Thus, in Iraq's view, the Assembly must again express itself and take the necessary measures.

The item was inscribed on the agenda of the 38th General Assembly as requested by Iraq. However, the 38th session suspended on December 20 without reaching this topic. Before suspending, the Assembly decided to reconvene the session, at a date to be determined later, for the sole purpose of considering this and other unfinished business.

## **Afghanistan**

The 38th General Assembly passed by a large majority a resolution calling for a political solution to the Afghanistan problem, including the complete withdrawal of the foreign —Soviet—troops. This was the fifth session of the General Assembly since the 1979 Soviet invasion of Afghanistan to adopt such a resolution. Sponsored by Pakistan and other non-aligned states, the resolution was adopted

November 23 by a vote of 116 (U.S.) to 20, with 17 abstentions. (Resolution 38/29.)

The resolution, entitled "The situation in Afghanistan and its implications for international peace and security," outlined four major elements for an Afghanistan settlement: (1) withdrawal of foreign troops, (2) restoration of an independent and non-aligned Afghanistan, (3) the right of self-determination for the Afghan people, and (4) the right of Afghan refugees to return with safety and honor. The resolution also called on the Secretary General to seek a political solution based on these principles. The Secretary General's "personal representative" for Afghanistan negotiations, Under Secretary General for Special Political Affairs, Diego Cordovez, arranged indirect talks between Pakistan and the Kabul regime in Geneva in 1982 and 1983 and carried out consultations with these parties in New York during the 38th General Assembly.

Ambassador Jeane J. Kirkpatrick delivered a strong U.S. statement highlighting human rights abuses on the part of the Soviet occupiers and Afghan authorities and calling for Soviet compliance with General Assembly resolutions on Afghanistan. She stated:

The elements for a fair and just settlement are in place. They have been repeatedly endorsed by the large majority of nations. The world awaits a Soviet act of good faith. The world hopes for a peaceful and free Afghanistan—an Afghanistan in which the people of that country, and they alone, shall determine their country's destiny.

## **Kampuchea**

### **CREDENTIALS AT THE GENERAL ASSEMBLY**

For the first time since the United Nations has dealt with the Kampuchea issue in the wake of Vietnam's invasion of that country in December 1978, Hanoi chose not to challenge the credentials of Democratic Kampuchea in the 38th General Assembly. Vietnam's challenges to the Democratic Kampuchean seat in past Assemblies consistently met with overwhelming defeat in the plenary. The report of the Credentials Committee, which accepted Democratic Kampuchea's credentials among others, was adopted by consensus on October 20.

### **GENERAL ASSEMBLY CONSIDERATION**

Each year since the Vietnamese invasion of Kampuchea in late 1978 the General Assembly has passed by overwhelming majorities a resolution calling for total withdrawal of foreign forces, self-determination by the Khmer people, and aid to Khmer refugees. The resolution is introduced each year by members of the Association of

Southeast Asian Nations (ASEAN), comprising Indonesia, Malaysia, the Philippines, Thailand, and Singapore. The resolution adopted by the 38th General Assembly on the situation in Kampuchea reaffirmed previous resolutions 34/22, 35/6, 36/5, and 37/6 and called for their full implementation. It also reiterated the conviction

. . . that the withdrawal of all foreign forces from Kampuchea, the restoration and preservation of its independence, sovereignty, and territorial integrity, the right of the Kampuchean people to determine their own destiny, and the commitment by all states to noninterference and nonintervention in the internal affairs of Kampuchea are the principal components of any just and lasting resolution of the Kampuchean problem.

The resolution also termed the Declaration of the International Conference on Kampuchea, held at UN Headquarters in July 1981, as "the negotiating framework for a comprehensive political settlement of the Kampuchea problem." The resolution was adopted on October 27 by a recorded vote of 105 (U.S.) to 23, with 19 abstentions. (Resolution 38/3.) In his address Prince Norodom Sihanouk, President of Democratic Kampuchea, called on UN members to support his country's "rebirth as a sovereign, neutral, and independent state, free from all foreign occupation."

Speaking for the United States on October 27, Congressman Solarz strongly supported past UN calls for a comprehensive political settlement in Kampuchea. He noted the years of suffering and repression endured by the Kampuchean people, stressed the unity of opinion in Congress over the Kampuchea problem, offered the prospect of a changed U.S. attitude toward Hanoi should the latter agree to a political solution in Kampuchea, and called for continued provision of humanitarian relief to the Khmer refugees.

In recent years Vietnam has introduced an item for debate in the General Assembly entitled "Peace, stability, and cooperation in Southeast Asia," which addresses regional security concerns and avoids directly addressing the Kampuchea problem. Because it was unable to attract broad support, however, Vietnam has never proposed a resolution on the topic.

## **South African Policies of Apartheid**

### **SECURITY COUNCIL**

The Security Council met seven times in 1983 to consider questions relating to South Africa. The meetings concerned death sentences passed on three South Africans and separate complaints against South Africa by Lesotho and Angola.

On June 7 the Security Council met at the request of Morocco, Chairman of the African Group, and adopted a resolution concerning

the death sentences passed against Messrs. Thelle Simon Mogoerane, Jerry Semano Mosaloli, and Marcus Thabo Motaung. On August 6, 1982, a South African court had convicted them of high treason and sentenced them to death. The Security Council had considered the case twice before, on September 20 and December 7, 1982. The draft resolution before the Council expressed grave concern over the decision of the South African authorities to refuse executive clemency for the men and noted that "the carrying out of the death sentences will aggravate the situation in South Africa." The resolution again called on the South African authorities to commute the death sentences and urged all states and organizations to use their influence and take urgent measures to save the lives of the three men. The resolution was adopted unanimously without any statements being made. (Resolution 533 (1983).)

On June 29 the Security Council met to resume its consideration of Lesotho's December 1982 complaint of a South African "surprise attack . . . on Maseru, the capital of Lesotho, on Thursday, December 9, 1982." At its December 15, 1982, meeting on this subject the Council had unanimously approved resolution 527 (1982), which condemned the South African raid and requested the Secretary General to enter into consultations to ensure the welfare of Lesotho refugees and report regularly to the Council on the matter.

On February 9 the Secretary General issued a report on a UN mission to Lesotho, which identified projects in that country it considered worthy of consideration and support by the international community. With this report before it, the Council, at Lesotho's request, met on June 29 and unanimously adopted a resolution that commended Lesotho for its steadfast opposition to apartheid, expressed appreciation for and endorsed the report of the mission to Lesotho, and requested member states and international organizations and institutions to assist Lesotho in the fields identified in the report. The only statement was made by Lesotho which expressed concern over the December 9 "unwarranted act of aggression" by South Africa against Lesotho.

The Council met five times between December 16 and 20 to consider a complaint by Angola against South Africa. In a letter dated December 14, Angola requested an urgent meeting of the Council to deal with "the threat to regional and international peace and security represented by the occupation since 1981 of parts of southern Angola by the racist armed forces of South Africa, resulting in the violation of the territorial integrity and national sovereignty of the People's Republic of Angola," and a recent increase in "the acts of aggression and violence" against the people of Angola. On December 15 South Africa's Foreign Minister wrote to the Secretary General that:

. . . with a view to facilitating the process of achieving a peaceful settlement of the South-West Africa/Namibia issue, the Government of South Africa is prepared to begin a disengagement of forces which from time to time conduct military operations against SWAPO in Angola, on January 31, 1984, on the understanding that this gesture would be reciprocated by the Angolan Government, which would assure that its own forces, SWAPO, and the Cubans, would not exploit the resulting situation . . . .

When the Council convened on December 16, Angola's Representative stated that there had been "a full-scale war" by South Africa against Angola since 1981. He reviewed "acts of aggression" by South African "racist troops" against Angola since 1975 and referred to Security Council consideration of previous Angolan complaints. As the Council met, he said, "four columns of racist troops made up of armored corps are mounting an offensive into the Province of Huila." He called on the Council to condemn South Africa for its military occupation of Angolan territory and force its withdrawal. The next speaker was the South African Permanent Representative, who said that the sole objective of South Africa's security operation in southern Angola was "the protection of South-West Africa/Namibia against SWAPO terrorist attacks" launched from Angola, which had claimed hundreds of lives. He read the text of his Foreign Minister's letter proposing a disengagement of forces. Following this, and over the next several days, 28 other states addressed the Council on this issue.

On December 20 the Council adopted a resolution, which Angola and 13 cosponsors had proposed, by a vote of 14 to 0, with 1 (U.S.) abstention. The resolution strongly condemned "South Africa's continued military occupation of parts of southern Angola" and declared that this "endangered international peace and security." It demanded that "South Africa should unconditionally withdraw forthwith all its occupation forces from the territory of Angola." (Resolution 545 (1983).)

In an explanation of vote following the adoption of the resolution, Ambassador Kirkpatrick expressed U.S. concern with the escalating cycle of violence in southern Africa, saying "cross-border violence cannot be condoned, whether it be in the form of terrorist attacks by externally based organizations or a violation of the territorial integrity of Angola by South African forces." She noted the United States is deeply involved in the quest for peace in southern Africa. She welcomed the South African disengagement offer as "a major new step" in these negotiations. She concluded that "each of us must decide whether to pursue the new hope toward peaceful reconciliation, or bury it in mistrust and condemnations. For my Government the choice is clear: We do not intend to let this opportunity pass us by. Thus, we have abstained on the draft resolution."

## GENERAL ASSEMBLY

The General Assembly considered the question of "policies of apartheid of the Government of South Africa" at eight meetings between November 15 and December 5. The issue was dealt with in the plenary without prior reference to a main committee. The General Assembly had before it the report of the Special Committee Against Apartheid<sup>4</sup>.

The first meeting was convened as a matter of urgency at the request of Sierra Leone, Chairman of the African Group, to consider a draft resolution entitled "Proposed new racial constitution of South Africa." The resolution was proposed in response to the results of a November 2 referendum in South Africa in which the white electorate approved a new draft constitution for the country. Sierra Leone referred to the new document as "a monument to racialism and tyranny" and called for its "total repudiation" by the General Assembly. The eight other speakers expressed similar sentiments.

The United States called for a vote on the draft resolution, which was adopted by a vote of 141 to 0, with 7 (U.S.) abstentions. The resolution reaffirmed that "apartheid is a crime against humanity and a threat to international peace and security." It requested the Security Council "as a matter of urgency" to consider the implication of the so-called "constitutional proposals" that it called contrary to the UN Charter. Terming the results of the South African referendum "of no validity," the resolution rejected the constitutional proposals and requested the Security Council to take measures to avert further "aggravation of tension and conflict in South Africa and southern Africa as a whole." (Resolution 38/11.)

Several delegations, including some voting for the resolution, expressed reservations about the language of several paragraphs. In explaining the U.S. abstention, Ambassador Alan Keyes reiterated American abhorrence of apartheid. He said, however, that the real issue before the General Assembly was how best to encourage practical steps away from the apartheid system. The United States, he added, "strongly disagrees with those who believe that a resolution condemning the proposed constitutional changes will make a positive contribution to the process of change."

Discussion of apartheid resumed on November 17 and continued intermittently through December 5. Over 70 speakers participated in the debate, all of them condemning the practice of apartheid and pledging their governments' continuing opposition to the system. On November 18 Ambassador Keyes told the General Assembly that

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<sup>4</sup> The Special Committee Against Apartheid was established in 1962 as the "Special Committee on the Policies of the Government of the Republic of South Africa." The 18 members in 1983 were Algeria, German Democratic Republic, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Malaysia, Nepal, Nigeria, Peru, Philippines, Somalia, Sudan, Syria, Trinidad and Tobago, and Ukrainian S.S.R.

"the United States shares strongly the common desire to see a speedy end to the unjust system of apartheid." He said the United States is determined to concentrate on the question of how to promote positive change away from apartheid in South Africa. He questioned the strategy supported by many speakers that was based "solely upon condemnation, aimed at isolating the people of South Africa and paving the way for a violent cataclysm." The United States, he said, rejects this isolationist approach, in favor of another one which aims to help South African blacks build effective bases for the economic and political power they need in order to pursue their rightful place in South African society. Ambassador Keyes affirmed that "the people of the United States will not usurp their choices in the struggle. We will not abandon the people of South Africa, black or white, to the desperate exertions of a heedless conflagration."

On November 22, 11 draft resolutions on apartheid were submitted, sponsored by various states, primarily African. The resolutions were adopted on December 5.

The first resolution, entitled "Situation in South Africa," strongly condemned South Africa, commended and endorsed the liberation movements and their armed struggle, and urged the Security Council to impose comprehensive and mandatory sanctions against South Africa under Chapter VII of the UN Charter. The United States called for a vote on paragraph 12 of the draft resolution, which condemned "the policies of certain Western states, especially the United States of America and Israel, and of their transnational corporations and financial institutions that have increased political, economic, and military collaboration with the racist minority regime of South Africa." The paragraph was approved by a vote of 71 to 22 (U.S.), with 44 abstentions, following which the entire resolution was adopted by a vote of 124 to 16 (U.S.), with 10 abstentions. (Resolution 38/39 A.)

A second resolution, entitled "Program of action against apartheid," was then adopted by a vote of 128 to 2 (U.S.), with 22 abstentions. The resolution commended the Program of Action against apartheid adopted by the Special Committee Against Apartheid on October 5, 1983, and requested the Secretary General to instruct all UN offices to take appropriate action to promote its implementation. (Resolution 38/39 B.)

The next resolution, entitled "Effects of apartheid on countries of southern Africa," condemned South African acts of aggression against Angola, Lesotho, and Mozambique and demanded that South Africa pay full compensation to those three states for damage to life and property caused by its acts of aggression. It further demanded that South Africa immediately and unconditionally withdraw all its troops from Angola and fully supported the measures taken by Angola to safeguard its territorial integrity and national sovereign-

ty. The resolution was adopted by a vote of 146 to 2 (U.S.), with 4 abstentions. (Resolution 38/39 C.)

A resolution entitled "Sanctions against South Africa" was then considered. It requested the Security Council to consider mandatory sanctions against South Africa under Chapter VII of the UN Charter, in particular, embargoes on military equipment, oil, financial loans, and new investments. The United States requested votes on two preambular paragraphs. The first, which deplored the attitude of the United States and Israel "which have continued and increased their political, economic, and other collaboration with South Africa," was approved by a vote of 71 to 22 (U.S.), with 40 abstentions. The other, expressing concern at trade with, investments in, and loans to South Africa by the United States and three other countries, was approved by a vote of 72 to 22 (U.S.), with 40 abstentions. The entire resolution was then adopted by a vote of 122 to 10 (U.S.), with 18 abstentions. (Resolution 38/39 D.)

A resolution on the "Program of work of the Special Committee Against Apartheid" was adopted by a vote of 149 to 1 (U.S.), with 2 abstentions. The resolution commended the work of the Center Against Apartheid and endorsed the report of the Special Committee Against Apartheid. (Resolution 38/39 E.)

The sixth resolution concerned "Relations between Israel and South Africa." It strongly condemned "collaboration of Israel with the racist regime of South Africa, especially in the military and nuclear fields," and demanded that Israel desist from and terminate such collaboration. The resolution was adopted by a vote of 106 to 18 (U.S.), with 17 abstentions. (Resolution 38/39 F.)

Another resolution, entitled "Military and nuclear collaboration with South Africa," urged the Security Council to take mandatory decisions under Chapter VII of the UN Charter to ensure the total cessation of nuclear and military cooperation with South Africa and condemned actions of certain states to provide such assistance to South Africa. The United States called for votes on two paragraphs of the resolution which named the United States. The 10th preambular paragraph expressed alarm at what it called "the growing violation of the arms embargo as well as the continued nuclear collaboration by the United States of America and some other Western states and Israel with the apartheid regime." The paragraph was approved by a vote of 79 to 23 (U.S.), with 33 abstentions. The third operative paragraph, condemning "the recent decision of the United States of America approving the request from seven corporations to provide technological and maintenance service to the nuclear installation of racist South Africa," was approved 72 to 23 (U.S.), with 39 abstentions. The resolution as a whole was adopted by a vote of 122 to 9 (U.S.), with 17 abstentions. (Resolution 38/39 G.)

The only resolution on apartheid approved without a vote concerned the "United Nations Trust Fund for South Africa." Adopted



by consensus, the resolution commended the Secretary General and the Committee of Trustees of the Fund for their efforts to promote humanitarian and legal assistance to Namibians and South Africans and expressed appreciation to Trust Fund contributors. (Resolution 38/39 H.)

A resolution entitled "Investments in South Africa" expressed the conviction of the General Assembly that investments and loans "abet and encourage the apartheid policies of that country." It urged the Security Council to take effective steps to achieve the cessation of further investments and loans to South Africa. The resolution was adopted by a vote of 140 to 1 (U.S.), with 9 abstentions. (Resolution 38/39 I.)

The 10th resolution dealt with an "oil embargo against South Africa." It reaffirmed the General Assembly's recommendation to the Security Council "to consider urgently a mandatory embargo on the supply of petroleum and petroleum products to South Africa under Chapter VII of the Charter of the United Nations." The resolution was approved by a vote of 130 to 6 (U.S.), with 14 abstentions. (Resolution 38/39 J.)

The final resolution, "Apartheid in sports," authorized the *Ad Hoc* Committee on the Drafting of an International Convention Against Apartheid in Sports to continue its consultations with a view toward submitting the draft convention to the 39th General Assembly. It was adopted by a vote of 145 to 1 (U.S.), with 6 abstentions. (Resolution 38/39 K.)

In explaining the negative U.S. votes to the General Assembly on December 5, Ambassador Keyes again noted American abhorrence of apartheid but expressed U.S. disappointment that "once again these resolutions were presented without any serious attempt to negotiate their content and language which specifically impugns the good faith of the United States . . . . We cannot but find objectionable the strident criticism of my Government." Ambassador Keyes also objected to the continuing attempt in these resolutions to politicize international technical bodies, such as the IMF and IAEA.

## **Other African Questions**

### **LIBYA AND CHAD**

On February 19, 1983, Libya requested an urgent Security Council meeting to consider "the deteriorating situation near the Libyan shores" as a result of "provocative military actions of the United States Administration by moving its aircraft carrier *Nimitz* with some naval vessels close to the Libyan coast and sending four AWACs aircraft to one of the neighboring countries." In a letter to the Security Council President dated February 22, the United States

rejected the Libyan charges as "false and malicious." The letter noted that no American aircraft or ships had entered territory claimed by Libya and stated that regional security had been upset by "Libya's repeated efforts to interfere in the affairs of its neighbors."

The Council met four times February 22-23 to consider the Libyan complaint. To open the debate, Libya repeated the charges in its letter and alleged a long history of U.S. aggression against Libya since 1805. In reply, Ambassador Kirkpatrick reviewed the events which led to the situation in question, including a Libyan-backed plot against the Sudanese Government and a concentration of Libyan military aircraft near the Sudanese border. The United States had acted at Sudan's request in the face of this Libyan threat. This was just the latest of many examples of Libyan "subversion and destabilization of moderate independent governments." Ambassador Kirkpatrick concluded that there was a "pattern of Libyan misconduct worldwide. It constitutes, as I have said, a grave threat to international peace and security. The culprit in this proceeding is identified beyond any reasonable doubt and question." The debate adjourned on February 23 after remarks by 27 other speakers, with no resolution having been put forward.

On March 16 Chad requested an urgent Security Council meeting to consider "the extremely serious situation prevailing in Chad" as a result of Libyan military occupation of the "Bande d'Aouzou" in northern Chad, as well as Libyan intervention in Chad's internal affairs. The Council convened four times between March 23 and April 6 on this issue. At the first meeting Chad's Foreign Minister recounted in detail the history of the Chad/Libya boundary and asserted that Libya had effectively occupied a substantial portion of Chad since 1973. Libya then denied that Chad had ever had sovereignty over Aouzou and alleged that the Foreign Minister who had addressed the Council was not a representative of the legitimate Government of Chad but represented a rebel faction that held power in N'djamena. During the debate 24 other speakers addressed the Council. Chad submitted a draft resolution but did not call for a vote. On April 6 following informal consultations, the Council President for April, Ambassador Kirkpatrick, read a statement on behalf of Council members. The statement called on both parties to settle their differences by peaceful means, took note of their stated willingness to discuss their differences, and appealed to them to use the OAU in settling their dispute. Ambassador Kirkpatrick added that, as President of the Council, she would follow the development of the situation and be in touch with interested parties.

In early August in the face of Libyan aerial bombardment of the town of Faya-Largeau in northern Chad, followed by a Libyan-backed invasion, President Hisssein Habre appealed for another urgent meeting of the Security Council. President Habre's letters to

the Council President cited Libya's "campaign of veritable genocide against the civilian population of Faya-Largeau." At an August 3 Council meeting, Chad accused Libya of "flagrant aggression," violating the UN Charter, and "blithely flouting" the Council statement of April 6, calling on Libya and Chad to settle their differences by peaceful means. Libya again denied the legitimacy of the Government of Chad, asserted that Libya had sent neither planes nor troops to that country, and alleged that the deterioration in the situation in Chad was caused by direct intervention in Chad by the United States and France. Following statements in right of reply by Chad, Zaire, and Libya, the Council adjourned.

The Council met again on the mornings of August 11, 12, and 16 to further debate Chad's complaint. Representatives of 20 countries made statements before the debate adjourned. No resolution was put to a vote.

In the afternoon on August 11, 12, and 16 the Council considered a parallel complaint by Libya against the United States. Libya alleged in letters to the Council President that American acts in support of Chad, in the form of military supplies and advisers and deployment of American AWACs aircraft and the Sixth Fleet in the Mediterranean Sea, were "acts of intimidation and provocation directed against the Socialist People's Libyan Arab Jamahiriya" and represented a threat to peace and security in the region. Before the Council on August 11, Libya outlined allegations of hostile U.S. actions against Libya since 1969, emphasizing U.S. assistance in recent days to the Government of Chad. In brief remarks to the Council on August 12, Ambassador Lichenstein called the Libyan complaint a "not-quite-credible attempt to rationalize Libyan aggression against Chad by diverting attention to allegations of intervention by my country" against Libya. In a longer statement on August 11, Ambassador Lichenstein had dismissed the Libyan complaint as based on "fabrications and irrelevancies." He stated that Libya, supported, supplied, and encouraged by the Soviet Union, was guilty of aggression. He detailed Libyan acts of aggression against Chad and called on the Security Council to condemn Libya's behavior. The representatives of 20 other countries also addressed the Council before debate adjourned, without any resolution having been put forward.

## **COMORIAN ISLAND OF MAYOTTE**

The question of the Comorian Island of Mayotte has been included in the General Assembly's agenda since 1976. The dispute between France and the Comoros centers on the status of the Island of Mayotte, whose largely Christian population in referendums in 1974 and 1976 indicated a preference to remain a part of France rather than associate with the predominantly Moslem Comoros, which gained independence in 1975.

At the 38th General Assembly the Mayotte question was considered on November 21. Following speeches by several delegations, a vote was taken on a draft resolution which reaffirmed the sovereignty of the Comoros over Mayotte, called for the "translation into practice" of the willingness expressed by the French President to see a just solution, and invited France to pursue the negotiations with the Comoros toward returning Mayotte to the islands. The resolution, virtually identical to a resolution adopted in 1982, was adopted by a vote of 115 to 1, with 24 (U.S.) abstentions. (Resolution 38/13.)

## MALAGASY ISLANDS

The question of the Islands of Glorieuses, Juan de Nova, Europa, and Bassas de India has been on the agenda since the General Assembly 34th session. The islands, off the coast of Madagascar, were uninhabited when France discovered and claimed them. Although they remain in French hands, Madagascar also claims them.

On December 5 the Special Political Committee recommended to the General Assembly that, in view of talks underway between French and Malagasy authorities, the Committee postpone consideration of this question to the 39th General Assembly. On December 15 the General Assembly agreed without a vote to accept this recommendation and included the item on the provisional agenda of the 39th session. (Decision 38/422.)

## Falkland Islands (Malvinas) Question

On April 2, 1982, Argentine troops seized the British-held Falkland Islands (Malvinas) (which lie 250 miles off the southeastern tip of Argentina) and the South Georgia and South Sandwich Islands (which lie farther southeast). The British have held the Falklands (Malvinas) since 1833. Argentina maintained that it inherited a Spanish claim to the islands prior to that date. Title to the islands had been a matter of protracted dispute. Following the Argentine action, British forces began moving toward the South Atlantic, arriving on South Georgia Island on April 25, when fighting broke out in the area, continuing until June 16.

Before and during the hostilities the Security Council held several meetings in an attempt to resolve the problem. The 37th General Assembly also considered the item in its regular session later that year.

In 1983 the General Assembly discussed the continuing dispute at three meetings between November 14 and 16. On November 16 it adopted by a vote of 87 (Argentina, U.S.) to 9 (U.K.), with 54 abstentions, a resolution regretting the lack of progress in resolving the problem, taking into account the *de facto* cessation of hostilities

and the intention of the parties not to renew them, and calling on both Argentina and the United Kingdom to resume negotiations to find "as soon as possible a peaceful solution to the sovereignty dispute." (Resolution 38/12.)

In explaining its opposition to the resolution, the United Kingdom noted that Argentina refused to declare a *de jure* cessation of hostilities and had rejected the British offer to restore normal relations. More importantly, the resolution, by referring to a "sovereignty dispute," prejudged the outcome of the dispute, ignoring the right of the inhabitants of the islands to choose their own future.

The Fourth Committee adopted no resolution on the Falkland Islands (Malvinas) question but during the plenary debate held hearings at which petitioners currently residing on the islands spoke.

## **Situation in Central America**

### **SECURITY COUNCIL CONSIDERATION**

The Security Council considered the situation in Central America in three emergency sessions requested by Nicaragua in 1983. In eight meetings between March 23 and 29, the Council discussed Nicaraguan charges that it faced a "new aggressive escalation of acts by the American Administration, in the form now of massive infiltration of military units and task forces of Somoza counterrevolutionaries from the territory of Honduras." The Honduran Representative, in replying in the Council on March 23 to Nicaragua's charges, pointed out that his country was not involved in a bilateral dispute with Nicaragua but was "subject to all the important political repercussions relating to the situation in the neighboring states." He said that the Nicaraguan problem was exclusively internal, brought on by the tensions between the Sandinista regime and opposition groups over the Sandinista failure to establish the promised pluralistic and democratic society. He noted that a year before, Honduras had presented peace proposals to the OAS and called for the establishment of appropriate machinery to implement those proposals, which included general disarmament in the region and a reduction of foreign military advisers. He expressed support for regional dialogue on these and other destabilizing problems, reiterated his country's adherence to the principle of noninterference, and noted Nicaragua had recently refused a Honduran invitation to inspect the border region to verify Honduras had no military camps there. He accused the Sandinistas of threatening his country with war and called on the Nicaraguans to join in a peaceful dialogue and mutual disarmament, appropriately supervised.

Ambassador Kirkpatrick also addressed the Council on March 23. She expressed the view that the Sandinistas were appealing to the Council to preserve their right to repress their own people and to attempt to overthrow neighboring governments. Quoting the Sandinista promises to establish a pluralistic democracy contained in their letter to the OAS of July 17, 1979, she noted the betrayal of those promises, in particular, repression of all opposition, press censorship, religious persecution, postponement of elections until at least 1985, and forcible resettlement of the Miskito Indians. She outlined U.S. support for the Sandinista government in its early days and pointed out this aid was terminated only when it became obvious the Sandinistas were supporting terrorism in other countries, intervening in those countries, and violating their commitment to establish democracy and freedom at home. In closing she noted the U.S. willingness to participate in or support efforts to work out solutions which will provide the guarantees contained in the Sandinista letter to the OAS. On March 25 Ambassador Kirkpatrick stated that the United States had no aggressive designs against the Nicaraguan regime and had no intention of invading or occupying any other country. The United States, she reiterated, wanted only the fulfillment of the Sandinista promises to their own people. In another statement to the Council on March 25, Ambassador Kirkpatrick accused Nicaragua and Cuba of bringing a halt to the economic development of Central America through their efforts to train and export guerrillas and arms. She detailed Nicaraguan activities in support of Salvadoran guerrillas, as well as terrorists in Honduras and Costa Rica. She accused those who were supporting Nicaragua in the Council debate of complicity in the betrayal of the UN Charter's basic principles and called on the Council to facilitate the process of conflict resolution in Central America.

On May 9 the Council again met to hear Nicaraguan charges against Honduras and "U.S.-backed mercenaries." The Honduran Representative denied the charges, reiterating his country's guarantee not to cross its border with Nicaragua. Ambassador Kirkpatrick also rebutted the Nicaraguan charges, noting the gross violations of the UN Charter by the Sandinista regime. She outlined U.S. efforts to discuss the situation in Central America with the Nicaraguans and reiterated U.S. support for a multilateral agreement with appropriate verification of the cessation of foreign intervention. Finally, she warned that Nicaragua was attempting to obtain Security Council support for its export of revolution and oppression of its own people.

The second day of debate in the Council was postponed until after an urgent meeting of the Contadora Group (a group of Latin American countries established in January 1983 to assist in negotiations on the problems of Central America). After several days of

discussion, on May 19 the Council adopted by consensus a resolution which affirmed the right of Nicaragua and all the Central American countries to live in peace and security and strongly supported the efforts of the Contadora Group, urging all interested states to cooperate fully with it. (Resolution 530 (1983).)

In response to a Nicaraguan request, the Council met a third time on September 13. Nicaragua, the sole speaker, charged again that it was the victim of an "alarming escalation of aggressions." Its representative charged the United States with supplying the anti-Sandinista forces with increasing amounts of material, citing recent air attacks on, among other sites, Sandino International Airport. He accused the CIA of coordinating all "counterrevolutionary" activity against the Sandinistas. No resolution was proposed.

## **GENERAL ASSEMBLY CONSIDERATION**

At the request of Nicaragua, on October 6 the General Assembly approved without a vote inscription on its agenda of an item entitled "The situation in Central America." In the discussion in the General Assembly's General (steering) Committee on October 4, Ambassador Kirkpatrick indicated that the United States believed General Assembly debate might undermine current talks in the Contadora framework, but the United States did not formally oppose inscription of the item. The item was passed directly to the General Assembly plenary without reference to a committee and was discussed there November 8-11. The debate attracted over 50 speakers, all of whom supported the Contadora peace process and opposed foreign interference in the region. In her November 8 statement Ambassador Kirkpatrick accused the Nicaraguans of attempting to "cloak their own aggressive and violent policies in a mantle of United Nations rhetoric about nonintervention and the non-use of force." She continued:

The Representative of Nicaragua would like to have the United Nations endorse his own Government's perverse definition of the problem in Central America. According to this definition, Nicaragua is a peace-loving state with no designs on its neighbors. . . . [It] maintains a large military establishment, "four times as big and eight times as strong," as the late dictator Anastasio Somoza's Guardia Nacional, as the present commander of Nicaraguan forces put it last year. But this, of course, is only for the purpose of self-defense, which presumably is required against Nicaragua's neighbors.

She noted that despite charges in three separate Security Council debates, and now before the General Assembly, that a U.S. invasion of Nicaragua was imminent, no such action had taken place, nor had the Nicaraguans provided any proof of such an imminent action. She reiterated U.S. charges that the Sandinista regime had betrayed its promises to its own people. She noted that Nicaragua was really a

proxy for the Soviet Union which seeks to couple its use of violence throughout the world with propaganda efforts in the UN. She pointed out that Nicaragua, while verbally expressing support for the Contadora peace process, used the UN to avoid progress in the Contadora process. She reiterated the right of countries to self-defense against the violence and aggression of Nicaragua. Finally, she appealed to the Assembly to express its unequivocal, unconditional support for the Contadora process.

On November 11 the Assembly adopted by consensus a resolution which had been approved by all the Central American states. The meeting had been delayed several hours while the Contadora Group met to develop a consensus text, and only after such agreement was reached was the General Assembly convened. As Honduras noted in explaining its vote, the resolution was not acceptable as a replacement for the Document of Objectives, the agreed basis for negotiations in the Contadora process which had been accepted by all the Central American states in September 1983. However, the text, *inter alia*, expressed a strong support for the Contadora process, condemned acts of aggression against all Central American countries, and called for the establishment or improvement of democratic, representative, and pluralistic systems of government. (Resolution 38/10.)

## Grenada

In October 1983 a crisis erupted in the Caribbean Island of Grenada when a power struggle between Prime Minister Maurice Bishop and Deputy Prime Minister Bernard Coard resulted in Bishop's arrest. On October 19 a large crowd of supporters released Bishop; he was subsequently recaptured at Fort Rupert and executed along with several members of his government. Military elements imposed a 24-hour shoot-on-sight curfew, and Governor General Sir Paul Scoon was placed under house arrest.

Most Caribbean governments immediately denounced the violent events. The Organization of Eastern Caribbean States (OECS) met on October 21 and decided that the situation in Grenada posed a threat to regional peace and stability and determined to take action pursuant to Article 8 of the treaty establishing the OECS. The Governor General who, in the absence of effective governmental institutions, was the sole remaining legitimate authority in Grenada, made a confidential appeal to the OECS, Barbados, and the United States to take action to restore order on the island. The OECS, Barbados, and Jamaica, in turn, urgently requested U.S. assistance to help restore stability and peace in Grenada.

The United States, responding to this request and concerned for the safety of 1,000 American citizens in Grenada who were endan-



gered by the anarchic situation, joined with the OECS, Jamaica, and Barbados in a collective action on October 25. Order was restored within a few days, and Governor General Scoon formed an interim government whose mandate was to prepare the country for free elections as soon as possible. By December 15 the United States withdrew all combat forces from the island, leaving only 250 support personnel for the Caribbean Peace Force.

## SECURITY COUNCIL CONSIDERATION

At Nicaraguan request, the Security Council met on October 25 to consider the situation in Grenada. The debate continued in three sessions which lasted from October 25 to 28. In the first session, which began late in the evening of October 25 and ran to the early hours of the following morning, the U.S. Representative, Ambassador Kirkpatrick, protested the late meeting, which was called before OECS Chairman Prime Minister Eugenia Charles of Dominica could be present. She outlined U.S. objectives in participating in the action: to protect U.S. citizens and to respond to the urgent appeal by the OECS for assistance. (She was unable to refer to the Governor General's appeal at that time because word had not yet been received that his safety had been secured.) The Ambassador expressed the view that the joint action was reasonable and proportionate, and consistent with the purposes and principles of the UN and OAS Charters. Finally, she noted that the OAS would itself consider the question the following day.

Mr. Ian Jacobs, who had been appointed by the Bishop government as its Deputy Permanent Representative to the United Nations, also spoke in the debate on October 25 to protest the joint action. He accused the United States of using the safety of its citizens as a "smokescreen" to justify its invasion of Grenada and said what had happened recently in his island was an internal matter. He appealed to the Council to call for an immediate withdrawal of all foreign forces from his country.

On October 26 Prime Minister Charles for the OECS explained that its decision to undertake joint action with other Caribbean states and the United States was based on several factors: concern that the situation following the overthrow of Prime Minister Bishop and his subsequent killing, along with Cabinet members and other citizens, would continue to worsen, resulting in further loss of life; the view that the imposition of the draconian 96-hour curfew was intended to allow the brutal and ruthless group in control to suppress the population of Grenada; and concern that the extensive military buildup in Grenada over the last few years had created a situation of disproportionate military strength between Grenada and other OECS countries, and that this military might in the hands of

the present group in power posed a serious threat to the security of Grenada's neighbors. The decision to ask other countries to join the OECS in the action was made necessary by the latter's relative lack of military resources. She reiterated the OECS intention to invite the Governor General to assume executive authority of the country under the provisions of the Grenada Constitution of 1973 and to appoint a broad-based interim government to administer the country pending general elections. After indicating the non-Caribbean forces would be invited to withdraw from Grenada after normalcy was restored, she appealed on behalf of the OECS governments for diplomatic support from all friendly countries. Similar statements were made during the course of the Council's discussion by Jamaica, Barbados, St. Lucia, St. Vincent and the Grenadines, and Antigua and Barbuda.

In the meeting on October 27, U.S. Representative Ambassador Lichenstein raised an objection to the credentials of Mr. Jacobs, noting a letter from Governor General Scoon to the President of the Council informing him that no one was authorized to speak for Grenada at the United Nations. The matter was referred to the Secretary General for comments, and after a delay the meeting continued.

In her major statement to the Council on this matter, Ambassador Kirkpatrick condemned the recent violent overthrow of the Bishop government but noted the intrusion of force had begun long before. The Bishop government had, itself, come to power by overthrowing its predecessor, had refused to hold free elections, and had allied the country with Cuba, the Soviet Union, and others who "invoke Marxist ideology to justify tyranny." Outlining the extent of Cuban and Soviet involvement in Grenada, she pointed out that the country had fallen under permanent intervention and suffered a "reign of terror." Affirming U.S. commitment to withdraw once normal conditions were restored, she reiterated the reasons for U.S. agreement to the OECS appeal to participate in the joint action. She urged the Council to make a distinction between policies such as the joint action, which serve the purposes of the United Nations; the promotion of freedom, human rights, self-determination, the protection of national independence, and the promotion of development; and those policies which do not.

In the early hours of October 28, the Council voted 11 to 1 (U.S.), with 3 abstentions, on a Guyanese-sponsored draft resolution on the situation in Grenada. The draft, vetoed by the United States, "deeply deplored" the joint action and called for the immediate withdrawal of all foreign troops. The U.S. position was that the text was based on a distortion of the facts and of international law.

## **GENERAL ASSEMBLY CONSIDERATION**

Following the Security Council debate, Nicaragua requested that the General Assembly consider the question of Grenada as a priority

item; the Assembly agreed to that request and scheduled debate to begin November 2. In a confused and contentious session on that date, the Assembly adopted by a vote of 108 to 9 (U.S.), with 27 abstentions, a resolution, cosponsored by Nicaragua and Zimbabwe, based on the text vetoed the previous week in the Security Council. (Resolution 38/7.) The Assembly modified the text to include a Belgian amendment calling for free elections as soon as possible.

Although about 20 delegations had been inscribed to speak during the debate, at the beginning of the session Yemen (Aden) made a procedural motion that the Assembly close debate and vote immediately on the draft resolution. The cloture motion was narrowly approved by a vote of 60 to 54 (U.S.), with 24 abstentions. Belgium then proposed its amendment. Yemen (Aden) moved that no action be taken on the Belgian proposal; that motion was voted down by a vote of 43 to 63 (U.S.), with 34 abstentions. Ambassador Kirkpatrick spoke to denounce the effort by Yemen (Aden) to stifle free discussion of the issues and to reject the amendment calling for free elections. After unsuccessful attempts by Vanuatu and Iran to introduce sub-amendments to the Belgian amendment, the latter was approved by a vote of 71 (U.S.) to 23, with 41 abstentions. In explanation of the vote, Ambassador Kirkpatrick expressed regret that the Assembly had voted to terminate debate before it began, thus refraining from discussion or review of the facts before it made its decision. The United States, she said, was convinced that the facts supported its actions and that the use of force by the collective task force was lawful under international law and the UN Charter. She noted that some nations had suggested a parallel between the action in Grenada and Soviet action in Afghanistan and said the United States agreed there was a parallel:

Just as Maurice Bishop was murdered in Grenada because he tried to free himself from the Soviet stranglehold, so too was Mohammad Daoud murdered in Afghanistan, and after him, Hafizullah Amin was murdered in Afghanistan. They too discovered that the only thing more dangerous than embracing the Soviet bear is trying to break loose from its deathly grip. They too learned that the price of trying to reverse the course of history, the inexorable course of history in the Soviet view, is violent death. This, and this alone, is a parallel between Grenada and Afghanistan. The difference is that the people of Grenada have now been spared the cruel fate of the people of Afghanistan.

The United States, she said, was proud to have participated in the liberation and the restoration to the people of Grenada of their right to self-determination, their human rights, and their right to democratic government.

Pursuant to a request in the Assembly resolution, the Secretary General sent a representative to Grenada to report on conditions in the island. The report, published on November 6, noted that conditions of normalcy were returning to the island, U.S. forces were being drawn down, and plans had been announced for the holding of

democratic elections as soon as possible. The report outlined in some detail the Governor General's plans for prompt restoration of full constitutional democracy.

## **Cyprus**

The Intercommunal Talks between the Greek Cypriot and Turkish Cypriot communities, under the Chairmanship of Hugo Gobbi, Special Representative of the Secretary General, held five sessions in early 1983 but did not resume after April 14. The 37th General Assembly, in a resumed session in May, adopted a resolution on the question of Cyprus. On November 18 the Security Council passed a resolution on the situation caused by the November 15 declaration of a "Turkish Republic of Northern Cyprus." The Council twice extended the mandate of the UN Peacekeeping Force in Cyprus (UNFICYP) for 6-month periods.

### **INTERCOMMUNAL TALKS**

The two communities held five formal sessions in 1983—on January 18, January 25, March 8, April 5, and April 14. The Greek Cypriot Representative was Mr. Andreas V. Mavrommatis; the Turkish Cypriot Representative, Mr. Umit Suleyman Onan. Mr. Gobbi, the Secretary General's Special Representative, presided over these sessions. The talks proceeded on the basis of the Secretary General's November 1981 evaluation and followed an "open agenda" approach aimed at clarifying certain aspects of the problem. The Intercommunal Talks recessed three times—in late January, for the Greek Cypriot presidential elections; in March, for a New Delhi meeting of the Non-Aligned Movement; and in April, for the May debate on Cyprus at the resumed 37th General Assembly. After adoption of General Assembly resolution 37/253, the Turkish Cypriots claimed that the basis for the Intercommunal Talks had been eroded. Despite intensive efforts by the Secretary General and Mr. Gobbi, supported by the United States, no further rounds of the talks could be held in 1983. Late in the year Mr. Gobbi left Cyprus for a position with the new Argentine Government, while retaining for the time being his portfolio as Special Representative. In his absence Mr. James Holger became the Acting Special Representative on the island.

Seeking to bolster the Intercommunal Talks, the Secretary General met with Cypriot President Spyros Kyprianou in March, April, September, October, and November; with Turkish Cypriot leader Rauf Denktash in July, October, and November; and with representatives of the two communities and other interested parties during the resumed 37th General Assembly in May, the 38th General

Assembly general debate in September and October, and the Security Council debate in November. Secretary Shultz met with President Kyprianou in New York in September. In November President Reagan and Secretary Shultz met with President Kyprianou, and the Secretary met separately with the Foreign Ministers of Greece and Turkey and with Mr. Denktash.

In September Secretary Shultz chose a new Special Coordinator for Cyprus—Mr. Richard Haass, succeeding Mr. Christian Chapman. Mr. Haass met with President Kyprianou, Mr. Denktash, and UN officials in New York in October. Prior to becoming Special Coordinator, he consulted on the Cyprus question in Nicosia, Athens, Ankara, and several other European capitals.

## **SECURITY COUNCIL CONSIDERATION**

At the request of the United Kingdom, Greece, and Cyprus, the Security Council held four meetings November 17–18 to debate the November 15 Turkish Cypriot proclamation of a “Turkish Republic of Northern Cyprus.” On November 18 the Council adopted a resolution by a vote of 13 (U.S.) to 1 (Pakistan), with 1 abstention. The resolution deplored and called invalid the November 15 Turkish Cypriot action; urged all states not to recognize any Cypriot state other than the Republic of Cyprus; reaffirmed the good-offices mandate of the Secretary General; and reiterated support for the unity, sovereignty, non-alignment, and territorial integrity of the Republic of Cyprus. (Resolution 541 (1983).)

In reports to the Council dated June 1 and December 1, the Secretary General recommended a routine 6-month extension of the mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP), primarily on the grounds that the force continued to perform two vital functions—maintenance of the peace and creation of an environment which was conducive to the quest for a negotiated settlement. In the December 1 report the Secretary General wrote that his intensive personal involvement had failed to bridge the gap between the two communities on basic issues such as the constitution and territory. Noting that time was closing the “window of opportunity” for Cyprus, he said that the November 15 Turkish Cypriot declaration was inconsistent with numerous Security Council resolutions, the 1977 agreement between Archbishop Makarios and Mr. Denktash, and the 1979 agreement between President Kyprianou and Mr. Denktash. The Secretary General emphasized that that declaration had not changed the status or function of UNFICYP and that he continued to work for resumed negotiations between the two parties on an equal footing.

The Security Council, by unanimous votes, renewed the UNFICYP mandate on June 15 and December 15. (Resolutions 534 (1983) and

544 (1983). Turkey and the Turkish Cypriots rejected the terms of resolution 544 (1983), the Turkish Cypriots declaring that they would henceforth set the terms of their relationship with UNFICYP.

Throughout 1983 the size of UNFICYP, comprising troops of seven countries and two civilian police contingents, stayed at 2,348, the 1982 level<sup>5</sup>. Expenses for the force continued to exceed voluntary donations. As a result, troop-contributing countries continue to be uncompensated for expenses beyond those which they had volunteered to absorb. As of December 15 the UNFICYP deficit was \$112.5 million. The annual U.S. voluntary contribution remained \$9 million, just under one-third of the total funds contributed for UNFICYP operations in 1983.

## GENERAL ASSEMBLY CONSIDERATION

At the request of Cyprus, a plenary debate on the question of Cyprus was held in May, during the resumed session of the 37th General Assembly. Consistent with past practice, the United States abstained on a procedural motion by Turkey to have the question referred to the Special Political Committee rather than having it considered directly in plenary debate. About 60 speakers participated in the May 10–13 debate. The seven-nation Non-Aligned Contact Group on Cyprus<sup>6</sup>, which had visited the island March 14–17, proposed a resolution which eventually won 23 other sponsors. On May 13 the Assembly adopted a resolution by a vote of 103 to 5, with 20 (U.S.) abstentions. (Resolution 37/253.)

The United States voted against paragraph 15, which requested the Security Council to consider in a specified time-frame “all appropriate and practical measures under the Charter” (i.e., sanctions) to ensure speedy and effective implementation of UN resolutions on Cyprus; voted for paragraph 16, which welcomed the Secretary General’s intention to renew his personal quest for a solution to the problem of Cyprus, and requested him to take initiatives to that end in the framework of the good-offices mission entrusted to him by the Council; and abstained on the resolution as a whole. In its statement the United States said that acrimonious debate would not help resolve the problems of Cyprus and reaffirmed its commitment to the intercommunal talks as the best way to achieve a just and lasting solution to the question of Cyprus.

During the 38th session of the General Assembly in the fall of 1983, the General Committee, with the support of Cyprus, recommended deferral of action on the question of Cyprus, while reserving the right to raise the question at a resumed 38th session in 1984, if conditions warranted.

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<sup>5</sup> Austria, Canada, Denmark, Finland, Ireland, Sweden, and the United Kingdom provide troops to UNFICYP; Australia and Sweden, civilian police.

<sup>6</sup> Algeria (Chairman), Cuba, Guyana, India, Mali, Sri Lanka, and Yugoslavia.

Efforts continued throughout 1983 to overcome procedural hurdles which prevented meetings of the Committee on Missing Persons, established in April 1981. Mr. Claude Pilloud, a representative of the Secretary General on the Committee, visited Cyprus November 15-30. The Secretary General noted in his December 1 report to the Council that only minor problems remained to be overcome before the Committee could resume its substantive work.

## **DISARMAMENT AND ARMS CONTROL**

### **Disarmament Commission**

The UN Disarmament Commission, which had lapsed into disuse during the 1960's and early 1970's, was reconstituted in 1978 by the first special session of the General Assembly devoted to disarmament in order to provide the United Nations with a "deliberative" body on disarmament as opposed to the Committee on Disarmament—which is a multilateral "negotiating body." Subordinate to the General Assembly, it consists of all UN members and has operated to date on the principle of consensus.

In 1983 the Commission met at UN Headquarters from May 9 to June 3. The Commission conducts most of its work through working groups set up at the outset of each session. At the 1983 session working groups were established to address confidence-building measures, reduction of military budgets, the report on common security by the Independent Commission on Disarmament and Security Issues (dubbed the Palme Commission study after the Commission Chairman, Olof Palme), and the question of South Africa's nuclear capability. A contact group to address issues related to the agenda item on nuclear and conventional disarmament was also established.

Of particular interest to the United States during the 1983 session was the focus on confidence-building measures—an area in which the United States has taken a series of major initiatives. The working group established to deal with the development of guidelines for the implementation of confidence-building measures on a global or regional basis made progress during the 1983 session and will continue its work during the 1984 session.

During discussions in the Commission on the issue of reduction of military budgets, the United States continued to seek practical progress toward universal reporting of military expenditures in accordance with an approved UN format. It took a dim view of proposals to reduce military budgets before ideas of open reporting and transparency are accepted as standards. Until open reporting and transparency are accepted as fundamental, the United States is not optimistic about the prospects for success in developing principles to guide the reduction of military budgets.

On the question of South Africa's nuclear capability, the United States took the position that an Africa free of nuclear weapons is a desirable goal and urged all nations—including South Africa—to adhere to the non-proliferation regime. The working group, however, made little if any progress.

The working group established to address the recommendations of the Palme Commission Report reached a consensus on a recommendation. Consequently, the Commission recommended to the General Assembly that all member states take into account the recommendations contained in the report in ongoing and future disarmament negotiations.

The contact group established to address questions related to nuclear and conventional disarmament had a lively exchange of views but failed to reach consensus on a concrete set of recommendations. The group recommended that the Commission on Disarmament continue work on this issue at its 1984 session.

The report of the proceedings of the Disarmament Commission were submitted to the 38th General Assembly. On November 8 Brazil, on behalf of eight other states, introduced a draft resolution in the First Committee. The draft, *inter alia*, noted that the Disarmament Commission had yet to conclude consideration of some items on its agenda; requested the Commission to continue its work according to its mandate; and to that end to make every effort to achieve specific recommendations at its next substantive session to take place during a period not to exceed 4 weeks during 1984. The draft also requested the Secretary General to transmit to the Disarmament Commission the report of the Committee on Disarmament, together with all official records of the 38th General Assembly relating to disarmament items, and to render all assistance the Commission may require for implementing the present resolution.

On the same day the Committee approved the draft resolution without a vote, and on December 20 the plenary Assembly adopted the resolution in the same manner. (Resolution 38/183 E.)

## Committee on Disarmament

The Committee on Disarmament (CD) is the principal forum established by the international community for the negotiation of multilateral arms control and disarmament agreements. It has 40 members<sup>7</sup>, which include the 5 nuclear-weapon states. The Committee evolved from the 31-member Conference of the Committee on

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<sup>7</sup> The Committee members are: Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zaire.



Disarmament, which met from 1969 to 1978, and the earlier Eighteen-Nation Disarmament Committee (ENDC), which existed from 1961 to 1969. The ENDC, in turn, was an outgrowth of a 10-nation committee and of previous, less-formal, consultative groups involving mainly the major powers.

The CD is an autonomous body with its own Rules of Procedure. It is linked, however, to the United Nations through a personal representative of the Secretary General who serves as the Secretary of the Committee. The United Nations also provides administrative support to the Committee through its regular budget. The Committee reports annually on its activities to the General Assembly, and resolutions adopted by the Assembly frequently request the Committee consider specific disarmament matters.

The CD meets each year in a two-part session. In 1983 the Committee was in session from February 1 to April 29 and from June 14 to August 30. The U.S. Representative to the Committee was Ambassador Louis G. Fields, Jr., who headed a Delegation of officials drawn from the Arms Control and Disarmament Agency; the Departments of State, Defense, and Energy; and the Office of the Joint Chiefs of Staff.

During its 1983 session the Committee held 50 formal plenary meetings and 27 informal meetings. The Committee's Rules of Procedure provide that nonmember states may, on request, submit papers and make statements at formal plenary meetings, as well as meetings of subsidiary bodies of the Committee. Accordingly, during 1983 a number of nonmember states also participated in various Committee activities.

The Committee addressed a wide range of disarmament issues during 1983. Those items receiving the most attention were: nuclear test ban; nuclear disarmament and the prevention of nuclear war, including all related matters; security guarantees to non-nuclear-weapon states; chemical weapons; new weapons of mass destruction and radiological weapons; and outer space arms control.

In certain cases the Committee formed *ad hoc* working groups to work on specific issues. Five such working groups were reestablished from the previous year's session. These were the working groups on nuclear test ban, chemical weapons, radiological weapons, security assurances to the non-nuclear-weapon states, and on the development of a comprehensive program of disarmament.

Of particular interest during the 1983 session was the intensive work on both chemical weapons (CW) and radiological weapons (RW). In the CW negotiations, the object of which is to negotiate a complete and effective ban on CW, the appearance of Vice President Bush and the tabling of three major initiatives served to underscore the U.S. commitment to eliminating the threat of chemical weapons. In the RW Working Group the U.S. Delegation was able to revive interest

in an RW treaty and succeeded in developing a draft text, which was included as a Chairman's text in the Committee's report to the 38th General Assembly. Despite an activist approach by the United States to examine issues related to compliance and verification of a nuclear test ban, little progress was made in this area.

## **AD HOC WORKING GROUPS**

### **Chemical Weapons**

The Committee's Working Group on Chemical Weapons continued its work under the 1982 mandate. Work began before the convening of the CD itself and was carried out in four contact groups, each of which dealt with one of the following issues: stockpiles, complaint mechanism, ban on use, and definitions. The Chairman produced a "record" of agreements and disagreements based on individual reports from the four contact groups. The final group report recommended that the Chairman's record and the individual contact group reports form the basis for future work and that the working group be reestablished and begin work immediately at the beginning of the 1984 session, with a view to intensive negotiation aimed at the final elaboration of a chemical weapons convention at the earliest date.

### **Radiological Weapons**

After breaking several procedural impasses, the RW Working Group was divided into sub-groups A and B; sub-group A treated traditional RW issues dealing specifically with the details of negotiating an RW treaty, while sub-group B considered the issue of banning attacks against nuclear facilities.

Sub-group A, under U.S. Chairmanship, treated the major outstanding issues requiring resolution for a treaty to be completed, including definition, peaceful uses, and nuclear disarmament. Toward the end of the session the coordinator of sub-group A circulated a draft treaty text which, while not complete, addressed several major issues with a view to achieving consensus. Serious differences emerged, however, and in the end the text was submitted as a Chairman's text annexed to the final report of the RW Working Group. In sub-group B, under the Chairmanship of the U.S.S.R., general but inconclusive discussions were held on issues related to banning attacks on nuclear facilities. Differences over the relationship between this question and the RW treaty under negotiation were discussed, but no conclusions were reached.

### **Nuclear Test Ban**

The Nuclear Test Ban (NTB) Working Group, established to address issues related to verification and compliance, spent much

time in procedural debate over the nature of its program of work. Among other substantive questions was the question of inclusion in any comprehensive ban of nuclear explosions for peaceful purposes (PNEs), on which wide differences in positions emerged. For example, India and the U.S.S.R. objected to the position held by the United States and some others that any Comprehensive Test Ban (CTB) would have to preclude PNEs, in order to deny military benefits to those engaged in such testing. The United States argued that military benefits of PNEs could not be effectively segregated. The United Kingdom argued that all explosions would have to be banned for a CTB to be consistent with provisions of the 1963 Limited Test Ban Treaty (LTBT). Brazil disagreed and asserted that the 1963 treaty, in effect, deals only with nuclear-weapon test explosions.

While discussion on a variety of matters contributed to enhanced understanding of the issues involved, the working group was unable to fulfill the terms of its mandate. Many important questions related to verification and compliance remained.

While the Chairman (German Democratic Republic) asserted that the working group had completed its work, the United States argued that it had, in fact, barely scratched the surface. Thus, the working group was unable to reach a clear consensus on a recommendation for work on this subject during 1984.

### **Comprehensive Program of Disarmament**

The CD reestablished the *Ad Hoc* Working Group on the Comprehensive Program of Disarmament (CPD) in the summer of 1982, but the group did not meet. During 1983, 12 meetings were conducted. Based on these discussions the Chairman prepared a text he thought could achieve consensus. As it appeared late in the session, there was no time for a thorough examination of it. It was annexed to the report of the working group and forwarded to the 38th General Assembly for "appropriate action."

### **Negative Security Assurances**

This working group, which has been reestablished each year of the CD since 1979, was formed to consider international arrangements to assure the non-nuclear-weapon states against the use, or threat of use, of nuclear weapons against them. This working group made little progress during 1983. Differences continued to exist over the forum for the discussion and substance of a possible common assurance to be given by the nuclear-weapon states.

The United States has reiterated its unilateral assurances, offered at the 1978 meeting of the special session of the General Assembly devoted to disarmament, which stands as a firm and reliable

statement of U.S. policy. While the session was still in progress, President Carter had ordered a review of the U.S. position on the question of security assurances to non-nuclear-weapon states. As a result of this review, on June 12, 1978, Secretary of State Vance announced the President's decision that:

The United States will not use nuclear weapons against any non-nuclear-weapon state party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a state allied to a nuclear-weapon state in carrying out or sustaining an attack."

## **OTHER ISSUES**

In addition to the work of the *ad hoc* working groups, the Committee addressed several other issues, including the following.

### **Institutional Questions**

At the 1983 session the Committee considered whether to change its name from "committee" to "conference," as well as questions related to enhancing its effectiveness along with possibly expanding its membership.

On the first question, the Committee decided to redesignate itself a "conference" on disarmament. The new designation, having no financial or structural implications and no effect on the Rules of Procedure, was to become effective at the commencement of the 1984 annual session.

On the second issue, the CD decided to "accept in principle a limited expansion in its membership" by not more than four states. The actual selection of new member states would be the product of consultations between the Chairman of the Committee and the Committee members, individually and collectively. The Committee in reaching its decision explicitly noted its obligation to assure its effective functioning under paragraph 120 of the Final Document of the first special session of the General Assembly devoted to disarmament. The Committee would inform the 39th regular session of the General Assembly of the agreement reached.

Various proposals to enhance the effectiveness of the CD were considered, and the CD agreed that consideration of this matter should continue in 1984.

### **Prevention of Nuclear War**

While all members agreed upon the importance of this question, the CD failed at its 1983 session to decide on a procedure for a structured examination of the issue of the prevention of nuclear war.

Differences of opinion over how to accommodate proposals by the Group of 21<sup>8</sup> on including the subject of "prevention of nuclear war" on the 1983 CD agenda and on establishing a related *ad hoc* working group prevented the CD from achieving any substantive work for almost 2 months. The West argued that this matter must be considered in the appropriate context, i.e., that of preventing all wars. The Soviet Union effectively kept the CD from embarking on its work by not only supporting the Group of 21 proposal but by insisting that until the agenda was agreed upon and adopted the CD could not commence any work. The issue was ultimately agreed upon by adding "Prevention of nuclear war, including all related matters" to existing agenda item two. Informal consultations to decide how to handle CD consideration of the prevention of nuclear war issue led to no agreement. A proposal by a group of Western states to set up structured, informal meetings on this matter proved to be unacceptable.

Although no decision was possible on a procedure for handling the prevention of nuclear war, it was the subject of a formal plenary session on July 7, when the U.S. Representative, Ambassador Fields, among others, delivered a statement on the subject. Ambassador Fields outlined the history and diversity of U.S. policies on the prevention of war, including nuclear war. He stressed the validity of deterrence, which has kept the peace for 35 years. Together with other statements a comprehensive view of Western policies was presented. These pointed to the doubtful validity of Soviet unilateral pledges on the prevention of nuclear war.

## **Outer Space Arms Control**

The prevention of an arms race in outer space was added to the CD agenda in 1982. Agreement was reached during the 1983 session, in principle, to establish an *ad hoc* working group to address related issues, but the CD was unable to reach consensus on a mandate for the working group. A proposal, cosponsored by a number of Western states including the United States, to establish a working group to consider issues related to the prevention of an arms race in outer space appeared in the final days of the session to be acceptable to all but a "group of Socialist states." Consequently, no agreement was reached to establish an *ad hoc* working group.

## **General Assembly**

The 38th session of the General Assembly had 27 items on its agenda for the First Committee's consideration. On the basis of the

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<sup>8</sup> Members of the Group of 21 are: Algeria, Argentina, Brazil, Burma, Cuba, Egypt, Ethiopia, India, Indonesia, Iran, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia, and Zaire.

Committee's recommendations, the General Assembly adopted 63 disarmament resolutions. Many of these resolutions, reaffirming past Assembly actions, are discussed below.

### **SPECIAL SESSION ON DISARMAMENT III**

Exemplifying the increasing international concern over arms control and disarmament issues, the United Nations has convened two special sessions devoted entirely to disarmament and has recently planned a third to meet "not later than 1988."

The first special session on disarmament (SSOD I), which met in 1978, was an initiative by the non-aligned nations to address a broad spectrum of disarmament-related issues. The general atmosphere of the conference was constructive, and the extensive Final Document was adopted by consensus.

The second special session on disarmament (SSOD II) was held in 1982. Although member states could not agree on a substantive document going beyond SSOD I, the session was highlighted by the participation of 18 heads of state or government, including President Reagan, all of whom reaffirmed their commitment to the tenets of the Final Document.

On November 11 a draft resolution eventually sponsored by 25 countries was introduced in the First Committee, which called for the convening of a third special session on disarmament no later than 1988, the date and arrangements for which should be set no later than the 1985 regular General Assembly session. No specific agenda was agreed upon; however, some of the same items which were discussed at SSOD II are likely to be raised at the third special session. The Committee approved the draft without a vote and, and the plenary Assembly adopted it in the same manner on December 15. (Resolution 38/73 I.)

Some of the specific items addressed at SSOD II included: prevention of nuclear war and of further proliferation of nuclear weapons, conclusion of a comprehensive test ban treaty, consideration of the value of nuclear-weapon-free zones, limitation of non-nuclear weapons with potential of mass destruction, and the reduction of military expenditures.

### **REDUCTION OF MILITARY BUDGETS**

The 38th General Assembly, as in several previous years, adopted two resolutions concerning reduction of military budgets on December 20.

Romania introduced a resolution in the First Committee on November 15 on behalf of several neutral, non-aligned, and Western countries. The draft resolution reaffirmed concern over ever-growing

military expenditures and appealed to all states, pending the conclusion of agreements on the reduction of military expenditures, "to exercise self-restraint in their military expenditures with a view to reallocating the funds thus saved to economic and social development." The Committee adopted this draft resolution on November 25 without a vote and in the plenary Assembly it was similarly adopted. (Resolution 38/184 A.)

On November 17 Sweden introduced the second resolution with the cosponsorship of several other neutral/non-aligned countries. Paralleling resolutions adopted in previous Assemblies, this resolution, *inter alia*, (1) reiterated the widespread concern over the arms race and tendencies to increase further the rate of growth of military expenditures; (2) emphasized the need for reductions to be carried out on a mutually agreed basis without detriment to the national security of any country; and (3) stressed the need for more states to report their military expenditures to the United Nations, using the standardized reporting method developed by a UN group of experts. The Swedish resolution also noted President Reagan's proposal at the second special session devoted to disarmament to convene an international conference on military expenditures. Finally, the resolution provided for further meetings of the Group of Experts on the Reduction of Military Budgets to pursue studies comparing submitted data. The United States provides an expert to this exercise.

On November 25 the Committee approved this draft resolution by a recorded vote of 78 (U.S.) to 12, with 8 abstentions, and the plenary Assembly adopted it by a recorded vote of 116 (U.S.) to 13, with 8 abstentions. (Resolution 38/184 B.)

## **CHEMICAL AND BIOLOGICAL WEAPONS**

At its 38th session the General Assembly adopted three separate resolutions on the subject of chemical and biological weapons. Reflecting widespread concern about increased report of the use of such weapons and a concern for upholding the authority of the 1925 Geneva Protocol, France introduced a draft resolution in the First Committee on November 17. It recalled a resolution adopted at the 37th General Assembly which requested the Secretary General to establish a permanent mechanism for investigating reports of possible violations of the 1925 Geneva Protocol. The draft was approved by the Committee on November 23 by a recorded vote of 77 (U.S.) to 20, with 29 abstentions. The Soviet Union and most of its allies voted against it—as they had done on a similar version previously—in the 37th General Assembly. It was adopted by the 38th General Assembly on December 20 by a vote of 97 (U.S.) to 20, with 30 abstentions. (Resolution 38/187 C.)

Two other resolutions on chemical weapons were adopted which urged intensification of the negotiations on a chemical weapons ban in the Conference on Disarmament. Introduced by the German Democratic Republic and sponsored by 11 other countries, the draft was approved in the First Committee by a vote of 73 to 1 (U.S.), with 49 abstentions, and in the General Assembly by a vote of 98 to 1 (U.S.), with 49 abstentions. (Resolution 38/187 A.) The preambular language of this resolution was framed for maximum propaganda effect, as it expressed "profound concern at the intended production and deployment of binary chemical weapons" and reaffirmed its call to states to refrain specifically from the production and deployment of just such weapons.

A draft resolution, introduced on November 11 by Canada on behalf of 16 cosponsors, was almost identical to similar ones adopted by consensus over the past several years. It urged the Committee on Disarmament to resume negotiations with a view to the final elaboration of a convention at the earliest possible date and was adopted without a vote in both the First Committee and the plenary Assembly. (Resolution 38/187 B.)

The U.S. Representative in the First Committee, Mr. Solarz, spoke on November 4. He said that since August 1980 the United States had repeatedly brought evidence to the United Nations on the use of illegal chemical weapons by the Soviet Union. Only if the United Nations spoke out and took effective action on that matter would the terror of chemical weapons use come to a stop.

In spite of claims to the contrary, he said, the United States had no doubt that the Soviet Union had used chemical weapons against the peoples of Laos, Kampuchea, and Afghanistan. Some officials, he went on, had tended to doubt the testimony of refugees. Even if the United States were relying solely on the testimony of refugees, which it was not, he asserted, those detailed accounts could not be dismissed. History taught that refugees were excellent sources of information.

Doctors who treated yellow rain victims, the testimony of yellow rain victims, and scientific studies conducted thus far, including the studies conducted independently by Canada and other governments, should remove any doubts about the use of chemical weapons, he declared. He said it was important that an impartial investigation be conducted in the areas affected, and he regretted that the rulers in Kampuchea, Laos, and the Soviet Union did not share that belief.

Continuing, Mr. Solarz said the prohibition of the use of chemical weapons had become a part of international rules and customs binding on all states. He urged that those who cynically violated those agreements be called to account.

He said the United States was committed to the formulation of a convention banning the production, use, deployment, and transfer of



chemical weapons. He regretted that the Soviet Union was unwilling to seriously negotiate on the verification procedures in such a convention. In the meantime, he said, the 1972 convention banning biological weapons and the 1975 Geneva Protocol on chemical weapons should be strengthened.

## COMPREHENSIVE TEST BAN

In 1982 three resolutions had been adopted on the subject of a nuclear test ban. The resolutions had been introduced by the U.S.S.R., Mexico, and Australia. The Soviet resolution called for prompt Committee on Disarmament negotiations on a treaty prohibiting "nuclear-weapons" tests (i.e., not encompassing so-called peaceful nuclear explosions), as well as a testing moratorium by "all nuclear-weapon states," to begin from a date to be agreed on by them "well in advance." The Soviet resolution also had annexed to it the text of basic provisions of such a test ban treaty. The Mexican resolution called for urgent negotiations on a comprehensive test ban by a working group of the Committee on Disarmament as well as an immediate moratorium on nuclear testing. The Australian resolution noted that an *ad hoc* working group of the Committee on Disarmament had been established to discuss and define verification and compliance issues involved in a nuclear test ban, while also urging the submission to the General Assembly of a draft test ban treaty "at the earliest possible date."

At that time the U.S. position on the question of a comprehensive nuclear test ban had been set forth by ACDA Director Eugene Rostow. He had said that the United States did not believe that under the present circumstances a comprehensive nuclear test ban would reduce the threat of nuclear war, because such a ban could not reduce the threat implicit in the existing stockpile. Furthermore, the verification of a comprehensive test ban would remain a serious problem, and the United States could see no definitive solution. However, a comprehensive nuclear test ban remained a long-term U.S. arms control objective.

At the 38th General Assembly three draft resolutions were once again introduced on the question of a nuclear test ban. Two were introduced in the First Committee on November 11 and the third on November 15. The plenary Assembly adopted all of them on December 15.

The first, introduced by Mexico on behalf of 14 cosponsors, was entitled "Cessation of all test explosions of nuclear weapons." The draft, *inter alia*, reiterated its concern that nuclear-weapon testing continued unabated; reaffirmed its conviction that a treaty to achieve the prohibition of all nuclear test explosions by all states for all time was a matter of the highest priority; and reiterated its

appeal to all members of the Conference on Disarmament to initiate immediately the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests and to exert their best endeavors in order that the Conference may transmit to the 39th General Assembly a complete draft of such a treaty. The draft was approved in Committee by a recorded vote of 100 to 2 (U.S.), with 28 abstentions, and in the plenary Assembly by a vote of 119 to 2 (U.S.), with 26 abstentions. (Resolution 38/62.)

New Zealand, on behalf of 22 other states, introduced a draft resolution entitled "Urgent need for a comprehensive nuclear-test-ban treaty." Among other things, this draft noted that the Committee on Disarmament had reestablished at its 1983 session an *ad hoc* working group to consider "nuclear test ban," requested the working group consider this question with appropriate urgency, and requested the Committee on Disarmament to resume examining issues relating to a test ban with a view to the negotiation of a treaty on the subject. The draft was approved in Committee by a recorded vote, 99 to 0, with 31 (U.S.) abstentions, and approved in the plenary in the same manner by a vote of 117 to 0, with 29 (U.S.) abstentions. (Resolution 38/63.)

Finally, Hungary introduced a draft entitled "Immediate cessation and prohibition of nuclear-weapon tests." This draft, subsequently sponsored by 11 other states, urged all to exert all efforts for the speediest elaboration of a multilateral treaty on the prohibition of nuclear-weapon tests by all states and urged the Conference on Disarmament to proceed promptly to negotiations with a view to elaborating such a treaty as a matter of the highest priority, taking into account all existing drafts and proposals and future initiatives. (Resolution 38/72.)

The draft was approved in the First Committee by a recorded vote of 98 to 4 (U.S.), with 26 abstentions, and in the General Assembly by a vote of 118 to 4 (U.S.), with 24 abstentions.

## **Nuclear-Weapon-Free Zones**

### **PROTOCOL I OF THE TREATY OF TLATELOLCO**

The concept of nuclear-weapon-free zones (NWFZs) dates back to the 1950's and remains today a potentially effective regional approach to nonproliferation. The most significant NWFZ agreement to date is the Treaty of Tlatelolco<sup>9</sup>, which entered into force in 1968 and by means of two protocols provides for a nuclear-weapon-free zone in Latin America.

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<sup>9</sup> Treaty for the Prohibition of Nuclear Weapons in Latin America, done at Tlatelolco (Mexico City), February 14, 1967.

Protocol I, which is open to adherence by non-Latin American states which administer territory within the over 7.5 million square mile area, provides that these states shall not store or deploy nuclear weapons within those territories. Protocol II, which is open to adherence by nuclear-weapon states, provides that these states shall not contribute to acts involving a violation of the Treaty and not use or threaten to use nuclear weapons against the regional states which are party to the Treaty. The United States signed Protocol I in May 1977 and ratified it in November 1981. The United States signed Protocol II in April 1968 and ratified it in May 1971. This treaty and Additional Protocol I, in particular, have been the subject of a series of UN resolutions urging ratification by all possible states.

On November 17 Mexico introduced a resolution on behalf of 22 other Latin American cosponsors concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco). The resolution recognized that there are some territories which, in spite of not being sovereign political entities, are nevertheless in a position to receive the benefits derived from the Treaty through its Additional Protocol I, to which the states that *de jure* or *de facto* are internationally responsible for those territories may become parties. Additionally, the resolution recalled that the United Kingdom, the Netherlands, and the United States became parties to Additional Protocol I in 1969, 1971, and 1981, respectively, and again urged France not to delay any further such ratification.

At its 38th meeting on November 23 the First Committee approved the draft resolution by a recorded vote of 118 (U.S.) to 0, with 7 abstentions. In the plenary Assembly the recorded vote was 138 (U.S.) to 0, with 9 abstentions. (Resolution 38/61.)

In his explanation of vote in Committee, Ambassador Fields expressed regret "that the sponsors of the draft resolution continued to single out but one country for not having become a full party to the Treaty and its additional instruments, when there are countries within the region itself which have not ratified nor adhered to the Treaty." Ambassador Fields went on to say that the United States would like to see the Treaty in force for all the countries of the region in order to enhance its effectiveness in ensuring that Latin America remains a zone free of nuclear weapons, thereby advancing the influence of this significant arms control treaty to encourage appropriate efforts in other regions.

## **AFRICAN NUCLEAR-WEAPON-FREE ZONE**

Since 1961 resolutions calling for the establishment of Africa as a nuclear-weapon-free zone have been recurrent. In 1983 two related resolutions were introduced in the First Committee by Sierra Leone on behalf of the Group of African States.

The first, introduced on November 11, entitled "Implementation of the Declaration on the Denuclearization of Africa," *inter alia*: (1) condemned nuclear collaboration with South Africa; (2) called for the termination by any state, corporation, institution, and individual of any form of collaboration with South Africa which enabled it to frustrate the objective of the Declaration on the Denuclearization of Africa; and (3) demanded that South Africa submit its nuclear installations and facilities to IAEA inspection. The resolution further requested the UN Institute for Disarmament Research ". . . to provide data on the continued development of South Africa's nuclear capability with a view to identifying and examining practical measures for the speedy implementation of the Declaration on the Denuclearization of Africa and the promotion of the overall objective of the nonproliferation of nuclear weapons."

The draft resolution was approved by a recorded vote of 121 to 0, with 6 abstentions (U.S.), in the First Committee and on December 20 adopted by the General Assembly by a recorded vote of 142 to 0, with 6 abstentions (U.S.). (Resolution 38/181 A.)

The second resolution, entitled "Nuclear Capability of South Africa," was approved in the First Committee by a recorded vote of 112 to 4 (U.S.), with 11 abstentions. On December 20 the General Assembly adopted resolution 38/181 B by a recorded vote of 133 to 4 (U.S.), with 11 abstentions. This resolution, *inter alia*, condemned "all forms of nuclear collaboration by any state, corporation, institution, or individual with the racist regime of South Africa, since such collaboration enables it to frustrate . . . the objective of the Declaration on the Denuclearization of Africa which seeks 'to keep Africa free' from nuclear weapons."

The U.S. Representative, Ambassador Fields, in explaining the U.S. votes on the resolutions, reiterated U.S. support in principle of the creation of a nuclear-weapon-free zone in Africa and acknowledged that the United States "believes firmly that an Africa free of nuclear weapons is a goal worthy of our collective energies and cooperation." However, Ambassador Fields added that the two resolutions "contain intemperate language which is unhelpful and unnecessary." He also pointed out that resolution 38/181 A had financial implications which his Government had pointed out many times should be kept within the budgetary limits of the United Nations. Therefore the United States found it necessary to abstain and vote against the resolutions, respectively.

## **MIDDLE EAST NUCLEAR-WEAPON-FREE ZONE**

Egypt introduced a draft resolution in the First Committee on November 11, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East." The resolution encouraged

adherence to the Non-Proliferation Treaty as a method of promoting the establishment of such a zone in the Middle East. It further called for all regional countries to place their nuclear activities under IAEA safeguards and, pending establishment of a zone, invited nuclear-weapon states of the region to refrain from any action counter to the proposal for a nuclear-weapon-free zone in the Middle East. The resolution was approved in the First Committee without a vote and was subsequently adopted in the same manner by the General Assembly on December 15. (Resolution 38/64.)

## **SOUTH ASIAN NUCLEAR-WEAPON-FREE ZONE**

Consistent with its longstanding proposal first submitted in 1974, Pakistan again introduced in the First Committee on November 9 a resolution calling for a South Asian nuclear-weapon-free zone. The resolution, as in previous years, reaffirmed the concept of such a zone and urged continued efforts toward its establishment. Additionally, the resolution requested states in the region to avoid actions contrary to this objective and called for positive actions by nuclear-weapon states and the Secretary General in furtherance of the nuclear-weapon-free zone.

The resolution was approved in the First Committee by a vote of 81 (U.S.) to 2, with 42 abstentions, and was then adopted on December 15 in the General Assembly by a recorded vote of 94 (U.S.) to 3, with 46 abstentions. (Resolution 38/65.)

## **Indian Ocean Zone of Peace**

In 1971 the 26th General Assembly adopted resolution 2832, which contained a Declaration of the Indian Ocean as a "zone of peace," which, in essence, called for the great powers to remove their naval forces and facilities from the Indian Ocean. Subsequent annual resolutions endorsed the 1971 Declaration and established an *Ad Hoc* Committee on the Indian Ocean<sup>10</sup> to consider its implementation. We have made our reservations about the 1971 terms of reference clear from the beginning of the deliberations concerning the Indian Ocean as a zone of peace.

In 1980 we joined other permanent members of the Security Council and major maritime nations in accepting the invitation from littoral and hinterland states to join the *Ad Hoc* Committee. Since

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<sup>10</sup> The 47 Committee members in 1983 were Australia, Bangladesh, Bulgaria, Canada, China, Djibouti, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Greece, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Netherlands, Norway, Oman, Pakistan, Panama, Poland, Romania, Seychelles, Singapore, Somalia, Sri Lanka, Sudan, Tanzania, Thailand, U.S.S.R., United Arab Emirates, United Kingdom, United States, Yemen (Aden), Yemen (Sanaa), Yugoslavia, and Zambia.

joining the Committee we have attempted to point out the anomaly of trying to restrict naval forces in the region while ignoring land-based forces such as those of the Soviet Union now occupying Afghanistan, a country which by definition is a "hinterland" state of the Indian Ocean. We have also consistently opposed the convening of a conference on the Indian Ocean, especially given the Soviet occupation of Afghanistan and the lack of agreement on the basic principles that should govern an Indian Ocean zone of peace.

At the 38th General Assembly Sri Lanka, as Chairman of the *Ad Hoc* Committee, introduced a draft resolution on December 2 regretting that the Committee failed to reach consensus on the convening of a conference in 1984. The resolution requested the Committee to make decisive efforts to complete preparatory work on procedural and substantive issues to enable a conference to be convened in the first half of 1985. It also requested the Committee to make determined efforts to harmonize views on the remaining relevant issues.

During First Committee consideration of the resolution the Eastern bloc called for a rollcall vote on two of its operative paragraphs. In a statement to the First Committee on December 2 the U.S. Representative, Ambassador Jose S. Sorzano, deplored this move and its intent, which was "to attack the very underlying principles on which the work of the Committee has proceeded," specifically the consensus procedure which was to govern all work by *Ad Hoc* Committee members on Indian Ocean issues. He noted that the United States had been prepared not to object to the resolution, although it was less than fully satisfactory. However, because of this new approach, the United States requested that the record reflect that the United States did not participate in the decision adopting the resolution in the First Committee. Ambassador Sorzano reiterated this same position when the resolution was adopted without a vote by the plenary Assembly on December 20. (Resolution 38/185.)

## **New Types of Weapons of Mass Destruction**

As far back as 1948 "weapons of mass destruction" have been defined as nuclear weapons, radiological weapons, chemical and biological weapons, and "any weapons developed in the future which have characteristics comparable in destructive effect."

In 1975 in accordance with its charges that the United States was developing new and evermore dangerous weapons, the Soviet Union tabled a draft treaty in the then Conference of the Committee on Disarmament in Geneva to ban new weapons of mass destruction. The Soviets were also the principal sponsors of a resolution in the General Assembly that year calling on the Conference of the Committee on Disarmament to undertake negotiations on this

treaty. The Soviet Union and its allies have continued to call for such negotiations in resolutions presented to the General Assembly each year and in the Committee on Disarmament, the successor to the Conference of the Committee on Disarmament.

The U.S. position, shared by many of its allies, is that for an agreement to be effective and verifiable it must address specific weapons as they emerge, rather than treat in general terms unknown weapons. Thus, such a treaty would be purely hortatory and would depend solely on good faith, a proposition which the United States and other countries consider unacceptable.

At the 38th session of the General Assembly on November 11, the Byelorussian S.S.R. introduced in the First Committee a resolution on weapons of mass destruction. As in a parallel 1982 resolution, the draft resolution called on the Committee on Disarmament to "intensify negotiations . . . with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons." In addition, the draft borrowed language from a Byelorussian resolution of the previous year that called on states "to ensure that ultimately scientific and technological achievements may be used solely for peaceful purposes." The First Committee approved the resolution by a vote of 94 to 1 (U.S.), with 28 abstentions. It was subsequently adopted by the Assembly by a vote of 116 to 1 (U.S.), with 26 abstentions. (Resolution 38/182.)

## **Non-Use of Nuclear Weapons**

For the sixth time since 1978 India again introduced at the 38th General Assembly on November 17 a resolution on the non-use of nuclear weapons. Its cosponsors included 13 neutral and non-aligned countries as well as Romania. As in the earlier resolutions, this draft declared "that the use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity" and requested the Committee on Disarmament to begin negotiations on "an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances." For the second year in a row the resolution annexed a draft text of an agreement.

The United States based its opposition to the resolution on several grounds: The UN Charter provides no basis for such a declaration; it neither prohibits the use of force in self-defense nor outlaws nuclear weapons for defense or deterrence. In many parts of the world nuclear weapons are a central part of security arrangements that have maintained peace.

The draft resolution was approved in the First Committee by a vote of 104 to 17 (U.S.), with 6 abstentions, and adopted by the General Assembly on December 12 by a vote of 126 to 17 (U.S.), with 6 abstentions. (Resolution 38/73 G.)

Cuba and the German Democratic Republic introduced a resolution, similar to the one first tabled in 1982, on the non-use of nuclear weapons and prevention of nuclear war. It noted that two nuclear-weapon states (the U.S.S.R. and China) had made pledges at the second special session of the Assembly in 1981 that they would not be the first to use nuclear weapons and expressed the hope that the other nuclear-weapon states would make similar declarations. As in 1982, the United States, France, and the United Kingdom opposed the resolution, while China abstained. The First Committee approved the resolution by a vote of 87 to 19 (U.S.), with 8 abstentions. The General Assembly adopted it by a vote of 110 to 19 (U.S.), with 15 abstentions. (Resolution 38/183 B.)

## **Nuclear Freeze**

Three proposals for a freeze on nuclear weapons were again introduced into the General Assembly in 1983, reflecting the continued widespread support for such a freeze among Eastern European and neutral/non-aligned states following the second special session on disarmament in 1982.

A draft resolution introduced by India on November 16 called on the nuclear-weapon states to "agree to a freeze on nuclear weapons, which would, *inter alia*, provide for a simultaneous total stoppage of any further production of nuclear weapons and a complete cutoff in the production of fissionable material for weapons purposes."

On the following day Mexico introduced a second nuclear freeze resolution, cosponsored by Sweden and a number of other non-aligned states. This resolution called for an initial 5-year agreement between the United States and the Soviet Union to be followed by more comprehensive accords including other nuclear-weapon states. The initial agreement would include a comprehensive test ban of nuclear weapons and their delivery vehicles, as well as a ban on their further manufacture or deployment.

The third freeze resolution, introduced in the First Committee by the Soviet Union, called for a moratorium on the testing and deployment of nuclear weapons and their delivery systems, in the context of negotiating "radical reductions of nuclear weapons with a view to their complete elimination as the ultimate goal." In the previous year the Soviets had withdrawn a draft resolution that in addition to calling for a freeze declared attacks on nuclear facilities to be equivalent to a nuclear attack.

Speaking in explanation of votes on these resolutions, the U.S. Representative, John J. Loeb, said that the United States recognized that most nuclear-freeze proposals arose out of a professed concern over nuclear war and that his Government fully shared that concern. As President Reagan himself had said, "in such a war there can be no



winners." The freeze proposals did not allow for effective verification of compliance and could complicate and hamper ongoing strategic arms reduction efforts.

The Indian resolution was approved by the First Committee by a vote of 101 to 15 (U.S.), with 7 abstentions, and by the General Assembly by 124 to 13 (U.S.), with 8 abstentions. (Resolution 38/73 B.) The Mexican-Swedish resolution was adopted by the First Committee by 101 to 14 (U.S.), with 7 abstentions, and by the General Assembly by 124 to 13 (U.S.), with 8 abstentions. (Resolution 38/73 E.) Finally, the Soviet resolution was approved by the First Committee by 84 to 19 (U.S.), with 17 abstentions, and by the General Assembly by 108 to 18 (U.S.), with 20 abstentions. (Resolution 38/76.)

## **Negative Security Assurances**

Non-nuclear-weapon states have long sought guarantees from the nuclear-weapon states that, in exchange for their renunciation of nuclear arms, the nuclear-weapon states would not use or threaten to use nuclear weapons against them. These guarantees have been referred to as "negative security assurances." In 1978 during the first special session on disarmament, each of the five nuclear-weapon states, in an effort to meet the concerns of the non-nuclear-weapon states, issued a unilateral statement in some form offering negative security assurances. The U.S. statement, made by Secretary Vance on behalf of the President (and later reaffirmed by ACDA Director Rostow in the Committee on Disarmament in February 1982), was as follows:

"The United States will not use nuclear weapons against any non-nuclear-weapon state party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a state allied to a nuclear-weapon state or associated with a nuclear-weapon state in carrying out or sustaining the attack."

Since 1982 a working group has addressed the question of negative security assurances at the Committee on Disarmament. It has, however, been unable to reach agreement on effective international arrangements.

The United States is a signatory to Protocol II of the Treaty of Tlatelolco, which is intended to provide security assurances by the nuclear-weapon states to members of the Latin American nuclear-weapon-free zone. While pointing out that the U.S. assurances stand as a reliable and valid statement of U.S. policy, it has also indicated its willingness to discuss the possibility of developing a single form of negative security assurance that would safeguard the security requirements of each of the nuclear-weapon states and their respective allies and also meet the desire of all non-nuclear-weapon states.

Bulgaria and Pakistan have each sponsored resolutions on negative security assurances. The Bulgarian resolution in the 38th General Assembly called on the Committee on Disarmament to continue negotiations. In addition, it, *inter alia*, welcomed the "declarations made by some nuclear-weapon states concerning non-first-use of nuclear weapons . . ." It also asserted that those non-nuclear-weapon states who do not have nuclear weapons stationed on their territory have a special right to such assurances. The Pakistani resolution, as in previous years, appealed to all states, especially the nuclear-weapon states, "to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula which could be included in an international instrument of a legally binding character."

Because the Bulgarian resolution contained concepts unacceptable to the United States, it accordingly voted against the resolution, which was approved in the First Committee by a vote of 70 to 16 (U.S.), with 15 abstentions. The General Assembly adopted the resolution by 108 to 17 (U.S.), with 18 abstentions. (Resolution 38/67.)

The United States abstained on the Pakistani resolution, noting that the feasibility of reaching "effective international arrangements" depended on more than just the "political will" of states. The resolution was approved by the First Committee by 91 to 0, with 5 (U.S.) abstentions. The vote in the General Assembly was 141 to 0, with 6 (U.S.) abstentions. (Resolution 38/68.)

## **Confidence-Building Measures**

Recalling the 37th General Assembly's resolution on confidence-building measures, the Federal Republic of Germany introduced a draft resolution on confidence-building measures at the 38th session on November 3. The United States joined in its First Committee approval without a vote on November 21, and the General Assembly adopted the resolution on December 15 in the same manner. (Resolution 38/73 A.)

The resolution noted that, while confidence-building measures cannot serve as a substitute for concrete disarmament measures, they play a significant role in achieving disarmament. It urged all states to encourage and assist all efforts designed to explore ways in which confidence-building measures can strengthen international peace and security. Additionally, the resolution requested the UN Disarmament Commission to continue and conclude at its 1984 session the consideration of the item entitled "Elaboration of guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level."

## **Cut-Off of Fissionable Material for Weapons Purposes**

As it has for several years, Canada introduced a resolution in the First Committee of the 38th General Assembly entitled "Prohibition

of the production of fissionable material for weapons purposes." It followed the same pattern as those of previous years, calling for the Committee on Disarmament at an appropriate stage ". . . to pursue its consideration of the question of an adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices . . . ."

The United States has subscribed to the concept of a prohibition of the production of fissionable materials for weapons purposes since the idea was first examined by the international community in the early 1960's in the Eighteen-Nation Disarmament Committee in Geneva. However, the United States abstained on the resolution introduced in the 38th General Assembly—as it did the previous year—in the belief that it would not be realistic to pursue such negotiations in the near term because of the extreme difficulty in verifying the cutoff of production of such materials.

The First Committee approved the resolution on November 22 by a vote of 106 to 0, with 25 (U.S.) abstentions. It was adopted by the General Assembly by a vote of 124 to 0, with 23 (U.S.) abstentions. (Resolution 38/188 E.)

## **Radiological Weapons**

Each year since 1979 the General Assembly has adopted a resolution supporting the negotiation of a convention to ban the development, production, stockpiling, and use of radiological weapons. It was in that year that the United States and the Soviet Union submitted an agreed joint proposal on the major elements of such a treaty to the Committee on Disarmament in Geneva. These resolutions, for the most part, have been non- or uncontroversial and have passed each year by consensus.

The 1983 version of the resolution on a radiological weapons convention, cosponsored by Sweden, the Federal Republic of Germany, Japan, and Hungary, was essentially the same as previous ones. It requested the Committee on Disarmament to continue its negotiations on a treaty. It retained an element introduced in 1982, a paragraph requesting the Committee to continue its search for a solution to the question of prohibiting attacks against civil nuclear facilities. Some Committee members have argued that a ban on such attacks should be part of a treaty on radiological weapons, on the grounds that they might result in widespread releases of radioactivity. The United States has taken the position that the Committee should continue to address this question without prejudice to our own ultimate position on the issue.

As in past years, the 1983 resolution on radiological weapons was adopted without a vote in both the First Committee and the General Assembly. (Resolution 38/188 D.)

## Prevention of an Arms Race in Outer Space

In contrast to previous years, the 38th General Assembly adopted only one resolution on the subject of outer space arms control. This resolution, originally introduced by Egypt and Sri Lanka on November 11, was eventually cosponsored by 18 other countries. The resolution called upon the Committee on Disarmament in Geneva to establish an *Ad Hoc* working group at the beginning of its 1984 session with a view to undertaking negotiations "for conclusion of an agreement or agreements to prevent an arms race in all its aspects in outer space." The resolution was approved by the First Committee on November 25 by a vote of 121 to 1 (U.S.), with 1 abstention. It was adopted by the General Assembly on December 15 by a vote of 147 to 1 (U.S.), with 1 abstention. Though sensitive to the concerns of other delegations regarding possible aggressive military uses of outer space, the United States opposed the resolution because it tended to prejudge the outcome of Committee on Disarmament deliberations and also because of its onesidedness on the question of military activities in space. Many military space systems are in fact defensive and serve vital, stabilizing purposes. (Resolution 38/70.)

## Bilateral Nuclear-Arms Negotiations

The General Assembly has passed several resolutions over the years dealing with the U.S.-Soviet negotiations on strategic arms reductions. The resolutions have generally welcomed the conclusion of previous negotiations and urged the two participants to undertake further efforts in this field. During the 38th session of the General Assembly the status of the Geneva talks, particularly those on intermediate-range nuclear forces (INF), was a major concern, especially in light of the Soviet threats to walk out if NATO followed through on its 1979 decision regarding deployment.

On October 21 Romania introduced a resolution on the INF talks that urged the United States and the Soviet Union "to make every effort to reach an agreement at their bilateral negotiations at Geneva, or at least to agree on a provisional basis that no medium-range missiles are deployed and the number of existing ones is reduced, while the negotiations would continue in order to achieve positive results in conformity with the security interests of all states." However, from the Western point of view, this language favored the Soviet demand for a moratorium on INF deployment as a precondition for negotiations, thus freezing a status quo favorable to the Warsaw Pact.

A draft resolution was introduced by a group of Western countries in response to the Romanian draft. This resolution urged the United States and the Soviet Union "to continue, without preconditions, their bilateral negotiations."

Bulgaria, the German Democratic Republic, and Poland introduced a third INF resolution. Their draft claimed that "time is running out for achieving progress in these talks," before "the threat to the survival of mankind is dramatically increased." The resolution also called on "the states parties to the bilateral talks and other states directly concerned to refrain from initiating measures which could lead to a new round of the nuclear-arms race and jeopardize the continuation and successful conclusion of the talks"—i.e., urged freezing of a status quo regarding the stationing of INF in Europe which would be favorable to the U.S.S.R., which had already deployed a number of INF.

The INF resolutions came to a vote in the First Committee on November 22. Although the Romanians introduced the issue, their resolution fared the worst with a vote of 64 to 31 (U.S.), with 21 abstentions. Many Western and Eastern states voted against it. The Bulgarian resolution was approved by a vote of 65 to 19 (U.S.), with 40 abstentions. The Western resolution was approved by 85 to 18 (U.S.S.R.), with 21 abstentions. These votes clearly put the bulk of the world community, including most non-aligned states, on record in favor of continuing the Geneva talks without preconditions. This took place almost simultaneously with the vote in the West German Bundestag approving deployment and on the eve of the Soviet walkout in Geneva.

The First Committee also approved a Mexican resolution that called on the United States and the Soviet Union to examine the possibility of merging the START and INF talks and expanding their agenda to include battlefield nuclear weapons. The resolution, which also called on the two parties to keep the United Nations "appropriately informed" of the progress achieved in negotiations, was otherwise similar to other Mexican resolutions in previous years. The resolution was approved by a vote of 104 to 1 (U.S.), with 24 abstentions. The U.S. position has been that it is the prerogative of the states directly involved to determine how to conduct their negotiations and what the scope of these negotiations should be. In addition, such a resolution could prejudice highly complex and sensitive negotiations by mandating regular progress reports to the United Nations.

The General Assembly took action on the INF resolutions on December 20, but Bulgaria asked that its resolution not be put to a vote. The others were adopted by recorded votes of the Romanian resolution, 88 to 31 (U.S., U.S.S.R.), with 24 abstentions, resolution 38/183 A; the Western resolution, 99 to 18 (U.S.S.R.), with 24 abstentions, resolution 38/183 P; and the Mexican resolution, 122 to 1 (U.S.), with 25 abstentions, resolution 38/183 N.

Regarding the withdrawn Bulgarian resolution, Ambassador Sorzano said:

The Bulgarian Representative has requested that no vote be taken on resolution Q of A/38/628 because the resolution is no longer relevant, since the INF negotiations are not currently underway. That accurately describes the present situation, but we deeply hope that it will not remain so in the future. As the world knows, the Soviet Union has broken off the INF negotiations and has not set dates for resumption of the START and MBFR talks. The United States profoundly regrets these actions and hopes the Soviets will resume these negotiations at an early date.

## **Israeli Nuclear Armament**

On November 17 Iraq, as it had in previous sessions, introduced a resolution entitled "Israeli nuclear armament," which was cosponsored by 13 other Arab nations. This resolution requested the Secretary General to keep Israeli nuclear activities under constant review and called on the Security Council to investigate those activities and report on possible collaboration with other states.

On November 23 the First Committee approved the draft resolution by a vote of 90 to 2 (U.S.), with 35 abstentions. On December 15 the General Assembly adopted it by a recorded vote of 99 to 2 (U.S.), with 39 abstentions. (Resolution 38/69.) In a separate vote in Committee, operative paragraph 3, which requested the IAEA to suspend any scientific cooperation with Israel which could contribute to Israel's nuclear capabilities, was adopted by a recorded vote of 79 to 26 (U.S.), with 19 abstentions.

Ambassador Fields, in explaining the U.S. vote, objected to the discriminatory nature of singling out one member state and ignoring the number of states which have neither become parties to the Non-Proliferation Treaty nor placed their nuclear facilities under IAEA safeguards. Referring to operative paragraph 3 of the resolution, Ambassador Fields states that paragraph 3 specifically ignored the principle of balance and, moreover, represented an inappropriate attempt by the General Assembly to instruct the IAEA on a matter which relates directly to the interpretation of the IAEA statutory provisions. Ambassador Fields stated that "the United States would welcome a balanced provision calling for all non-nuclear-weapon states which have not done so to request the IAEA, pursuant to Article III A.5 of its Statute, to apply safeguards continuously to all their nuclear facilities."

## **World Disarmament Campaign**

The World Disarmament Campaign is a Mexican initiative stemming from the first special session of the General Assembly devoted to disarmament, calling for "mobilizing world public opinion on behalf of disarmament." The United States expressed two principal

concerns when the campaign was first proposed in 1980. First, we expressed serious doubt that the Soviet Union and other totalitarian governments would permit any free airing of international security or disarmament issues. Second, we noted that it was not the function of the United Nations or of governments in democratic societies to "mobilize" public opinion.

A Mexican resolution, adopted over U.S. and Western opposition at the 35th General Assembly, requested the Secretary General to prepare a study on the organization and financing of a campaign under UN auspices. However, at the second special session of the General Assembly devoted to disarmament in 1982, a WDC plan acceptable to the United States was outlined, enabling the U.S. Delegation to join the consensus which launched the campaign. The plan, as approved, called for the campaign to be carried out "in all regions of the world in a balanced, factual, and objective manner." We have made it clear that we expect the campaign to be financed out of existing funds and voluntary contributions and not from any expansion of the UN budget.

As at the 37th session, the Mexicans introduced at the 38th session a draft resolution addressing the World Disarmament Campaign. As in previous years, this resolution was adopted by both the First Committee and the General Assembly without a vote. (Resolution 38/73 D.)

Bulgaria introduced a draft resolution on the WDC which invited all member states "to cooperate with the United Nations to ensure a better flow of accurate information with regard to the various aspects of disarmament, as well as actions and activities of the world public in support of peace and disarmament, and to avoid dissemination of false and tendentious information." This recalled the tendentious and propagandistic nature of the Bulgarian resolution at the 37th General Assembly, which invited all member states to collect signatures in support of measures to prevent nuclear war and curb the arms race. The United States abstained on this resolution, which was adopted in the First Committee by 88 to 1 (Brazil), with 30 (U.S.) abstentions, and in the General Assembly by 112 to 1 (Brazil), with 29 (U.S.) abstentions. (Resolution 38/73 F.)

The United States attempted at the 38th session to follow up on resolution 37/100 J, which recognized the right of peace and disarmament movements to publicly and freely express their views on disarmament questions and to organize and meet publicly for that purpose. That resolution also had called on member states to facilitate the flow of a broad range of accurate information on disarmament matters, both governmental and nongovernmental, to and among their citizens. The draft resolution introduced in the 38th General Assembly reiterated these elements, while also expressing "regret that some citizens and peace groups in certain member states

have met with difficulties in engaging in activities promoting peace and disarmament guaranteed by resolution 37/100 J." It further encouraged "member states and nongovernmental organizations to furnish information to the Secretary General pertinent to the monitoring of compliance with the obligation to further free discussion and debate on disarmament questions" and called on member states "to permit free exchange of such information between their citizens and the Secretary General."

The resolution garnered a representative list of Western and non-aligned cosponsors. However, Czechoslovakia, in an evident attempt to kill it, introduced amendments that would have effectively perverted the sense of the resolution. One amendment, for example, urged governments "to harmonize their policies with the main demands of the mass peace and disarmament movements, in particular with regard to the prevention of nuclear war and curbing the nuclear arms race." Czechoslovakia obviously felt free to interpret mass peace and disarmament movements to be identical with the state-sponsored organizations and not the independent movements that expressed criticism of official policies. In this situation the U.S. Representative, Ambassador Fields, acting on behalf of the cosponsors, withdrew with great regret the resolution on November 21.

## **Institutional Issues**

Only one initiative on institutional issues emerged in the 38th General Assembly. A draft resolution, "Institutional arrangements relating to the process of disarmament," was introduced in the First Committee on November 17 by Czechoslovakia. It invited the UN specialized agencies to broaden their contribution to the cause of arms limitation and disarmament and to report progress on these activities to the 39th General Assembly. It also recommended that the Secretary General include items on disarmament in his agenda of periodic meetings with executive heads. The resolution was approved in the First Committee on November 21 by a vote of 80 to 16 (U.S.), with 15 abstentions, and in the General Assembly on December 20 by a vote of 114 to 17 (U.S.), with 12 abstentions. (Resolution 38/188 J.)

The United States, which contributes at least 25% of the operating cost of the United Nations, believes that the UN machinery must operate more efficiently and at increasingly lower cost. Accordingly, it has supported and sought modifications in institutional machinery that would both improve efficiency and lower cost. Thus the United States, along with its allies, opposed resolution 38/188 J on grounds that involving specialized UN agencies in issues of disarmament, which are dealt with in specific forums established for that purpose, tends to undermine rather than improve their functioning and would



additionally serve as a first step in beginning to politicize these agencies.

## **OUTER SPACE**

Within the United Nations the 53-member Committee on the Peaceful Uses of Outer Space has served as a vehicle for multilateral cooperation in the use and exploration of outer space and the further development of international law governing outer space activities. The Committee, its Scientific and Technical Subcommittee, and its Legal Subcommittee all met during 1983. The major issues considered by them were the use of nuclear power sources in space, remote sensing from space, the definition and/or delimitation of outer space, and questions relating to the geostationary orbit. The subject of "militarization" of space, though not formally on the agenda, stimulated some discussion. Developments at the 38th General Assembly affecting the work of the Committee raised serious questions about the ability of the Committee and its two Subcommittees to function effectively in the future.

### **Scientific and Technical Subcommittee**

The Scientific and Technical Subcommittee held its 20th session February 7-17 in New York. The Subcommittee considered the use of nuclear power sources in outer space, the UN program on space applications and the coordination of space activities within the UN system, the recommendations of the Second UN Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE '82), questions relating to remote sensing of the Earth by satellites, questions relating to space transportation systems and their implications for future activities in space, and the examination of the physical nature and technical attributes of the geostationary orbit (GSO). The Subcommittee also reviewed its future role and work program.

The UN program on space applications for 1982-83, including various training workshops, panels, fellowships, and seminars was reviewed. The Subcommittee also endorsed, as priority items, the UNISPACE '82 recommendations to undertake studies on assistance to countries in studying remote sensing needs and assessing needed systems, the feasibility of using direct broadcast stations for educational purposes and of internationally or regionally owned space segments, and the feasibility of closer GSO satellite spacing including technoeconomic implications. The Subcommittee reaffirmed the need for ensuring effective consultation and coordination in outer space activities within the UN system. The UN program on space applications and coordination of UN activities was continued as a priority item.

On the use of nuclear power sources in satellites (NPS), the Subcommittee took note of the conclusions of the NPS working group and recommended that the item be continued on its agenda on a priority basis. Work on questions relating to remote sensing of the Earth was also continued. The view was expressed that it would be desirable to broaden international cooperation in the use of remote sensing data. Remote sensing also was continued on the Subcommittee agenda on a priority basis.

## **Legal Subcommittee**

The Legal Subcommittee held its 22nd session March 21–April 8 in New York. Its agenda included consideration of the legal implications of remote sensing of the Earth from space, with the aim of formulating draft principles. The Subcommittee considered the possibility of supplementing the norms of international law on using nuclear power sources in space and also matters related to the definition and delimitation of outer space, including questions related to the geostationary orbit. A number of unresolved issues remained in the remote sensing field, and little progress was achieved. The Subcommittee did, however, agree on a text concerning the format and procedure for notification if a spacecraft carrying a nuclear power source malfunctioned. The Subcommittee continued to be divided as to the need for new legal principles on a delimitation of outer space and the use of the geostationary orbit. The U.S. and other Western Delegations maintained that there was no practical or scientific basis for a delimitation of outer space and that discussion of the geostationary orbit should be left to the ITU. In 1982 the U.S. Representative had noted that the 1967 Outer Space Treaty precluded any claim of national sovereignty with respect to the geostationary orbit and that the orbit must remain free for use by all states without discrimination of any kind and on an equitable basis.

During the Subcommittee's general debate some delegations voiced apprehension over the "growing use" of outer space for military purposes; other delegations, including the United States, expressed the view that the Committee and its Subcommittees were not competent to deal with matters related to the military use of space.

## **Outer Space Committee**

The Committee on the Peaceful Uses of Outer Space held its 26th session June 20–July 1 in New York. The Committee reviewed the work of the two Subcommittees and considered the UNISPACE '82 recommendations. The Committee endorsed the recommendation of the Scientific and Technical Subcommittee to convene expert groups to conduct studies on space technology. It also endorsed the work programs proposed by the two Subcommittees in 1984.

## **General Assembly Consideration**

The 38th General Assembly, on the recommendation of its Special Political Committee, adopted an omnibus resolution dealing with "International Cooperation in the Peaceful Uses of Outer Space." The resolution was adopted on December 15 by a vote of 124 to 12 (U.S.), with 8 abstentions. In addition to endorsing the reports of the Committee and its Subcommittees, the resolution provided for the Outer Space Committee to take up subjects which the United States and its allies believed were inappropriate to the Committee's work, such as the "militarization" of outer space and the elaboration of legal principles to govern the geostationary orbit. (Resolution 38/80.)

In explanation of vote in the Special Political Committee on December 1, the U.S. Representative, Ambassador Lichenstein, stated that the Outer Space Committee was embarked on an agenda of confrontation which, in the absence of any commitment to consensus, would mean an end to prospects for accomplishment and that, therefore, the United States would have to reexamine its participation in the Committee as a result.

## **GENERAL POLITICAL PROBLEMS**

### **Membership: St. Christopher and Nevis**

During 1983 St. Christopher and Nevis was admitted to the United Nations, bringing total membership by the end of the year to 158.

St. Christopher and Nevis became independent on September 19, 1983, and on that same day its Prime Minister submitted his country's application for UN membership to the Secretary General.

The Security Council, in accordance with rule 59 of its provisional Rules of Procedure, on September 22 referred the application to its Committee on the Admission of New Members (a committee of the whole). On the same day, the Committee unanimously approved St. Christopher and Nevis' application and the Security Council unanimously adopted a resolution recommending that the General Assembly admit St. Christopher and Nevis to UN membership. (Resolution 537 (1983).)

On September 23 the General Assembly unanimously adopted a resolution, sponsored by 51 states including the United States, that admitted St. Christopher and Nevis to UN membership. (Resolution 38/1.)

Speaking after the adoption of the resolution, the U.S. Representative, Mrs. Lyn P. Meyerhoff, welcomed St. Christopher and Nevis to the United Nations. She noted that St. Christopher and Nevis' firmly established democratic institutions and the rights of its people to freedoms of press, belief, and speech were the envy of many less free people.

# Question of Peacekeeping

## PEACEKEEPING GUIDELINES

Since its establishment by the General Assembly in 1965 the 33-member Special Committee on Peacekeeping Operations<sup>11</sup> has been engaged in a comprehensive review of all aspects of peacekeeping operations, having as one of its main objectives the drafting of guidelines for future operations. The Special Committee also considers questions related to the practical aspects of peacekeeping operations.

## SPECIAL COMMITTEE

The Special Committee on Peacekeeping Operations held three meetings, on June 23, August 1, and September 1, 1983. In its report to the 38th General Assembly the Special Committee stated that its working group, which met on August 17 and 19, had not reached a consensus on an internal working paper which included a suggested organization of work for the Special Committee. The report also stated "the importance of the issues is such that the United Nations should continue to work for a comprehensive review of the whole question of peacekeeping in all its aspects."

## GENERAL ASSEMBLY

The General Assembly's Special Political Committee considered the report of the Special Committee at seven meetings between October 17 and December 9. On December 9 the Special Political Committee had before it a revised draft resolution which had been prepared following informal consultations. In addition to reviewing the mandate of the Special Committee, the draft resolution urged cooperation in the implementation of UN peacekeeping operations. Prior to the vote on the resolution as a whole, the Special Political Committee adopted by a vote of 76 (U.S.) to 14, with 21 abstentions, the draft's seventh preambular paragraph which stressed the collective responsibility of member states to share equitably the financial burdens of UN peacekeeping operations. The Special Political Committee then proceeded to adopt the draft resolution as a whole by a vote of 96 (U.S.) to 14, with 4 abstentions.

The General Assembly, on December 15, adopted the resolution by a recorded vote of 125 (U.S.) to 16, with 5 abstentions. This followed a

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<sup>11</sup> The 33 members of the Special Committee in 1983 were Afghanistan, Algeria, Argentina, Australia, Austria, Canada, Denmark, Egypt, El Salvador, Ethiopia, France, German Democratic Republic, Guatemala, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

separate vote on the seventh preambular paragraph which was adopted by a vote of 97 (U.S.) to 16, with 24 abstentions. (Resolution 38/81.)

## **U.S. Position**

On October 18 the U.S. Representative, Mr. Robert B. Rosenstock, told the Special Political Committee that peacekeeping has been one of the most innovative and effective UN contributions to the maintenance of peace. He noted that the problems with regard to financial support of peacekeeping operations needed to be resolved and that a number of practical measures should be considered to enhance the effectiveness and efficiency of peacekeeping. He noted that the question of guidelines was no longer important since, in practice, guidelines had been established and followed in all peacekeeping operations since 1973. He concluded that although the past did not form a basis for great optimism for achieving progress in the Special Committee on the remaining important unresolved issues of practical measures and financing and that there may be better forums in which to deal with these questions, the United States was prepared to acquiesce in a renewal of the Special Committee's mandate if that was the clear wish of the majority.

## **Efforts Toward Strengthening the United Nations**

### **SPECIAL COMMITTEE**

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization<sup>12</sup> held its eighth session in New York from April 11 to May 6, 1983. Operating through a working group which met in closed meetings, the Special Committee continued its consideration of the items on the maintenance of international peace and security, peaceful settlement of disputes, and rationalization of existing procedures of the United Nations. The Special Committee reported on its 1983 session to the 38th UN General Assembly.

### **GENERAL ASSEMBLY**

The Sixth Committee considered the report of the Special Committee and the item on peaceful settlement of disputes at 14 meetings held between November 23 and December 9.

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<sup>12</sup> In 1983 the 47 members of the Special Committee were Algeria, Argentina, Barbados, Belgium, Brazil, China, Colombia, Congo, Cyprus, Czechoslovakia, Ecuador, Egypt, El Salvador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guyana, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Mexico, Nepal, New Zealand, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sierra Leone, Spain, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia.

## U.S. Position

On November 28 the U.S. Representative, Mr. Rosenstock, reminded the Sixth Committee that the 1982 session of the Special Committee had yielded concrete results; i.e., the Manila Declaration on the Peaceful Settlement of International Disputes. The 1983 session, which in contrast produced little of consequence, he said demonstrated the hazards of not adhering to the Special Committee's mandate. He called on the current majority within the Sixth Committee to eschew pressing for short cuts in a resolution and to join in seeking a common basis from which to pursue common goals.

## Draft Resolutions

On November 23 Romania introduced a draft resolution, ultimately sponsored by 33 states, which requested the Special Committee to continue its consideration of the proposal concerning the elaboration of a handbook on the peaceful settlement of disputes among states and to consider further the proposal to establish a permanent commission on good offices, mediation, and conciliation for the settlement of disputes and the prevention of interstate conflicts. The Sixth Committee adopted this draft resolution by consensus on December 8 at which time the Chairman announced that it was the understanding of the Sixth Committee that this item would be considered at the 39th General Assembly in conjunction with the Special Committee's report.

On December 9 Libya introduced a draft resolution, ultimately sponsored by three states, which, *inter alia*, requested that the Special Committee examine the "abuse" of the unanimity rule (veto) in the Security Council.

A second draft resolution, introduced by the Philippines and sponsored by 49 states, continued the Special Committee's mandate. Reflecting the positions expressed during debate on the item, the draft resolution requested that more time be devoted to the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations, particularly the Security Council.

At the same meeting, the Netherlands moved, under rule 116 of the Rules of Procedure, that the Sixth Committee not consider the Libyan draft resolution. The motion was adopted by a vote of 58 (U.S.) to 45, with 23 abstentions. The Sixth Committee then proceeded to adopt the 49-power draft resolution by consensus.

On December 19 the General Assembly in plenary session adopted by consensus both the Romanian-sponsored resolution on the peaceful settlement of disputes and the 49-power resolution renewing the mandate of the Special Committee. (Resolutions 38/131 and 38/141.)

## Strengthening International Security

In 1969 the Soviet Union proposed an agenda item for the General Assembly on the "Strengthening of international security." The Assembly adopted a Soviet-sponsored declaration on this topic in 1970 that touched on the full range of UN activity, including peaceful settlement of disputes, strengthening peacekeeping procedures, disarmament, colonialism, racial discrimination, self-determination, and closing the economic gap between developed and developing countries. Resolutions calling for implementing the declaration have been considered annually since 1971 by the General Assembly. Although the United States voted in favor of the initial Declaration, it has often abstained or voted against subsequent resolutions under this item on the ground that they contribute little to promoting peace and respect for the purposes and principles of the UN Charter. Moreover, some of these resolutions have contained elements unacceptable to the United States.

In recent years the Non-Aligned have increasingly used this item as a vehicle to advance cardinal tenets of non-aligned doctrine—anti-colonialism, the new international economic order, support for national liberation movements, and national sovereignty over natural resources.

In 1979 the General Assembly, in the course of its consideration of the item on strengthening of international security, decided to consider as a separate agenda item, beginning at its 36th session, the subject of the development of relations of good-neighborliness between states. In 1982 an additional item entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security" was included in the agenda at the request of Sierra Leone.

The items on strengthening of international security and on implementing the collective security provisions of the UN Charter were referred to the First Committee of the 38th General Assembly, where they were considered jointly at seven meetings between December 1 and December 9. The First Committee approved a draft resolution on each topic.

An omnibus draft resolution dealing with various aspects of the 1970 Declaration was introduced by Yugoslavia. The draft resolution, *inter alia*, called upon all states (1) to implement the Declaration on the Strengthening of International Security; (2) to contribute to the establishment of the new international economic order; (3) to reaffirm the legitimacy of the struggle of peoples under colonial domination, foreign occupation, or racist regimes to achieve self-determination; and (4) to take appropriate and effective measures to promote the denuclearization of Africa and avert the serious danger to African countries posed by South Africa's nuclear capabilities. The

draft resolution was approved by the First Committee on December 8 by a vote of 108 to 0, with 12 (U.S.) abstentions, and it was adopted in plenary session on December 20 by a vote of 135 to 0, with 12 (U.S.) abstentions. (Resolution 38/190.)

On December 1 Sierra Leone introduced a draft resolution on implementing the UN Charter's collective security provisions. As subsequently amended, the draft resolution decided to establish an *Ad Hoc* Committee on the Implementation of the Collective Security Provisions of the Charter of the United Nations and requested the *Ad Hoc* Committee to submit a progress report to the Security Council and the 39th General Assembly, as well as a final report to the 40th General Assembly. On December 9 the First Committee approved the draft resolution by a vote of 75 to 19 (U.S.), with 18 abstentions, and on December 20 it was adopted in plenary session by a vote of 109 to 20 (U.S.), with 18 abstentions. (Resolution 38/191.)

Speaking in the First Committee after the votes, Ambassador Fields explained the U.S. position on both the draft resolutions. He stated that the United States had abstained on the first draft because the resolution failed to give due weight to the reaffirmation of the Charter, strayed at points into contentious issues of regional problems and economics, and tended to place blame for the deterioration of the international security climate exclusively on the superpowers, ignoring other sources of conflict that have in the past few decades produced much human suffering.

With reference to the second draft, Ambassador Fields said that the United States had voted against the resolution because it established a committee to perform activities provided for in the mandate of the UN Charter Review Committee and identified the latter as the proper UN forum for the investigation of these important matters. Describing the issues involved as complex and contentious, Ambassador Fields declared that progress will not be served by institutional duplication and can only be dangerously complicated by it. In addition, he stated that the United States firmly believed that it was unnecessary and unwise to expend funds for the purpose of the *Ad Hoc* Committee.

In previous years the item on the development of relations of good-neighborliness was also considered by the First Committee, but at the 38th General Assembly this topic was referred to the Sixth (Legal) Committee. The Sixth Committee considered it at five meetings between December 2 and December 8.

As in previous years' consideration of this topic, Romania introduced a draft resolution entitled "Development and strengthening of good-neighborliness between states." The draft, *inter alia*, (1) reaffirmed that good-neighborliness conformed with the purpose of the United Nations; (2) deemed it appropriate to start clarifying the elements of good-neighborliness as part of a process of elaborating a



suitable international document on the subject; and (3) requested that the Sixth Committee decide at the 39th General Assembly on the appropriate framework for accomplishing this. The draft resolution, approved in Sixth Committee on December 8 without a vote, was adopted in plenary on December 19 without a vote.

## Questions Relating to Information

The Committee on Information, a 67-member standing committee of the UN General Assembly<sup>13</sup>, has a mandate to oversee UN public information activities, including those of the Department of Public Information (DPI); to coordinate information activities with UN specialized agencies, such as UNESCO and the ITU, which have operational responsibility for communication and information questions; to promote the establishment of a New World Information and Communication Order (NWICO); and to make recommendations to the General Assembly. The United States joined in the consensus adoption of the Committee's 1983 report, which contained 62 recommendations agreed to by the United States. There were three additional recommendations on which the United States reserved because of financial implications and several others on which the Committee reached no agreement.

The Special Political Committee of the 38th General Assembly, to the regret of the United States, ignored that consensus and approved a resolution introduced by Mexico on behalf of the Group of 77 which contained unacceptable budget add-ons and political content. The budget add-ons were particularly unacceptable in light of the Committee's reluctance to establish priorities or to provide for evaluation of DPI's current projects. Another unwelcome feature was the selective treatment of political issues, such as Palestine and Namibia. The resolution approved by the Special Political Committee had financial implications of \$574,000. The U.S. Delegation in the Fifth Committee introduced a draft decision requiring implementation of the activities proposed in the resolution through the redeployment of resources under section 27 (DPI) of the UN budget and through termination of low priority items in section 27. The U.S. proposal was defeated by a vote of 20 to 71, with 12 abstentions. The appropriation of \$574,000 was then approved by a vote of 80 to 19 (U.S.), with 5 abstentions.

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<sup>13</sup> Members of the Committee in 1983 were Algeria, Argentina, Bangladesh, Belgium, Benin, Brazil, Bulgaria, Burundi, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guatemala, Guinea, Guyana, India, Indonesia, Italy, Ivory Coast, Japan, Jordan, Kenya, Lebanon, Mongolia, Morocco, Netherlands, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syria, Tanzania, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, Vietnam, Yemen (Sanaa), Yugoslavia, and Zaire.

The vote on this draft resolution, taken in Committee on December 1, was 102 to 4 (U.S.), with 9 abstentions. The vote on the resolution in the General Assembly on December 15 was 135 to 4 (U.S.), with 9 abstentions. This was the third consecutive year in which the United States voted against the information resolution in the General Assembly.

Speaking in explanation of the U.S. vote, Ambassador Lichenstein said his Government believed that sufficient funds were available within the existing program budget to finance high priority information activities, particularly if the DPI organized itself toward cost-effectiveness. The United States encouraged a thorough evaluation of the DPI to understand what parts were working effectively and to establish reasonable priorities for the DPI's total program. (Resolution 38/82 B.)

On November 29 Yugoslavia, as Chairman of an open-ended working group on questions relating to information, introduced a draft resolution based on deliberations of that group. The draft, among other things, commended the work of UNESCO's International Program for the Development of Communication (IPDC), a vehicle for providing communications assistance for the Third World. The draft was approved in Committee on December 1 and adopted in the plenary Assembly on December 15, in both instances without a vote. (Resolution 38/82 A.)

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## Part 2

# Economic, Social, Scientific, and Human Rights Affairs

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Chapter III of the UN Charter established the General Assembly and the Economic and Social Council (ECOSOC) as the principal organs of the United Nations responsible for the issues covered in Part 2 of this report. ECOSOC's limited membership (54 countries) has, however, led the developing countries to prefer the General Assembly and its subsidiary bodies, where they enjoy their maximum voting strength, for substantive discussion and action on international economic issues, especially those directly related to development. As a result, the General Assembly has created entities (described in this part) for substantive discussion and action on international economic issues, especially those directly related to development. The most important of these is the UN Conference on Trade and Development (UNCTAD).

The General Assembly and its subsidiary bodies constitute the major arenas for what has come to be called the North/South dialogue between developed and developing countries. The North/South distinction between developed and developing countries, however, tends to mask the significant differences within each group and to overlook the high degree of economic interdependence which exists between developed and developing countries.

The General Assembly, in its regular sessions, is organized into seven committees. The Second Committee is responsible primarily for economic affairs and the Third Committee for cultural, humanitarian and social matters. The committees receive some of their issues directly, but most are passed to them by ECOSOC.

ECOSOC consists of its plenary body; five regional economic commissions; eight functional commissions; and a varying number of subcommissions, standing committees, working groups, and expert groups. The regional economic commissions and many of the other bodies are covered in this part.

The elements of the UN system primarily concerned with the issues in this section usually report to ECOSOC or through ECOSOC to the General Assembly. ECOSOC may require changes in the reports from organizations directly subsidiary to it. It is authorized only to comment on reports from other bodies (such as UNCTAD and

the specialized agencies) before conveying them to the General Assembly.

## **ECONOMIC ACTIVITIES**

### **Global Negotiations**

In December 1979 the 34th General Assembly adopted by consensus resolution 34/138 calling for a "round of global and sustained negotiations" on major international economic issues. The resolution provided for universal UN participation in the simultaneous negotiation of major international economic issues in the fields of raw materials, energy, trade, development, and money and finance.

During 1983 the question of global negotiations continued on the agenda of the General Assembly, and in November an informal exploratory process was resumed between representatives of the Group of 77 and the industrial countries. By the end of the year no agreement had been reached on how to proceed. The United States and other Western nations have continued to insist that global negotiations could not be initiated unless the integrity of the specialized and other independent agencies (IMF, GATT, and IBRD) was assured. No such assurances were forthcoming from the Group of 77 in 1983, and the precise workings of the two-phase approach to global negotiations remained unclear.

Since the New Delhi Non-Aligned summit (March 1983), the Group of 77 has restated its demands for international economic reform in terms of implementation of immediate measures. The New Delhi Declaration, a restatement of and expansion upon principal themes of the new international economic order, called for 39 "immediate measures" to improve the lot of the developing countries, including the convening of an international conference on money and finance. Of interest was the proposal to separate the negotiations into two phases. The first would deal with issues upon which agreement was thought to be possible in the shorter term; the second would focus on issues "affecting the structure" of the international economic system and institutions. Other immediate measures mentioned include increased official development assistance; increased access to IMF and IBRD resources by developing countries; provision of measures for more automatic debt relief for those countries; further non-reciprocal trade liberalization measures in developed countries; and actions to raise commodity prices and stabilize export earnings. Despite the continued impasse, the Group of 77 continued to use all UN forums to promote acceptance of its demands for a new international order. UNCTAD VI at Belgrade was the chief focus of these efforts in 1983.

The U.S. position on launching the global negotiations continues to be based on President Reagan's four understandings enunciated at

Cancun in October 1981, as amended by the Western industrialized countries at Versailles in June 1982.

## **International Development Strategy**

The International Development Strategy for the Third United Nations Development Decade (IDS) is contained in the annex to resolution 35/56 adopted at the 35th General Assembly session in 1980. Although adopted without a vote, the Strategy is a controversial document. The United States and most other developed countries made statements of reservation at the time of its adoption.

The weakness of the IDS is largely a result of its focus on global rather than local action and on the activities of states rather than individuals. Development depends primarily on a country's internal political and economic climate, on the presence or absence of incentives (profit), and on the ability (freedom) of individuals to respond to changing economic circumstances. These ideas are given short shrift in the IDS, which attends inordinately to the transfer of resources from rich to poor countries and to the restructuring of the international economic system. Nowhere does the Strategy deal with such vital factors as the elimination of price controls or the valuation of currency. The problem of inflation is mentioned, but no policy measures are offered for its control.

Even in its discussion of international interaction, the Strategy is often defective. For example, the Strategy's policy measures section devotes 19 paragraphs to financial resources for development. All but one of the paragraphs deal exclusively with external finance, even though external resources amount to less than 5% of the gross national product of developing countries. Nonconcessional flows, which account for two-thirds of the external resources to developing countries, are discussed in only one paragraph. Direct private investment, which by itself accounts for almost 15% of external resources, is mentioned in only one sentence. Contrarily, official development assistance, which accounts for but a third of external flows and amounts to perhaps 2% of GNP in developing countries, is highlighted in 17 paragraphs. Other sections of the Strategy are similarly flawed in emphasizing external factors far out of proportion to their true development impact.

The other serious weakness of the IDS is its lack of realism in setting goals. Starting from a target of 7% annual growth for the developing countries as a whole during the decade, the Strategy derives a series of benchmarks for measuring development progress. These targets are so extreme that actual development performance, no matter how inspired, will fall short. Realistic targets could have given an impetus to greater efforts. The overly ambitious targets of the IDS encourage instead an atmosphere of failure and crisis which hinders the realistic discussion of development issues.

In spite of these problems, the Strategy is useful in some respects. It tends to promote a view of development that includes social as well as economic factors, and it reflects the development aspirations of all countries.

The implementation of the IDS is now a standard item on the agendas of almost all UN bodies. In addition, almost all UN resolutions on economic and social development refer to the IDS. Implementation of the Strategy, therefore, involves the work programs of practically all UN agencies and is the subject of close Secretariat attention.

The year 1983 marked the beginning of preparations for the systemwide, mid-term review of IDS implementation scheduled to take place on global, regional, and sectoral levels within the UN in 1984. The 38th General Assembly adopted by consensus a resolution that dealt with this 1984 review and appraisal of the IDS. (Resolution 38/152.) It reaffirmed the need to identify and appraise the real causes for shortfalls encountered in IDS implementation and to carry out the "adjustment, intensification, or reformulation of the policy measures foreseen in the Strategy in light of evolving needs and developments."

In response to this mandate, the organizational session of the Committee of Review and Appraisal of the Implementation of the IDS, which will carry out the review, was held on December 16. It was agreed that the Committee would meet from May 7-25, 1984, to conduct the review. While most UN agencies will be discussing their contribution to the Committee in the first months of 1984, UNIDO did prepare its contribution for the exercise in December. The United States joined the consensus in endorsing this report but made a statement repeating our reservations on IDS and noting some portions of the UNIDO contribution it considered biased. This report, including the U.S. statement, will be forwarded to the review committee.

## **Economic Commission for Europe**

The Economic Commission for Europe (ECE), established in 1947, is one of five regional economic commissions which report to ECOSOC. It has 34 members<sup>1</sup> with other UN member countries (e.g., Japan, Israel) participating in a consultative capacity, when matters of particular concern to them are considered. Composed largely of developed nations, ECE focuses on problems confronting modern industrializing societies. Decisions are normally made by consensus reached in deliberations between the Eastern and Western caucuses.

ECE's terms of reference are broad, and over the years the nature of its work has paralleled changing European and Atlantic concerns.

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<sup>1</sup> European members of the United Nations, the United States, Switzerland, and Canada.

When first established, the ECE's principal focus was on European post-war economic reconstruction. Since then the Commission has evolved into a forum where East and West can consult on economic and technical problems of common interest. The Final Act of the Conference on Security and Cooperation in Europe specifically accorded the ECE a number of responsibilities for multilateral activity in economics, science, technology, and the environment. The concluding document of the followup meeting of representatives of the participating states of the Conference on Security and Cooperation in Europe was signed in Madrid in 1983 and reaffirmed the ECE's role as a forum for promotion of cooperation in economic activities.

The ECE carries out its activities principally through 15 specialized committees—Agricultural Problems; Chemical Industry; Coal; Electric Power; Gas; Housing, Building and Planning; Inland Transport; Steel; Timber; Development of Trade; Water Problems; Conference of European Statisticians; Senior Economic Advisers; Senior Advisers on Environmental Problems; Senior Advisers on Science and Technology; and a number of subsidiary bodies that deal with special problems included in the committees' programs. Additional subjects of interest to the Commission are dealt with by *ad hoc* groups, notably the Senior Advisers on Energy, the Group of Experts on Standardization Policies, and the Working Party on Engineering Industries and Automation. Occasionally, and often in conjunction with other multilateral organizations such as FAO and ILO, ECE convenes special symposiums, seminars, and conferences. Study tours to member countries are occasionally arranged in connection with such meetings. A substantial number of U.S. Government departments and agencies, as well as congressional and private sector representatives, actively participate in ECE-sponsored meetings.

The Commission's 38th plenary session was held April 12–23, 1983 in Geneva. In their opening statements, the U.S. representative and the spokesman for the European Community (EC-10) stated that East-West relations were affected by the declaration of martial law in Poland and that economic cooperation could not be separated from members' compliance and full observance of all provisions of the Helsinki Final Act. It was therefore inappropriate for the ECE to undertake new initiatives. Eastern representatives made counterstatements charging Western interference in their internal affairs, escalation of the arms race, and employment of sanctions by the United States.

Under the traditional omnibus resolution, the Commission called upon member governments to continue to take full advantage of the potential of ECE as an instrument of dialogue and for strengthening economic relations in the region. The resolution considered that the

implementation of all provisions of the Final Act of the Conference on Security and Cooperation in Europe and full respect for the principles guiding relations among the participating states set out in the Final Act were essential for the development of cooperation in trade, science and technology, and other areas of economic activity.

A resolution on energy authorized the Executive Secretary, Klaus Sahlgren of Finland, to convene *ad hoc* meetings on energy conservation and on new and renewable sources of energy. These meetings were held in late 1983. The resolution also invited the Executive Secretary to convene "at an appropriate moment," after consultation with member governments, the fifth meeting of the Senior Advisers to ECE governments on Energy to continue their work. This fifth session was not convened during 1983.

The Convention on Long-range Transboundary Air Pollution, negotiated under the auspices of the ECE, entered into force for the United States on March 16, 1983. An important operational element under the Convention is the Cooperative Program for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP). The EMEP program provides for research activities related to European air pollution, particularly acid rain.

Other decisions concerned the Commission's contribution to preparatory work for the World Conferences on Population and to review and appraise the achievements of the UN Decade for Women, the environment, water pollution, harmonization of summertime (daylight saving) in Europe, standardization, and the work program of the Working Party on Engineering Industries and Automation.

## **Economic and Social Commission for Asia and the Pacific**

The Economic and Social Commission for Asia and the Pacific (ESCAP) was established in 1947. The United States was 1 of the original 10 members. At present there are 35 members and 10 associate members. Five members (France, Netherlands, U.S.S.R., the United Kingdom, and the United States) are from outside the region, which covers an extensive area from Mongolia south to New Zealand and from Iran east to the Pacific island countries. ESCAP's Headquarters are in Bangkok, although some subsidiary bodies and other activities are located in other Asian cities.

ESCAP's primary role is to serve member countries by identifying problems in the areas of social and economic development, by providing a forum for debate on development issues, by providing technical assistance and advisory services, and by helping members attract outside assistance. It does not itself provide capital resources but helps establish institutions to attract funds for regional and sub-regional projects which, in turn, supply development assistance.



The annual Commission sessions provide the main guidance for ESCAP's program and activities, while the Secretariat prepares reports, compiles statistics on current economic issues in the region for distribution to member governments, and prepares and services the meetings of the Commission and the following nine substantive committees: Agricultural Development; Development Planning; Industry, Human Settlements and Technology; Natural Resources; Population; Social Development; Statistics; Trade; and Shipping, Transport, and Communications. The present work program and activities are concentrated in six priority areas: food and agriculture; energy; raw materials and commodities; transfer of technology; international trade; and integrated rural development.

ESCAP's 39th Commission session was held in Bangkok from April 19-29. The Commission adopted four resolutions. The United States joined the consensus on all four resolutions, which dealt with strengthening regional cooperation on programs for youth development, social aspects of rural development, implementation of the Substantial New Program of Action for the 1980's for the Least Developed Countries, and a transport and communications decade for Asia and the Pacific. On the latter two resolutions, the U.S. Delegation was active in ensuring they contained no financial implications for the ESCAP regular budget.

Other discussions of importance included the issue of regional food security, during which the Commission gave the ESCAP Secretariat a mandate to continue its work in this area, but only after the United States successfully opposed a more detailed study of a food financing and recycling program which would have had major financial implications. In a statement to the plenary, Ambassador William C. Sherman, the U.S. Representative, urged ESCAP to be realistic about the contribution it could make to food security in view of its limited resources.

After careful consideration, the United States dissociated itself from the consensus adopting the ESCAP work program because of the unacceptable financial implications. In addition, it formally reserved its position on the inclusion of two program elements: an element on Law of the Sea related activities, and another mandating an exclusive meeting of the developing countries for Economic Cooperation for Developing Countries (ECDC).

The Government of Japan extended an invitation to host the 1984 Commission session in Tokyo. Although the United States was sympathetic to the Japanese gesture, it felt that Japan should fund all additional costs resulting from holding the meeting away from headquarters, this in accord with resolution 31/140. The Japanese Government did not offer to do so. Despite U.S. opposition, on November 23 the Fifth Committee of the General Assembly decided to recommend an additional appropriation of \$181,300 for this purpose by a vote of 69 to 19 (U.S.), with 12 abstentions.

The United States contributes financially to ESCAP through its 25% assessed contribution to the UN regular budget. In addition, ESCAP receives funding from other UN agencies, especially UNDP, to which the United States is a major contributor. Finally, the United States has occasionally participated in individual ESCAP programs of special interest by providing extrabudgetary contributions.

## **Economic Commission for Latin America**

The Economic Commission for Latin America (ECLA) was established in 1948 as a regional organization to promote the economic and social development of Latin America and to strengthen economic ties among Latin American countries, and between them and the rest of the world. To this end, ECLA produces studies of various sectors and issues within the Latin American economy, analyzes economic and social conditions in the region, reviews the progress of development plans and programs, and provides training and technical assistance. ECLA has 34 Western Hemisphere members (including the United States and Canada), 4 nonregional members (France, the United Kingdom, the Netherlands, and Spain), and 2 associate members (the Netherlands Antilles and Montserrat<sup>2</sup>). ECLA has its Headquarters in Santiago, Chile, and has branch offices in Washington and six Latin American cities.

ECLA's Committee of the Whole, the policymaking body which meets between plenary sessions, did not meet in 1983. The United States did, however, participate in two major ECLA-sponsored conferences in 1983—the Third Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean, held in Mexico City, August 8–10, and the Latin American Regional Preparatory Meeting for the International Youth Year held in San Jose, Costa Rica, October 3–7. Both meetings developed regional positions on issues which will be considered in universal conferences in 1985. In addition, the second meeting of the Committee of High-Level Government Experts on Population was held in Havana, November 16–21. This caucus meeting of developing countries (the United States and other developed-country ECLA members did not participate), was held to prepare for consideration of regional population issues at ECLA's 20th session in Lima, Peru, in late March 1984 and the International Conference on Population to be held in Mexico City in 1984.

ECLA's most important economic study in 1983 was a paper entitled "Basis for a Latin American Response to the International Economic Crisis," a study written jointly with the Latin American

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<sup>2</sup> The Associated States of St. Kitts-Nevis and Anguilla and the Territory of Montserrat (collectively as a single member).

Economic System, in response to a letter dated February 11, 1983, from the President of Ecuador requesting the preparation of proposals aimed at developing Latin America's capacity to respond to the "present international economic situation." The analysis identifies the following as major Latin American economic problems: lack of economic growth and inflation; the shortage of financial resources; adverse trade developments; and the growth of external debt. The study offers a variety of structural and nonstructural prescriptions to address these problems.

This joint study served as a basis for discussion in a Latin American economic conference held in Santo Domingo in August 1983 which focused primarily on Latin American financial and debt issues.

Under Article 3 (A) of ECLA's terms of reference and Rules of Procedure, on October 3 the United States formally applied for admission of the U.S. Virgin Islands as an associate member of ECLA. This action was requested by the U.S. Virgin Islands Governor, who acted in response to a recommendation of the U.S. Virgin Islands Status Commission. Associate member status for the U.S. Virgin Islands was endorsed by the UN Special Committee on Decolonization in August 1983 and endorsed by the General Assembly on December 7 with adoption by consensus in resolution 38/48. This application, along with the United Kingdom's application for associate member status for the British Virgin Islands, will be considered at the 20th session of ECLA in Lima, March 29–April 6, 1984.

## **Economic Commission for Africa**

The Economic Commission for Africa (ECA) was established in 1958 as a subsidiary body of ECOSOC. Full membership is limited to independent African countries of which 51 are currently members. The United States, while not a member, supports the Commission's activities by maintaining liaison with ECA Headquarters in Addis Ababa, attending some of its meetings as an observer, and providing financial and technical assistance through the U.S. Agency for International Development (AID).

The ECA is charged with: (1) promoting the economic and social development of Africa; (2) strengthening economic relations among African countries and territories; (3) undertaking studies on economic development; (4) collecting, evaluating, and disseminating economic and technical information; and (5) helping to formulate policies to promote economic development. The Commission also provides advisory services to its members in various economic and social fields.

The ECA's Silver Anniversary meeting and ninth annual meeting of ECA's Conference of Ministers was held at Addis Ababa from

April 27 to May 3, 1983. The U.S. observer to the meeting delivered a message on behalf of President Reagan which commended the ECA on its accomplishments during its first 25 years and noted the role of U.S. assistance in ECA's development efforts through our contributions to the United Nations, and through project support provided by AID.

After considering two documents prepared by the ECA, namely: "A Review of Socio-economic Development in Africa 1958-83" and "ECA and Africa's Development, 1983-2008: a Preliminary Perspective Study," the Conference of Ministers adopted by acclamation the Addis Ababa Declaration, which reaffirmed the faith and commitment of African people in and to the Lagos Plan of Action and the Final Act of Lagos. The Declaration, while noting the achievements in African economic and social development over the past 25 years, drew attention to the adverse trends and disturbing setbacks facing African countries, which are likely to worsen over the next 25 years if adequate measures are not taken. Examples were cited such as chronic food deficits, the drought affecting ever-larger areas of the continent, the high cost of imported energy, deteriorating terms of trade, chronic balance-of-payment deficits, mounting external debts, and the problems of economic management. The Declaration stressed that, in order to overcome these constraints to African development, African countries must take their destinies in their own hands through collective self-reliance and the implementation of the Lagos Plan of Action.

The Conference of Ministers adopted 25 resolutions dealing with a wide spectrum of issues relating *inter alia*, to the situation of food and agriculture in Africa, the United Nations Transport and Communications Decade in Africa, the establishment of an African Monetary Fund, Africa and the North/South dialogue, women in development in Africa, adverse climatic conditions, and harmonization of the activities of African multinational institutions sponsored by ECA and the Organization for African Unity.

In 1983, AID concluded a new technical assistance agreement with the ECA to provide \$710,000 during the years 1983-87 to be used for the support of two projects which will: (a) strengthen human resources planning and development management training at the Institute for Economic Development and Planning in Dakar, Senegal; and (b) improve the communications capability of ECA's African Training and Research Center for Women.

On February 8, 1983, President Reagan signed the necessary documentation providing for U.S. membership in the African Development Bank (ADB). The ADB, with headquarters in Abidjan, Ivory Coast, is an African regional institution created in 1962 to make loans at near market terms to promote economic and social development in member countries individually and through regional cooper-

ation. The ECA works closely with the ADB in regional economic planning and development projects. While membership was originally restricted to African independent countries, the ADB in 1979 invited non-African countries to join the ADB. The U.S. share of the nonregional subscription is 17.04%, i.e., \$89.73 million paid-in capital and \$269.80 million in callable capital. U.S. formal membership in the ADB reflects the growing economic interest of the United States in this important geographic area and its desire to cooperate in a constructive multilateral effort to help the countries of Africa overcome their very serious development problems.

## **Economic Commission for Western Asia**

The Economic Commission for Western Asia (ECWA) came into existence on January 1, 1974. The August 1973 ECOSOC resolution 1818 (LV) that approved its establishment provided that "the Commission shall consist of the states members of the United Nations situated in Western Asia which at present call on services of the UN Economic and Social Office in Beirut." That wording limited the original membership to 12 Arab states (Egypt and the PLO were admitted in 1977)<sup>3</sup> and effectively excluded Israel, even though it is a UN member of the region involved, because it had not used the office in Beirut. The United States objected at that time, considering that the language was contrary to the terms of the UN Charter. The United States likewise objected in 1977 when ECWA recommended a change in the terms of reference to grant full membership to the PLO.

The 10th session of ECWA was held in Baghdad from May 7-11, 1983. This was the second session held in Baghdad, and the first in ECWA's recently completed \$40 million permanent Headquarters. In addition to ECWA members, several countries attended the meeting as observers, including the United States. The recently established Standing Committee for the Program held its first meeting on the program of work and priorities during the session and proposed the Medium-Term Plan for the period 1984-89 which was endorsed by the Commission.

ECWA is funded from the UN general budget and obtains support for individual programs from member states.

## **United Nations Development Program**

The United Nations Development Program (UNDP) is a voluntary fund which finances the world's largest multilateral program of

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<sup>3</sup> ECWA members in 1983 were Bahrain, Democratic Yemen, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen (Aden), and the PLO.

grant technical assistance. Established in 1966 through the merger of two earlier UN programs, the Special Fund and the Expanded Program of Technical Assistance, UNDP was created to be the main UN mechanism for funding technical assistance activities. However, in recent years the proportion of UN technical assistance activities funded by UNDP has decreased significantly. In 1982 the value of technical assistance financed under World Bank loans and by IDA credits surpassed the 48.3% of UN grant technical assistance funded by UNDP. UNDP provides technical assistance to developing countries and territories at their request, with increasing emphasis on assisting the poorest countries. In 1983 UNDP projects were underway in about 150 countries and territories.

UNDP programs consist of projects of a few months to several years in duration, in fields such as agriculture, industry, education, health, economic policy and planning, transportation, and natural resources exploration. UNDP also undertakes smaller projects designed to provide fellowships for the training of nationals of developing countries and to provide such countries with required skills through the use of expert advisers.

In addition, UNDP undertakes preinvestment and feasibility studies intended to promote developing country and external investor interest in capital projects which will expand production and employment. Projects are normally executed for UNDP by one of the 35 participating agencies of the UN system such as FAO, the UN Department of Technical Cooperation for Development (DTCO), UNIDO, ILO, UNESCO, World Bank, or ICAO. UNDP also directly undertakes a few projects through its own Office for Projects Execution.

UNDP has its Headquarters in New York. Bradford Morse of the United States, who took office in January 1976, is its Administrator. On December 15, 1983, the General Assembly approved the Secretary General's nomination of Mr. Morse to serve a third 4-year term as Administrator beginning on January 1, 1984.

## **GOVERNING AND ADVISORY BODIES**

UNDP is a subsidiary organ of the UN General Assembly, which sets overall UNDP policy. Its operating policies are established and its programs and budgets approved by a Governing Council composed of representatives of 48 states—21 developed and 27 developing<sup>4</sup>—

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<sup>4</sup> The following states were members of the UNDP Governing Council in 1983: Argentina, Australia, Austria, Barbados, Belgium, Bhutan, Brazil, Bulgaria, Canada, Central African Republic, Chad, China, Denmark, Ecuador, Fiji, Finland, France, German Democratic Republic, Federal Republic of Germany, Guinea, India, Italy, Japan, Lesotho, Mali, Mauritania, Mexico, Nepal, Netherlands, Niger, Pakistan, Philippines, Poland, Somalia, Spain, Sweden, Switzerland, Tanzania, Trinidad and Tobago, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yemen (Sanaa), Yugoslavia, and Zambia.

which reports to the General Assembly through ECOSOC. States are elected to the Council for 3-year terms by ECOSOC. Because of the leading role which the United States has consistently played in UNDP affairs, it has been a member of the Governing Council since the establishment of the organization. The Council holds regular sessions once a year in June, preceded by a brief organizational meeting in February.

In 1983 the UNDP Governing Council also oversaw the operation of the UN Capital Development Fund, UN Volunteers, UN Revolving Fund for Natural Resources Exploration, UN Sudano-Sahelian Office, Financing System for Science and Technology for Development, UN Trust Fund for Colonial Countries and Peoples, Energy Account, UN Special Fund for Landlocked Developing Countries, UNDP Trust Fund for Projects Financed by the Voluntary Fund for the UN Decade for Women, Technical Cooperation among Developing Countries, and the Interagency Procurement Services Unit. The Council also provides policy guidance for the small program of technical assistance financed from the regular UN budget. It also serves as the governing body for the UN Fund for Population Activities which is treated elsewhere in this report.

## **SECRETARIAT AND FIELD ORGANIZATION**

UNDP's administrative apparatus consists of a Secretariat in New York and 116 offices in developing countries and territories where programs are being carried out.

Assisted by their staffs, UNDP Resident Representatives advise recipient governments on development planning and UN assistance. Within their countries of assignment they coordinate the operation of programs financed by UNDP and (where a program exists) the UN Revolving Fund for Natural Resources Exploration. Resident Representatives also act on behalf of, and furnish support for, such other UN agencies as WFP, UNEP, the Office of the UN Disaster Relief Coordinator, and the UN Department of Technical Cooperation for Development. In most countries, the UN Secretary General has designated the UNDP Resident Representative as Resident Coordinator of UN Operational Activities for Development. As such, the Representatives are responsible for the general oversight of all UN agency development activities in the country to which they are accredited.

## **PROGRAM DEVELOPMENT**

### **Patterns of Development Assistance**

UNDP development assistance is provided to individual countries and intercountry activities on the basis of indicative planning figures

(IPFs) computed to cover 5-year programming cycles. The first programming cycle extended from 1972 through 1976, the second cycle occupied the period from 1977 through 1981, and the third cycle began in 1982 and will run through 1986. IPFs in the first cycle were set largely on the basis of the aid supplied by UNDP from 1967 through 1971. That is, countries were given a claim upon UNDP resources during that cycle equal to the percentage of UNDP assistance they actually received in the earlier 5-year period. IPFs for the second cycle were calculated primarily on the basis of country populations and per capita GNPs. In allocating the IPFs for the third cycle the Governing Council determined, with strong U.S. support, to give highest priority to countries with the lowest per capita GNPs and which were otherwise disadvantaged.

Over the years there has been a significant shift in the allocation of UNDP's resources. The percentage of UNDP assistance to countries or territories with per capita GNPs below \$500 has increased from 42% in the first programming cycle to a planned 61% in the third cycle. Over the same period the share of UNDP assistance to the least developed countries (as designated by the UN General Assembly) has increased from 24.1% to 40.2%.

In 1983 the development community's concern for UNDP's future was somewhat relieved because the 1981 decline in contributions to the program had not been repeated since. Contributions for 1983 were expected to increase only slightly above the 1982 level, however, and not to regain the 1980 peak in nominal terms. When the effects of inflation were taken into account, the trend for the real value of contributions to UNDP continued to decline in 1983. In order to assure that expenditures would not exceed available resources, the Administrator restricted program delivery to 55% of IPF levels.

## **Activities and Analysis**

The UNDP Governing Council began its 1983 activities with an organizational meeting held in New York at UN Headquarters on February 14. In accordance with its tradition, the Council took all its decisions during the year without voting.

Immediately following the organizational meeting, the Governing Council held a special meeting February 14-18. The Council considered and approved 25 country programs and took note of the intercountry programs for Latin America and the Caribbean.

The final two meetings of the Intersessional Committee of the Whole (ICW), established by the Council during its 1982 session to study the options and recommendations for the longer term financing of UNDP and for strengthening the effectiveness of the Governing Council, were held between the February organizational meeting and the Council's 30th session in June.



At its 30th session the Council debated and adopted in modified form the recommendations of the ICW. The Council decided to institute intergovernmental consultations prior to the annual pledging conferences. It also provided that pledging would continue to be done on an annual basis as previously but that governments in a position to do so should give indicative or tentative statements on their pledges for the following 2 years. The Council also recommended that governments make an effort to maintain the real value of their contributions to UNDP. However, it would be left to each government to determine, in respect of its own contribution, the amount required to maintain such value.

Rather than establishing a program committee as recommended by the ICW, the Council decided that for a trial period of 3 years it would, in the context of regularly scheduled sessions, resolve itself into a Committee of the Whole, in order to: (1) consider major issues related to program matters; (2) review country, regional, inter-regional, and global programs and projects; (3) review program and project implementation; (4) consider reports on evaluation studies; and (5) deal with other matters related to the program management of UNDP. The decision also provided that the Governing Council's 33rd session would review this decision with a view to examining the possibility of establishing a program committee.

The Governing Council also noted with satisfaction the Administrator's decision to establish a small central evaluation unit.

These Council actions were welcomed by the United States. Because of its determination to assert its leadership in UNDP, the United States devoted considerable time and attention to these issues, both in the ICW and in the Council.

The report of the ICW was considered within the context of the high-level policy debate on "Measures to mobilize increased resources for UNDP on an increasingly predictable, continuous and assured basis." AID Administrator M. Peter McPherson, who headed the U.S. Delegation to the Governing Council's 30th session, presented the U.S. policy statement on this question.

In the Governing Council the United States pursued its goal of securing budgets which reflected conservative fiscal policy and economic reality through its active participation in the Council's Budgetary and Finance Committee (BFC). The BFC examined the budget estimates for the 1984-85 biennium carefully, with the U.S. Delegation playing a significant role. The budget as adopted reflected a commendable adjustment by UNDP to its economic circumstances. The Council was again unsuccessful, however, in adopting financial regulations which would preclude contributions being made in nonconvertible currencies. Nevertheless, the Council's consideration of the issue brought it again to the attention of member states.

Although several governments, including the United States, were not in a position to make their pledges at the 1983 UN Pledging

Conference for Development Activities on November 8 and 9, the results of the meeting led UNDP to project total contributions for 1984 of \$683.1 million, an increase of \$8.1 million over 1983. There were thus grounds for hope that the resources available to UNDP were once again beginning to grow. Following congressional passage of the Continuing Resolution providing a \$160 million U.S. contribution to UNDP for fiscal year 1984, the Administrator announced a relaxation of programing restrictions to permit the least developed countries to plan for expenditures at 80% of the IPF level rather than the previous 55%.

On December 19 the UN General Assembly adopted without a vote a resolution that took note of the UNDP Governing Council's report, as transmitted to it by ECOSOC. The Assembly noted that, although the outcome of the 1983 UN Pledging Conference for Development Activities had shown that there was a trend toward ending the erosion of the resources of UNDP, greater efforts remained necessary to strengthen that trend in order to lead to a process of growth of resources by increasing significantly the level of contributions on a more equitable basis. (Resolution 38/172.)

The U.S. contribution to the organization of \$140 million for fiscal year 1983 constituted an increase of 9.2% over the 1982 U.S. contribution. But U.S. support for the organization was manifested not only in financial terms but also in its active participation in its operations and governance.

## **CAPITAL DEVELOPMENT FUND**

The name UN Capital Development Fund (UNCDF) connotes a development bank that finances large-scale development projects. In reality, UNCDF provides modest grants to small-scale endeavors that use simple technology to create or upgrade agricultural and industrial infrastructure and facilities. Established by the General Assembly in 1966, UNCDF has assisted projects in 43 least developed countries for the benefit of the poorest people.

UNCDF seeks to improve local production and expand indigenous skills, which, in turn, reduce reliance on outside assistance and promote private initiative. Because the projects are relatively small, they provide the participants with a sense of identification, motivation, and early results. Widest participation by the beneficiary group and the maximum use of local resources are sought. Fund projects have included the building of irrigation and food storage facilities; construction of rural schools and health centers; establishment of cottage industries, cooperatives, and credit unions; and the provision of vocational training facilities. Fund activities also create demand for imported goods.

The UNDP Administrator serves as the Fund's managing director. Although UNCDF has a small administrative staff in New York

headed by an Executive Secretary, it relies on UNDP resources for information from the field and for monitoring projects.

Pledges to the Fund in 1983 totaled \$25.3 million, including a U.S. pledge of \$2 million. Major donors in 1983 were the Netherlands (\$5.5 million), Sweden (\$4.3 million), and Norway (\$4.2 million). Developing countries that contributed were China (\$112,245), Turkey (\$153,153), and Algeria (\$37,000). Cumulative contributions since the Fund began in 1966 have been \$204.6 million (\$12 million from the United States). At the end of 1983 total commitments were \$307.4 million for 239 projects in 42 countries. While total expenditures for 1983 of \$29 million were greater than total pledges, total available resources from all sources exceeded the expenditure level. In 1983 the Fund spent 2% of total commitments for the year on administration.

The UNDP Governing Council provides policy guidance to UNCDF. At the Council's 30th session the Administrator pointed out that the partial funding system continued to provide benefits to UNCDF in its ability to approve new commitments. In his report the Administrator recommended that the Governing Council approve an extension of the authority contained in its decision 82/5 to accept trust funds on condition they be spent within the donor country. The Governing Council decided to allow the acceptance of such trust funds only until April 30, 1984, and to require the Administrator to submit a report on the effect of such contributions. The United States joined the consensus on this decision.

## **UNITED NATIONS VOLUNTEERS**

The United Nations Volunteers (UNV) program, established by the General Assembly at its 25th session, in 1970, has been in operation since January 1, 1971. The aim of the program is to provide young volunteers, upon the explicit request and approval of recipient countries, to assist in development activities. Volunteers are recruited on as wide a geographical basis as possible, including in particular the developing countries, for service in requesting countries.

In response to the General Assembly's request, the Administrator of UNDP has been designated to serve as the Administrator of the UNV. A coordinator has been named to promote and coordinate the recruitment, selection, and administrative management of the activities of the volunteers within the UN system. This arrangement permits a smooth dovetailing of UNDP's technical assistance activities with the expertise available through the Volunteer program. Many volunteers are assigned to UNDP field offices or to the projects funded by UNDP and executed by the specialized agencies of the UN system.

In establishing the UNV program, the General Assembly invited member states of the United Nations and the specialized agencies, international nongovernmental organizations, and individuals to contribute to the Special Voluntary Fund created for the support of the activities of the volunteers.

At its 34th session, in 1979, the General Assembly endorsed a recommendation of the UNDP Governing Council that the number of volunteers be increased to 1,000 by 1983. That goal was actually reached in 1981, but by the end of 1983 only 903 volunteers were either in service or en route to service in 89 countries. A total of 752 in-service volunteers came from 57 developing countries (83.3% of total), and 151 came from 18 industrialized countries (16.7%). Of the latter group, 41 (4.5%) were from the United States. In his annual report on the UNV program, the UNDP Administrator sought Governing Council approval of a recommendation that UNV be reimbursed for support costs that it executes on behalf of UNDP. The proposal was rejected, with the United States joining the consensus. As in past years there were renewed appeals in the Governing Council for increased contributions to support UNV.

As a cooperating agency with UNV, the Peace Corps works closely with the organization in recruiting and sponsoring volunteers and providing certain of their expenses. The United States, through the Peace Corps budget, has provided the largest amount of contributions to the Special Voluntary Fund. In 1983 the U.S. contribution was \$150,000. In addition, the Peace Corps spent over \$200,000 on U.S. volunteer expenses.

## **United Nations Industrial Development Organization**

The UN Industrial Development Organization (UNIDO) is a semi-autonomous organization within the United Nations. It seeks to promote and accelerate the industrialization of developing countries by providing technical assistance and related services. Membership in UNIDO, which is headquartered in Vienna, is open to all members of the United Nations, its specialized agencies, and the IAEA. The United States has been a member since UNIDO's inception in 1967.

UNIDO's General Conferences, to which all UNIDO member states are invited, meet about every 4 years to recommend long-range policy for the organization. The fourth General Conference is being held in Vienna in August 1984. The Industrial Development Board (IDB) sets UNIDO's policy annually and examines UNIDO's actual work program. It is composed of 45 states elected by the General Assembly on a rotating basis for 3-year terms.<sup>5</sup>

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<sup>5</sup> Members of the IDB during 1983 were Australia, Austria, Belgium, Brazil, Bulgaria, Chad, Chile, China, Denmark, Ecuador, Finland, France, German Democratic Republic, Federal Republic of Germany, Guinea, India, Indonesia, Iraq, Italy, Japan, Lesotho, Liberia, Libya, Malaysia, Mexico, Mongolia, Netherlands, Pakistan, Panama, Peru, Romania, Rwanda, Spain, Sierra Leone, Sri Lanka, Sudan, Switzerland, Turkey, Uganda, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, and Zambia.

The 17th session of the Board met in Vienna, April 26–May 13, 1983. The 18th and 19th sessions of the Board's Permanent Committee met also in Vienna, April 25–26 and November 28–December 2.

In addition to the regular meetings of the IDB and its Permanent Committee, formal meetings on the conversion of UNIDO into a specialized agency were convened in Vienna, May 16–20.

U.S. interest at the 1983 session of the IDB focused on the system of consultations, preparations for the Fourth General Conference (UNIDO IV), and UNIDO's 1984–85 program budget. The Board selected the sectors in which consultations will be held in 1984 and 1985: food processing; fertilizers; leather and leather products; capital goods, with special emphasis on energy-related equipment and technology; petrochemicals; and building materials. The Board also directed the UNIDO Secretariat to begin preparations for the holding of consultations in 1986–87 on: fisheries industry; industrial manpower training; agricultural machinery; nonferrous metals; iron and steel; and pharmaceuticals. The U.S. Delegation successfully opposed the inclusion of a consultation on industrial financing, which the United States does not consider to be within the competence of UNIDO.

The Board took note of the Secretariat's preparations for UNIDO IV, as well as of the five expert group meetings which were being held to prepare for the Conference. The Board recommended that the 38th General Assembly set the dates for UNIDO IV.

The proposed program budget was the most controversial item on the Board's agenda. The UNIDO budget document, section 17 of the Secretary General's proposed budget for the United Nations, was not available to member states until the Board session was half over. The U.S. Delegation joined many others in criticizing the tardiness of such an important document. Since responsibility for the late document lay with the UN Secretariat in New York, this incident illustrated once again the diffusion of authority which should be ended when UNIDO becomes a specialized agency. Despite the late documents, the U.S. Delegation gave an extremely detailed statement, listing programs, sub-programs, and even program elements which should be given high and low priorities in UNIDO's budget. The U.S. statement resulted in the elimination of several items when the budget was later considered by the Committee for Program and Coordination, the Advisory Committee on Administrative and Budgetary Questions, the Economic and Social Council, and the Fifth Committee of the General Assembly.

The United States stressed its policy of zero net program growth and significant absorption of nondiscretionary costs. It noted that additional cuts must be made to meet that objective. The Board did not make a recommendation on the program budget level, leaving that to the General Assembly, the body which has ultimate budget authority over UNIDO.

Finally, in a normally routine item concerning dates for future meetings, the U.S. Delegation supported the recommendation of the President of the Board, Ambassador G. W. van Barneveld Kooy of the Netherlands, that the 1984 spring session of the Permanent Committee be canceled. This recommendation, endorsed by the Board, reduced the 1984 meeting days for UNIDO's legislative organs from the usual 20 to 18, a 10% reduction.

The May meetings on the conversion of UNIDO into a specialized agency debated a number of questions: the organization's work program; its budget, structure, and staffing; the agenda of its first general conference; common services in the Vienna Headquarters complex; relations with the host country; and entry into force of the Constitution. The meeting deadlocked, however, on the most crucial question—the date for transition. The cause of the impasse was the Soviet Union's demand for more staff positions for East Europeans, as its price for ratification. The United States, allied Western countries, and the developing countries rejected those demands. The Western Europeans and others also refused to set a date for entry into force without the U.S.S.R. because of their concern about shares of the assessed contributions. This impasse lasted through 1983.

The November session of the Permanent Committee examined the preparatory arrangements for UNIDO IV, the joint UN/UNDP/UNIDO evaluation in the field of manufactures, coordination in the UN system in industrial development, and the implementation of the International Development Strategy (IDS). Ambassador Richard Williamson, U.S. Representative to UNIDO, argued forcefully that an independent UNIDO would contribute significantly to the aims of the IDS and be far more effective in promoting accelerated industrialization in developing countries.

## **GENERAL ASSEMBLY**

At the 38th General Assembly, 15 countries were elected members of the Board for 3-year terms beginning January 1, 1984. The United States, France, Japan, the Netherlands, and Norway were elected by consensus to Group B<sup>6</sup> seats. Hungary and Romania were elected, without balloting, in the Eastern European Group. Ghana and Malawi were consensus candidates of the African region and won handily on a secret ballot. Democratic Yemen, India, Pakistan, and the United Arab Emirates also won on secret ballot, defeating Iran in the Asian region. Finally, Argentina and Brazil outpolled Trinidad and Tobago, Bolivia, and Nicaragua in Latin America. (Decision 38/320.)

The Second Committee considered three draft resolutions relative to the Industrial Development Organization at three meetings

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<sup>6</sup> Members of the IDB are assigned to Group A, B, C, or D on the basis of a combination of geographic and economic factors. Group B is the group of Western developed countries.

between November 4 and December 14. Each of the drafts was approved in Committee on December 14 without a vote and adopted by the plenary Assembly in the same manner on December 20.

Two were introduced by Mexico on behalf of the Group of 77. The first consisted of three parts and was entitled "Industrial development cooperation." It is the principal document authorizing UNIDO's program. Under UNIDO's current status, the IDB can make only recommendations to the General Assembly.

*Inter alia*, Part I decided that adequate resources should be provided to enable UNIDO to fully implement its mandate, and decided to authorize the Secretary General to adjust, on the basis of agreed priorities, the proposed program budget for UNIDO; Part II decided to accord high priority to the Industrial Development Decade for Africa among the programs of UNIDO and ECA and, consequently, requests the Secretary General to ensure that this priority shall be fully reflected in the program budgets of those organizations and to provide adequate resources to UNIDO for the coordinating and monitoring of the Decade. Part III decided that the Fourth General Conference of UNIDO should be held at Vienna, the seat of the organization, from August 2 to 18, 1984; recommended preparatory meetings to be held at all levels in order to have fullest consultation among all states prior to convening the Conference; recommended those to whom the Secretary General should issue invitations; and requested the Secretary General and the UNIDO Executive Director to seek extrabudgetary resources for the participation in the Conference of representatives of the least developed countries, including the requisite financial provisions for the travel expenses and per diem of two representatives from each of these countries. (Resolution 38/192.)

The second draft, entitled "Conversion of UNIDO into a specialized agency," was supplanted by a draft resolution presented by the Vice Chairman of the Committee on the basis of informal consultations held on the original draft resolution. The purpose of the second resolution was to speed UNIDO's pace toward specialized agency status as called for in resolution 34/96 of December 13, 1979. It was adopted by consensus only after the U.S.S.R. repeated its demands made at the May meetings on staffing and joined the consensus only when the resolution was amended to include consultations with states that had not ratified the new constitution along with those that had already done so. (Resolution 38/193.)

The third draft, proposed by the Chairman of the Committee, merely decided to include St. Christopher and Nevis in the list of Latin American and Caribbean countries that are eligible for IDB membership. (Resolution 38/194.)

Ambassador Alan L. Keyes, U.S. Representative to the Second Committee, participated actively in both the formal sessions and in

informal negotiations on these items. The United States was successful in reducing the financial implications of these items from a \$12 million increase to a request for \$2 million in funds, of which \$1 million for nine Senior Industrial Development Field Adviser positions was added directly to the UNIDO section of the UN budget. The remaining \$1 million for the Industrial Development Decade for Africa was to be financed initially through overall savings from the 1982-83 UN budget. These compromises allowed the United States to join the consensus on the resolution in the Second Committee and to support the UNIDO section when the UN budget was adopted by the Fifth Committee.

With regard to the date and place for UNIDO IV, the General Assembly decided that it would be held in Vienna, August 2-18, 1984.

UNIDO's regular budget funding comes directly from UN regular assessed contributions. In December the 38th General Assembly approved a program budget for the 1984-85 biennium which included \$72,149,500 for UNIDO. This will be supplemented by voluntary contributions. Voluntary contributions fund most of UNIDO's technical assistance projects which amounted to about \$90 million in 1983, with approximately three-quarters coming from UNDP, 20% from the UN Industrial Development Fund (UNIDF), and 3% from the UN assessed budget's regular program of technical assistance.

## **NEW CONSTITUTION**

On April 8, 1979, after 3 years of negotiations, the UN Conference on the Establishment of UNIDO as a Specialized Agency adopted a constitution by consensus. The conference also adopted a final act providing for a transition stage. After 80 states have ratified the constitution, a conference of all ratifying states may consult and determine the date on which the new constitution should enter into force.

By the end of 1983, over 100 states had ratified the constitution. The U.S. Senate gave its advice and consent to ratification June 21, 1983, and the President deposited the instrument of ratification with the UN Secretary General on September 2, 1983.

## **TRUST FUNDS**

The UN Industrial Development Fund (UNIDF) received pledges totaling approximately \$11 million for specific technical assistance projects as well as unspecified pledges. UNIDO also maintained a General Trust Fund. Major donors to the funds in 1983 were the Federal Republic of Germany, India, Italy, Saudi Arabia, Sweden, the United Kingdom, and the U.S.S.R. (Trust Fund donations may be



made in nonconvertible funds.) The United States did not contribute to the funds but continued its practice of supporting UNIDO financially through its annual voluntary contribution to UNDP and through its assessed contributions to the UN regular budget.

## **SYSTEM OF CONSULTATIONS**

UNIDO's System of Consultations is a continuing series of international meetings to consider problems in specific industrial sectors encountered by the less developed countries in the industrialization process and ways in which international cooperation can help alleviate them. These gatherings typically attract up to 150-200 industrial experts from government, business, labor, consumer, and other interested groups from as many as 55-65 countries.

The Second Consultations on the Agricultural Machinery and on Pharmaceutical Industries and the First Consultations on Wood and Wood Products Industry were held in 1983. U.S. participation in all the consultations relied heavily on the cooperation of the private sector experts with State Department and other Government participants. Planned consultations in 1984 include the fertilizer, leather, and food processing industries.

## **INVESTMENT COOPERATIVE PROGRAM OFFICE**

The Investment Cooperative Program Office is responsible for promoting private and public investment in industrial projects in developing countries. The program is facilitated through a cooperative arrangement with the World Bank and through eight Investment Promotion Services located in New York, Brussels, Cologne, Vienna, Zurich, Tokyo, Paris, and Warsaw.

The Industrial Investment Promotion Service in New York, established in 1977, conducts an intensive training program for investment promotion officers from developing countries. Participants learn to use the tools of promotion, analyze budgets, and understand U.S. requirements, attitudes, and practices in international business. Finally, participants put their training to use by negotiating with U.S. investors on projects in their home countries. In 1983 the New York office helped stimulate over \$100 million in private sector investment in developing countries.

AID's Bureau for Private Enterprise made two grants to the New York Investment Promotion Service in 1983. The grants—totaling \$220,000—funded the participation of Caribbean trainees in the program and facilitated the sharing of skills among developing country entrepreneurs. AID also provided \$100,000 to help cover the overhead expenses of the office. The New York office is the only one of the eight that is not fully funded by the host country.

## General Agreement on Tariffs and Trade

The General Agreement on Tariffs and Trade (GATT) is not a part of the UN system<sup>7</sup>, although it was created at a UN-sponsored conference. GATT also cooperates with UN organizations where appropriate. For example, the GATT Contracting Parties and UNCTAD jointly operate an International Trade Center to assist developing countries in promoting their exports.

The General Agreement is an international agreement which entered into force in January 1948. The United States has been a party to the GATT since its inception. In 1983 90 countries, accounting for more than four-fifths of world trade, were members of GATT. An additional 31 countries have either acceded provisionally or maintain a *de facto* "application" of the GATT.

GATT is the principal multilateral instrument through which the United States is working to improve the world trading system. It is both a code of rules and a forum in which negotiations and other trade discussions take place.

The most recent of the seven multilateral rounds of trade negotiations under GATT auspices was the Tokyo Round, launched in September 1973 and completed in 1979. In addition to tariff reductions, now being phased-in by the participating countries, for the first time the Tokyo Round produced agreement on rules of conduct in nontariff areas. Codes on subsidies and countervailing duties; technical barriers to trade (standards); import licensing procedures; antidumping; and trade in bovine meat, dairy products, and civil aircraft all went into effect in January 1980. The codes covering government procurement and customs valuation went into effect at the beginning of 1981. The work program adopted in November 1979 gave first priority to implementing the Tokyo Round results, and Committees have been established to administer each of the code agreements.

GATT is intended to play a major role in the settlement of trade disagreements between member countries. As in past years, several such matters involving U.S. trade were considered under GATT provisions in 1983.

In November 1982 the Contracting Parties met at the Ministerial level for the first time in nearly 10 years. The depressed worldwide trade and economic situation created a climate in which the United States felt it was particularly important to address the emerging issues of the 1980's as well as to advance unfinished business from the Tokyo Round. The Ministers authorized a work program, setting in many instances a 2-year target for completion. Work took place

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<sup>7</sup> GATT's administrative operations, however, are fully coordinated with the "UN Common System of Salaries, Allowances, and Other Conditions of Service," and GATT participates as a full member in the work of the UN system's Administrative Committee on Coordination (ACC).

throughout 1983 and will continue in most instances through much of 1984. Areas of concentration include implementation of the political declaration, which calls for resistance to protectionism through achievement of a safeguards understanding; agriculture; developing country concerns; services; and trade in high-technology goods.

In 1983 following passage of legislation implementing the trade portion of the Caribbean Basin Initiative, the United States placed before GATT a request for a waiver of customary most-favored-nation obligations. A Working Party has been established which will examine the request in 1984.

In general, GATT Contracting Parties agreed that the Multilateral Trade Negotiations Codes covering nontariff measures worked well in 1983. There were a number of notable developments in the codes during the period. In the Civil Aircraft Code, members agreed to extend product coverage for duty free treatment of parts of aircraft. In the Government Procurement Code, members began negotiations aimed at improving the agreement, expanding its coverage and considering the possibility of extending its provisions to cover leasing and services.

## **United Nations Conference on Trade and Development**

The United Nations Conference on Trade and Development (UNCTAD) is the organ of the UN General Assembly concerned with discussion of trade and economic development issues between developed and developing countries. The Conference is UNCTAD's governing body and is convened every 3-4 years. The sixth session of the Conference, UNCTAD VI, was held in Belgrade, Yugoslavia, from June 6-30, 1983. The first Conference was held in Geneva, UNCTAD Headquarters; the second, in Santiago; the third, in New Delhi; the fourth, in Nairobi; and the fifth, in Manila.

General Assembly resolution 1995 (XIX) established UNCTAD on December 30, 1964. The members of the Conference are those states which are members of the United Nations, its specialized agencies, or the International Atomic Energy Agency. Currently, 166 countries are members of the Conference and 124 of these are members of the Trade and Development Board (TDB). The Trade and Development Board, UNCTAD's executive body, meets biannually and reports to the Conference. The TDB also reports annually to the General Assembly through the Economic and Social Council.

The major UNCTAD activity during 1983 was the sixth UNCTAD Conference, which proved also to be the principal event in the ongoing process known as the North/South dialogue. UNCTAD VI closed to mixed reviews. The Group of 77 (the group comprising most

of the developing countries) characterized the Conference as having achieved "minimal results," while most of the developed countries felt that, while not an overwhelming success, the Conference did make progress. Many felt that reaching consensus on almost all of the resolutions was a signal achievement. The United States believes that one important accomplishment was simply the avoidance of a total breakdown, given the degree of difference on so many issues.

As would be expected, the agenda of UNCTAD VI covered the major areas of UNCTAD activity, as well as general economic issues of concern to the developing countries. These included trade, money and finance, commodities, economic cooperation among developing countries, and institutional issues. To no one's surprise, major differences occurred between the developed and developing countries over these agenda items as well as over the general state of the global economy.

In the area of commodities, the Conference adopted four resolutions dealing with such matters as the implementation of the integrated program for commodities, the common fund for commodities, and the processing, marketing, and distribution of commodities. The United States voted against one of these resolutions which concerned compensatory financing of export earnings shortfalls on the grounds that export earnings stabilization was an overall balance-of-payments issue that should be addressed in the IMF and not in UNCTAD. Concerning the major resolution on trade, the United States called for a vote and voted against two paragraphs which dealt with UNCTAD activities in the area of trade in services. The United States in its statement noted that the paragraphs in question dealt inadequately with the issue of complementarity between GATT and UNCTAD. The United States noted, as well, that throughout the Conference the Group of 77 had repeatedly taken the position that GATT had no role in services. The United States could not accept this position.

In the area of money and finance, five resolutions were adopted dealing *inter alia* with international monetary issues, official development assistance, and external debt. The United States and its Group B<sup>8</sup> partners made a number of interpretive statements on these resolutions stressing the importance of respecting the roles of the specialized agencies (IMF, IBRD), and of giving due recognition to the importance of foreign direct investment in the development process.

A number of items, e.g., questions dealing with UNCTAD's institutional framework, were remanded to the Board. There was also a statement on the world economy which was appended to the report of one of the working groups. The United States dissociated

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<sup>8</sup> Each member of UNCTAD is assigned to Group A, B, C, or D on the basis of a combination of geographic and economic factors. Group B is the group of Western developed countries.

itself from this document, while several other Western countries made statements of reservation.

Following the Conference, UNCTAD held the Board's 27th session on October 3-20, 1983. This session must be considered a setback to whatever limited progress was accomplished at UNCTAD VI on the North/South dialogue, since the Group of 77 again reopened for debate issues on which there was little hope for agreement.

As a result of UNCTAD VI and the subsequent Board meeting, the United States decided that it would be in its interest to clarify those elements of the North/South dialogue process that it believed were not providing positive impetus to the process of economic development. The United States, therefore, began to conduct intensive discussions with the other OECD countries to see where improvements might be made in the overall process of dialogue and in UNCTAD.

## **Least Developed Countries**

In 1983, UN system activity regarding the least developed countries<sup>9</sup> focused on the implementation of the "Substantial New Program of Action for the 1980's for the Least Developed Countries." The action program had been adopted at the UN Conference on Least Developed Countries, held in 1981.

UNDP and the IBRD have played leading roles in managing the country review process mandated by the action program, which calls for a periodic international review of each of the countries' development plans, economic situation and prospects, as well as the terms, conditions, and effectiveness of assistance. In May 1983 UNDP convened a joint conference in Geneva for a roundtable discussion on the least developed countries in the Asian and Pacific region, with separate working group discussions for Afghanistan, Bhutan, Laos, Maldives, and Western Samoa. UNDP also scheduled several separate meetings for the same purposes in the Africa region during 1983.

Further actions on implementation of the action program revolved around the work of UNCTAD and the General Assembly. UNCTAD VI, held June 6-30 in Belgrade, dealt extensively with the Substantial New Program of Action. The debate centered on four substantive issues: official development assistance targets, debt, compensatory financing for commodity export earnings shortfalls, and IMF conditionality. After extensive negotiations, the United States was able to

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<sup>9</sup> The 36 designated least developed countries are Afghanistan, Bangladesh, Benin, Bhutan, Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Djibouti, Equatorial Guinea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Laos, Lesotho, Malawi, Maldives, Mali, Nepal, Niger, Rwanda, Sao Tome and Principe, Sierra Leone, Somalia, Sudan, Tanzania, Togo, Uganda, Upper Volta, Western Samoa, Yemen (Aden), and Yemen (Sanaa).

join the consensus on these subjects as contained in resolution 142(VI). References to IMF conditionality were withdrawn, and in a U.S. statement of interpretation after the vote, the U.S. Delegation repeated its well known position of not accepting official development assistance targets related to the gross national product, expressed its difficulties with the vagueness of the debt paragraph, and stated its belief that the International Monetary Fund is the appropriate place to discuss the balance-of-payments problem of export earnings shortfalls.

## **GENERAL ASSEMBLY**

On November 25, Mexico introduced in the Second Committee, on behalf of the members of the Group of 77, a draft resolution entitled "Implementation of the Substantial New Program of Action for the 1980's for the Least Developed Countries." The draft was considered at two meetings on November 25 and December 9. At the latter meeting, a draft based on informal consultations on the original draft, was introduced by the Vice Chairman of the Committee. This draft was approved by the Committee without a vote and the draft introduced by Mexico was withdrawn. Among other things, the draft resolution (1) reaffirmed that the least developed countries have primary responsibility for their overall development; (2) pointed out that, although international support measures are vitally important, the domestic policies that those countries pursue will be of critical importance to the success of their development efforts; (3) urged negotiations on the seventh replenishment of the International Development Association; (4) urged donor countries to respond positively to requests from the least developed countries for alleviation of their debt burden resulting from official development assistance, as well as to provide such assistance to those countries on an untied basis to the maximum extent possible; (5) recommended that the first round national review meetings on the implementation of the program of action be completed by 1983 or soon thereafter; and (5) urged donor countries to attain .15% of their GNP as official development assistance or to double that assistance by 1985 or as soon as possible thereafter. The draft was adopted by the plenary Assembly on December 20, also without a vote. (Resolution 38/195.)

Speaking in the Second Committee after the vote, the U.S. Representative, Ambassador Alan Keyes, said that his Delegation had supported the draft resolution because it was extremely interested in the future of the least developed countries and was aware of the importance of the consensus which had emerged within the Second Committee regarding the disquiet caused by the situation of those countries. Nevertheless, the U.S. Government thought that the financial implications of the draft resolution should have been

absorbed in the program budget for the biennium 1984-85, since it firmly adhered to the objective of zero growth in the UN regular budget.

## **Commission on Transnational Corporations**

The Commission on Transnational Corporations was established in 1975 by ECOSOC resolution 1913 (LVII) to assist the Council "in fulfilling its responsibilities in the field of transnational corporations." Its mandate includes (1) acting as the forum within the UN system for consideration of issues relating to transnational corporations (TNCs), (2) promoting the exchange of views between and among governments and nongovernmental groups, (3) providing guidance to the UN Center on Transnational Corporations, and (4) developing a code of conduct relating to transnational corporations.

The Commission held its ninth session in New York, June 20-30, 1983. Dr. Seymour Rubin, U.S. Representative to the Commission, led the U.S. Delegation. The main subjects discussed were: recent developments related to transnational corporations and international economic relations; activities of the UN Center on Transnational Corporations, including allocation of resources among the Center's program elements; work related to the formulation of a Code of Conduct on Transnational Corporations; a comprehensive information system on transnational corporations; international standards of accounting and reporting; technical cooperation; studies on the effects of the operations and practices of transnational corporations, including TNC activities in southern Africa; and work related to the definition of transnational corporations.

### **CODE OF CONDUCT**

The Commission, at its regular session, considered the reports of the two meetings of the special session of the Commission held in New York March 7-18 and May 9-21, 1983. This special session was to complete the work done over 7 years and 17 meetings of the Commission's previous Intergovernmental Working Group (IGWG) on the draft Code of Conduct. Although the special session achieved agreement on several paragraphs—those dealing with contract negotiations, balance of payments, environmental and consumer protection, disclosure of information, and followup—it ended in a stalemate because of continued disagreement over issues of fundamental importance to the OECD countries, including the United States. The major negotiations, particularly at the May meeting, focused on attempts of the Group of 77 and some Eastern European countries to have the "package" proposed by the Mexican Chairman of the meeting accepted as a "compromise" by OECD countries. They

claimed the Chairman's text was a carefully balanced whole which, in effect, could not be further negotiated. This position effectively precluded any progress since several OECD countries, including the United States, found that the Chairman's package did not begin to meet their fundamental concerns, namely, that the Code should be voluntary, balanced in terms of responsibilities of governments and firms, nondiscriminatory against TNCs as opposed to domestic enterprises, in accord with international law, and applicable to all enterprises regardless of ownership. The Commission noted that since the special session report did not contain a recommendation on future Code work, it recommended that the second regular session of ECOSOC provide "political" guidance on this matter. The Group of 77 and OECD countries were, however, unable to reach agreement at ECOSOC, and it was decided to transmit this report to the 38th General Assembly for its consideration and action.

On November 28, the Second Committee of the General Assembly considered a draft decision submitted by the Chairman of the Committee. The draft decided to reconvene, for 1 week early in 1984, the special session of the Commission open to the participation of all states, for the purpose of assessing the work on the draft Code of Conduct and to facilitate the negotiation of outstanding issues. If the outcome of this assessment were favorable, the reconvened special session, at the end of the meeting, would recommend to the Council, at its organizational session for 1984, the reconvening of a final meeting of the special session for the completion of the Code. The decision was approved in Committee on the same day and adopted in the plenary Assembly on December 19, in both cases without a vote. (Decision 38/428.)

## **United Nations Children's Fund**

The United Nations Children's Fund (UNICEF), founded in 1946 to assist in meeting the emergency needs of children in the aftermath of World War II, has become an organization providing long-term humanitarian assistance to needy children and mothers in developing countries throughout the world. Because of its apolitical character, UNICEF has been able to fulfill its mandate all over the world, including areas in political turmoil, such as Lebanon.

UNICEF is a voluntarily funded organization. In 1983 UNICEF received \$184 million in voluntary contributions to its general resources from 108 governments. The United States contributed \$42.5 million, thus making it the largest contributor, accounting for 23% of governmental contributions. Other major donors included the Governments of Sweden (\$19.4 million, 10%), Norway (\$16.3 million, 9%), Italy (\$16.1 million, 9%), Canada (\$10.7 million, 6%), and the United Kingdom (\$9.2 million, 5%).



In addition to the projects implemented from general resources, UNICEF also identifies many worthwhile projects each year which its general resources are insufficient to pay for. These projects are listed as "noted projects" in an annual catalog. Noted projects are only implemented if donors contribute additional funds for a specific project. In addition, UNICEF sometimes makes appeals for emergency funds to assist children and mothers affected by natural or manmade disasters. In 1983 governments contributed \$72 million to UNICEF supplementary funds for noted projects and emergencies.

In addition to contributions from governments, UNICEF also receives a significant portion of its income from private donors each year. For example, in 1983 UNICEF received \$59 million in private donations and the net profits from the sale of greetings cards throughout the world. This amount accounted for 17% of its total income (i.e., both general resources and supplementary funds). This included \$9.8 million from private contributors and the net profit from the sale of greeting cards in the United States. UNICEF's success in raising funds from private sources is unique in the UN system and is largely due to the fundraising activities of 33 national committees. The U.S. Committee for UNICEF, a nonprofit organization which has 3 million volunteers throughout all 50 States, is the largest and among the most active of these national committees.

In 1983, UNICEF expended \$245.9 million on projects in 113 countries. The major types of assistance provided included \$67.7 million for clean water supplies and sanitation (27.6% of UNICEF program expenditures), \$58.2 million for basic child health (23.7%), \$40.4 million for formal and nonformal education (16.4%), \$19.2 million for child nutrition (7.8%), \$17.7 million for social welfare services for children (7.2%), and \$13.4 million for emergency relief (5.4%).

The following are examples of the type of assistance provided by UNICEF which has helped to expand applied nutrition programs in 94,600 villages and communities throughout the developing world by providing equipment and technical assistance to nutrition centers and demonstration areas; provided grants for training 69,000 health personnel, ranging from doctors to midwives and community health workers, as well as technical supplies and equipment for 44,800 health centers of various kinds; encouraged 49 countries to embark on programs to control diarrheal disease and, as part of these programs, supplied 25 million packets of oral rehydration salts and supported the local production of another 20 million packets; and helped to complete 76,824 systems which either treat or supply safe water and to complete 126,819 excreta disposal installations.

In Lebanon, despite the unsettled conditions and fighting, UNICEF continued to implement its \$60 million, multiyear program to reconstruct educational, potable water, and health facilities in

Beirut and southern Lebanon. The funding for this program included \$13.1 million contributed by the United States in late 1982.

UNICEF has its Headquarters in New York, and its professional staff is headed by an Executive Director, James Grant, a U.S. citizen who has held this position since January 1, 1980. He receives policy guidance and direction from a 41-nation Executive Board, one-third of whose members are elected annually by ECOSOC for 3-year terms. The United States has always been a member of this Board. The Board meets annually, but special sessions or mail polls are sometimes used to decide issues which cannot wait until a regular session of the Board.

## **1983 SESSION OF THE UNICEF EXECUTIVE BOARD**

The UNICEF Executive Board held its regular annual meeting in New York, May 9–20, 1983. At its opening session, the Board paid a special tribute to Danny Kaye, UNICEF's Goodwill Ambassador Extraordinaire, for his 30 years of devoted and untiring service to UNICEF and the world's children.

The 1983 session was the first meeting of the expanded Executive Board which has 11 new members, bringing the total to 41.<sup>10</sup> In view of the fact that the 1981 and 1982 Board meetings were distracted by discussions on disarmament resolutions, there was concern over whether the expansion of the Board in 1983 would exacerbate the tendency for the Board to become involved in extraneous political matters. Fortunately, these fears proved groundless. The 1983 Board kept its attention tightly focused on UNICEF's budget and programs. No resolutions on disarmament or other extraneous matters were introduced. In short, this session represented a return to UNICEF's longstanding apolitical tradition.

The Board approved the budget for UNICEF for the biennium 1984–85, which included program expenditures of \$219.8 million. These funds will be allocated as follows: \$124.5 million for program activities; \$55.4 million for general administration and program support; \$26.8 million for external relations; and \$13.1 million for overall policymaking, direction, coordination, and control.

From the viewpoint of the United States, this session of the UNICEF Executive Board was very successful both because of its apolitical character and because the U.S. Delegation achieved several policy changes with the support of other delegations. For instance, the United States persuaded the Board to alter UNICEF policy on

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<sup>10</sup> Members of the Board in 1983 were Algeria, Austria, Bahrain, Bangladesh, Barbados, Belgium, Botswana, Brazil, Canada, Central African Republic, Chad, Chile, China, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Italy, Ivory Coast, Japan, Madagascar, Mexico, Nepal, Netherlands, Norway, Pakistan, Panama, Somalia, Swaziland, Sweden, Switzerland, Thailand, Togo, U.S.S.R., United Arab Emirates, United Kingdom, United States, Upper Volta, Venezuela, and Yugoslavia.

noted projects. As a consequence, UNICEF will begin including overhead expenses in the costs of noted projects. Henceforth, such donor contributions will cover all project costs. UNICEF's Secretariat will report to the Board on its experience in implementing this policy (probably at its 1985 session).

In response to a proposal from the UNICEF Secretariat that the budget for the UNICEF Packing and Assembly Center (UNIPAC) be incorporated into UNICEF's regular budget, the U.S. Delegation took the lead in persuading the Board to make this incorporation provisional subject to (1) its review at a future Board once all the elements of the supply division consolidation are fully operational; (2) UNIPAC continuing to be completely self-financed; and (3) a study of UNIPAC by independent experts outside UNICEF to be submitted to the Board for review and final decision.

Finally, the U.S. Delegation, in cooperation with several other Western delegations, succeeded in negotiating a compromise which resulted in the Board approving half of the \$1.25 million in optional funding proposed by the Secretariat for strengthening UNICEF programs in West Africa and to provide services for urban children. The U.S. Delegation consulted closely with representatives of the U.S. Committee for UNICEF throughout the Board session, enhancing the cooperation between the Government representatives and those of the private sector on UNICEF matters.

## THE CHILD HEALTH REVOLUTION

On December 17, 1982, UNICEF released the third report of the series entitled *The State of the World's Children, 1982-83*. In this report, UNICEF Executive Director James Grant urged broad collaboration among multilateral and bilateral aid donors, private voluntary agencies, developing country governments, and local communities to use recent developments in medical science and social organization to reduce deaths among children in most developing countries by at least half before the end of the century and, in many places, within a decade. In effect, this would be a "health revolution" which could save the lives of 20,000 children per day.

The new medical technologies Mr. Grant referred to include low-cost, heat-stable vaccines which can be used in remote areas and oral rehydration therapy (ORT), an inexpensive home treatment for combating dehydration resulting from diarrhea, the leading cause of death among children in developing countries. The World Health Organization has played a leading role in developing and distributing these vaccines, and UNICEF is cooperating closely with WHO in this area. ORT was developed by the Institute for Diarrheal Disease Research in Bangladesh. WHO and AID have given the Institute substantial support for many years.

UNICEF joined AID and the World Health Organization in cosponsoring the International Conference on Oral Rehydration Therapy held in Washington, D.C., June 7-10, 1983. This conference brought together health experts from throughout the world and community leaders from developing countries to exchange experiences and develop strategies for making more extensive and effective use of ORT to combat dehydration in young children suffering from diarrheal diseases.

Other elements of the UNICEF approach include the use of infant growth charts to detect malnutrition, intensified efforts to promote breastfeeding, and encouraging the spacing of children, whose chances of survival would thereby be improved.

During 1983 UNICEF's report attracted extensive media attention and endorsements from many world leaders. President Reagan issued a statement expressing U.S. support for this UNICEF-inspired effort on April 18, 1983, and the U.S. Congress passed a joint resolution urging support. At its regular 1983 session in May, the UNICEF Executive Board strongly endorsed these initiatives to improve child health and emphasized the importance of strengthening international cooperation in this area.

On December 8, 1983, UNICEF released *The State of the World's Children, 1984*. This report again focused on the child health revolution, describing UNICEF efforts to promote and implement elements of the revolution in several developing countries. This report was especially useful in that it described both successes and failures and attempted to analyze the reasons for each.

## **AMERICANS IN UNICEF**

In 1983 Americans held 18.3% of the professional positions in UNICEF. More importantly, U.S. citizens occupied key policy positions including the executive directorship of UNICEF and the directorships of two out of UNICEF's six regional divisions.

## **UNICEF EXPENDITURES IN THE UNITED STATES**

In 1983 UNICEF expended \$92.6 million in the United States. This includes \$35.8 million for supplies, freight, and other services; \$7.4 million in connection with its greeting card operations; and \$49.4 million for staff and staff-related expenses.

## **Human Settlements**

The United States participated in the sixth session of the Commission on Human Settlements which met in Helsinki from April 25-May 6, 1983. The Commission provides policy guidance to the Center

for Human Settlements (Habitat) located in Nairobi, Kenya. Of the 58 member states, 49 were represented at the meeting. Representatives of other states attended in observer status. In addition to representatives of UN specialized agencies, other UN bodies, UN intergovernmental organizations, and four national liberation movements, 21 nongovernmental organizations were present as observers.

The U.S. Delegation to the Commission, and particularly Mr. Jack Carlson, the private sector adviser, played a leading role in the discussion and composition of a resolution on the special-theme-topic of the session, "Land for Human Settlements." As a result of this discussion the Commission adopted by consensus a decision entitled "Land for Housing the Poor." The decision gave recognition to the fact that the poor, given access to and tenure over land, had demonstrated their ability to participate effectively through self-help in producing their own shelter. The Commission also endorsed the principle of better access to land for the poor as a fundamental requirement of meeting their housing needs, particularly in developing countries. The key operative provisions of the decision called on governments to make "sufficient and appropriate land available to the poor for housing with security of tenure at affordable prices," and to "pursue vigorously appropriate and effective programs of land registration to ensure security of tenure, especially for the poor." The overall sense of this resolution was that governments should concentrate on making land and infrastructure available to the poor while individuals and the private sector should concentrate on the construction of houses.

While the U.S. Delegation approved of the general outlines of Habitat's proposed program budget for 1984-85 and its plans for the 1987 International Year of Shelter for the Homeless, it was unable to accept a consensus on these two items in Helsinki because both contained items which the United States considered to represent unacceptable growth in the budget for programs.

The Commission adopted by consensus a resolution, "Assistance to victims of apartheid and colonialism in Africa." However, the United States made a statement to the effect that, while the United States deplores apartheid and colonialism, the Commission is not in the U.S. view the proper forum for this kind of political issue and had the matter come to a vote, the Government would not have supported it.

The U.S. Delegation strongly opposed the resolution, "Human Settlements in the occupied Palestinian territories," which attacked Israel and indicated continued UN support for the Palestine Liberation Organization. The U.S. Representative, John T. Howley, Deputy Director, Office of Housing and Urban Programs in AID, told the Commission that it was well known that the United States was currently engaged in efforts to restore the momentum necessary to assist the parties in the Middle East to move toward a just and

lasting peace through negotiation. He emphasized that "President Reagan had made clear our position on settlements when he presented his September 1, 1983, peace initiative." He added that at the same time the President had noted that "the immediate adoption of a settlement freeze by Israel, more than any other action, could create the confidence needed for wider participation in the peace negotiations." Mr. Howley concluded his remarks, however, by stating that he was voting against this resolution because it introduced an extraneous issue which politicizes the deliberations of what should be a technical body; and because the resolution lacked balance and, in effect, was a blanket condemnation of Israel which does not further peace or justice in the area. Although the Rules of Procedure of the Commission require a usual span of 24 hours between the introduction of a resolution and a vote thereon, the sponsors of the resolution were successful in having the rule set aside in this instance, and in a forced vote the resolution was adopted by 28 to 4 (U.S.), with 12 abstentions.

The Commission adopted 11 additional resolutions, none of which required action by the General Assembly, and 4 additional decisions.

During the sixth session, the United States attempted to lay the groundwork both to substitute the current annual meetings of the "Bureau"—the elected officers of the Commission—with periodic meetings of Permanent Representatives to Habitat headquartered in Nairobi and establish biennial meetings of the Commission. The sixth session approved the following special themes for the seventh session: (1) "A systematic and comprehensive approach to training for human settlements; and a (2) systematic and comprehensive approach to information for human settlements." The Commission accepted the invitation of the Government of Gabon to hold the seventh session in Libreville from April 30–May 11, 1984.

## **ECOSOC**

The United States sought another 3-year term on the Commission and won reelection during the 1983 first regular session of ECOSOC. This session also sent to the 38th General Assembly without extensive debate the report of the Commission and the two other resolutions requiring General Assembly action.

## **GENERAL ASSEMBLY**

On December 19, the General Assembly adopted three resolutions relative to human settlements under the agenda item "Development and International Cooperation." The resolutions were considered and approved by the Second Committee at three meetings between November 4 and 21.

The first resolution was introduced by Pakistan on behalf of eight other cosponsors, and was entitled "Living conditions of the Palestinian people." The draft *inter alia* affirmed that Israeli occupation was contradictory to the basic requirements for the social and economic development of the Palestinian people in the West Bank and the Gaza Strip, recognized the need for a comprehensive report on the impact of the Israeli settlements on the living conditions of the Palestinian people in the occupied territories, and requested the Secretary General to prepare for the 39th General Assembly a comprehensive report on the current and future impact of the Israeli settlements on the living conditions of the Palestinian people in the occupied territories, including a comparison between the living conditions of the latter and those of the residents of the Israeli settlements. The resolution was approved in Committee by a vote of 131 to 2 (Israel, U.S.), with 0 abstentions. It was adopted in the plenary Assembly by a vote of 142 to 2 (Israel, U.S.), with 0 abstentions. (Resolution 38/166.)

The U.S. Representative in the Second Committee, Dennis Goodman, said that his Delegation shared the concern of the international community about the conditions under which Palestinians were living in the Middle East. Its concern was not, however, confined to Palestinians in the West Bank; it also extended to Lebanon, where the actions of Palestinian factions and of their supporters had inflicted suffering on Palestinian people. The text just adopted would further exacerbate tensions in the area. The new report called for in the resolution would cost \$81,000, not one cent of which would find its way to needy Palestinians.

The second draft, introduced on November 4 by the Netherlands and cosponsored by three other member states, consisted of two parts entitled "Report of the Commission on Human Settlements" and "Coordination of Human Settlements programs within the UN system." This draft was replaced on November 21 by a draft resolution introduced by the Committee Vice Chairman. The draft *inter alia* commended the Commission on its sound and practical approach to development as reflected in its report; appealed for an increase in voluntary contributions to the UN Habitat and Human Settlements Foundation in support of the activities of the Center; restated its conviction that full participation of the Administrative Committee on Coordination is essential for the Center to fulfill its mandate; and requested the Secretary General to intensify his efforts to arrange for the Center to participate fully in the work of the Committee without further delay. On the same day, the draft was approved without a vote in Committee and adopted by the General Assembly in the same manner. (Resolution 38/167.)

The draft resolution "International Year of Shelter for the Homeless" was recommended to the General Assembly by the Commission

through ECOSOC. This draft *inter alia* endorsed overall plans for activities before, during, and after the "International Year of Shelter for the Homeless" and endorsed the proposals in the annex to the draft on action needed before April 1984 in order to launch the Year quickly and effectively. The annex called for: (1) an outline of action needed; (2) assessment of the existing situation and further needs; (3) beginning of the implementation of demonstration projects for the Year; and (4) national progress reports. The draft was adopted without a vote in Committee on November 14. The plenary Assembly adopted it in the same manner. (Resolution 38/168.)

In late October 1983, while in the United States for the General Assembly, Dr. Arcot Ramachandran, Executive Director of the UN Center for Human Settlements (Habitat), visited Washington for conversations within the executive branch (i.e., the Departments of State, Housing and Urban Development, and AID), the Congress (with Members and staff of the Subcommittee on Human Rights and International Organizations of the House Committee on Foreign Affairs), with international organizations (i.e., the World Bank and the Inter-American Development Bank), with nongovernmental organizations (e.g., the Council for International Urban Liaison and the Cooperative Housing Foundation), and with the private sector (i.e., the National Association of Realtors). Much of Dr. Ramachandran's emphasis during these talks was on plans for the International Year of Shelter for the Homeless and on the importance of the role of training for institution building and self-sufficient development.

## **Population Activities**

The UN Fund for Population Activities (UNFPA) was established in 1967 by the UN Secretary General as a special trust fund. Since 1973 the Fund has operated with a separate identity and the general oversight of the UNDP Governing Council. UNFPA is second only to the U.S. Government as a source of assistance for population activities in developing countries. It has an annual budget of \$130 million and finances projects in over 120 countries. The principal concerns for the Fund are to devote an increasing ratio of its resources to family planning, to confine its commitment levels to reasonable resource expectations, and to retain sufficient flexibility so that the magnitude and kinds of assistance will be geared to the circumstances of the recipient country. The Fund is also preoccupied with the International Conference on Population scheduled for August 6-13, 1984, in Mexico City. Preparatory meetings at the regional, expert, and international level were scheduled for late 1983 and early 1984.

Total allocations for 1983 were \$130.5 million, of which \$109 million (83.5%) went to country and regional programs and \$21.5



million (16.5%) to intercountry programs. This was an increase over the 1982 allocations level of \$120.4 million, when \$84.7 million (70.3%) was devoted to country programs. In 1983 the share for family planning activities was \$54 million (41%). UNFPA depends entirely on voluntary contributions from member governments for its income. Contributions in 1983 were \$131.5 million, up 9.2% from the 1982 total of \$120.4 million. The United States continued to provide the largest contribution with \$33.76 million (25.7%).

At its 29th session, the UNDP Governing Council directed UNFPA to increase the share of resources going to family planning activities; to restrict intercountry activities to 25% of total program resources, providing appropriate assistance to the regional commissions; to continue the system of priority countries, devoting two-thirds of country program resources to priority countries; and to increase the level of its financial contribution and the effectiveness of its support for contraceptive research, contributing at least \$2 million to the World Health Organization's program of research, development, and research training in human reproduction. At its 30th session in June 1983, the Council members expressed general satisfaction with UNFPA's progress in implementing those directives, and, in particular, emphasized the redirected priority for family planning and related activities.

The United States has consistently played a leading role in the policies and planning of UNFPA through our participation in Council deliberations, informal representations to the Fund leadership in New York, and through coordination and cooperation in field project activities of the Fund and AID.

The Economic and Social Council, at its second regular session in August 1982, had adopted a series of resolutions concerning the International Population Conference in 1984 that accepted the offer of the Government of Mexico to act as host; recommended that the General Assembly approve a budget for the conference of \$2.3 million of which no more than \$800,000 would come from the UN regular budget; and scheduled the next meeting of the Population Commission for January 1984 and named that body as the preparatory committee for the conference. By resolution 38/148 of December 19, 1983, the General Assembly accepted these decisions. The Executive Director of UNFPA, Rafael Salas, who has been appointed Secretary General of the conference, reported that the financing targets had been met and that any expenses prior to the conference would be met from extrabudgetary funding.

## **World Food Council**

The World Food Council (WFC) was created by the UN General Assembly pursuant to a resolution of the 1974 World Food Con-

ference. The Council has no operational functions; it is an executive body whose functions are primarily to advise, coordinate, and recommend. A ministerial session of the WFC is held each year to review major problems and policy issues affecting the world food situation and make recommendations to the UN agencies, regional organizations, and governments on an integrated approach toward solving world food problems. The Council has 36 members<sup>11</sup>, selected to represent the several regions of the world. Member governments are elected for 2-year terms and may be reelected. The United States and the U.S.S.R. have been members of the Council since the beginning.

In 1983, the World Food Council held three consultations on regional food trends, strategies, and priorities in developing regions: (1) a "Ministerial Consultation on Food Trends, Strategies, and Priorities in Asia," in Manila, February 22-24, 1983; (2) a "Roundtable on National Food Strategies in Africa," in Montpellier, France, March 22-24, 1983; and (3) a "Ministerial Consultation on Food Strategies and Policies in Latin America and the Caribbean," in Quito, Ecuador, April 25-27, 1983. These regional consultations, held in preparation for the ninth ministerial session of the WFC, confirmed that in the three regions, national food strategies were an essential element of national development plans or were being formulated with a view to their incorporation in those plans.

The ninth ministerial session of the World Food Council was held for the first time at UN Headquarters in New York from June 27-30, 1983. The two major items on the agenda were: food trends, strategies, and priorities in developing regions; and food security issues. The Council emphasized the importance of keeping food and agricultural issues in the forefront of the global agenda and recognized that achievement of the food objectives of developing countries were being severely constrained by the worldwide economic recession and political environment. The issue of food security did not generate the degree of intense discussion that it had in the eighth ministerial session, which addressed the 1982 Secretariat proposal to create a system of developing country-owned grain reserves. The ninth ministerial did not endorse such a reserve system.

The Council's regional reviews highlighted the dualistic structure of the food economy in many countries in which a large traditional subsistence element, comprised of small landholders and tenant farmers, coexists alongside modern, larger scale farming. Incomes are skewed in favor of the modern sector, and rural poverty continues to be the dominant feature of developing regions. Dualism

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<sup>11</sup> WFC member countries in 1983: Argentina, Australia, Bangladesh, Botswana, Canada, China, Colombia, Ecuador, Egypt, Ethiopia, France, Gambia, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Haiti, Hungary, India, Indonesia, Italy, Japan, Mexico, Nicaragua, Nigeria, Norway, Pakistan, Rwanda, Tanzania, Thailand, U.S.S.R., United Arab Emirates, United States, Venezuela, Yugoslavia, and Zaire.

in Latin America appeared as a dynamic, modern, large-scale commercial agriculture, in contrast to the large numbers of farmers with limited resources in the low-productivity traditional rural areas. In sub-Saharan Africa a major constraint for food production appears in urban-rural terms of trade. Government policies, particularly price policies, result in severe disincentives to domestic land production. Even export crops are sometimes hampered by export taxes. The dualism in the Asian food economy is related to the lack of access to water, for it was in the irrigated areas that some countries achieved the remarkable food production increases of the last decade. Much less progress was evident in the rain-fed areas.

The Council generally agreed that the use of food aid should be considered within general national agricultural policies in each individual recipient country and that food aid, when badly planned and managed, could constitute a disincentive for producers or contribute to increased external dependence.

U.S. Department of Agriculture Secretary John R. Block, in addressing the session, said that food aid was one means to achieve food security in the short term. In the longer term, countries should be helped to focus on those crops that they could grow efficiently. Long-term, noninflationary economic recovery was also essential for food security. Secretary Block reiterated U.S. food aid policy that gives careful consideration to developmental benefits and the possible negative effects of U.S. food aid. With regard to food reserves, he pointed out that the United States not only maintained a large share of world grain reserves but had also established a special food security reserve holding four million tons of wheat to back up U.S. food aid commitments. Secretary Block also expressed doubt that a new international grains agreement was a prerequisite for world food security, emphasizing that the International Wheat Council is, in the U.S. view, the appropriate forum for discussion of grains agreements involving wheat.

All Ministers agreed that the current worldwide economic recession had had a major adverse impact on the food and agricultural sectors in both developed and developing countries. Resulting international and domestic market instability discouraged rural development and also made it more difficult to draw up agricultural and food policies. During the discussion a number of international development agencies, such as FAO and WFP, gave statements outlining the nature of their agricultural assistance programs.

On December 19 the plenary Assembly adopted without vote two resolutions that had been referred to it by the Second Committee. The first had been introduced in Committee by Mexico on behalf of the Group of 77. It gave special emphasis to the Council's conclusions about the critical situation of food and agriculture in Africa. Among other things, the resolution (1) urged the international community to

supplement, through increased financial and technological assistance, the national efforts of the African countries to achieve the goals and objectives in the Lagos Plan of Action; (2) called upon all in the UN system to support efforts undertaken by African countries at all levels to increase food production; and (3) recognized that an international year for the mobilization of financial and technical resources for food and agriculture in Africa would be a useful mechanism for focusing international attention on the problem, and that it could accelerate the process that would lead to a significant improvement of the situation in Africa. (Resolution 38/159.)

The second had been introduced by the Vice Chairman of the Committee after informal discussions. This resolution *inter alia* welcomed the conclusions and recommendations of the ninth ministerial session of the World Food Council, in particular those relating to the regions of Africa, Asia, and Latin America; reaffirmed that the right to food is a universal human right and that food should not be used as an instrument of political pressure; and noted with satisfaction the World Food Council's plan to prepare for its 10th session in 1984 a special assessment of the progress made and the tasks ahead to achieve the objectives of the 1974 World Food Conference. (Resolution 38/158.)

## **SOCIAL ISSUES**

### **Drug Abuse Control**

Throughout 1983 the United States continued to assert its leadership in the UN system in the area of international drug control, as President Reagan reiterated his concern about narcotics abuse and trafficking as issues of serious domestic and international importance. In the three intergovernmental bodies most directly involved in drug control activities—the Commission on Narcotic Drugs, the Economic and Social Council, and the General Assembly—the United States continued to play the primary role in policy formulation while encouraging other countries to increase their own drug control efforts. The U.S. influence in the UN drug control bodies was enhanced by effective representation in UN meetings and through steady contact with UN drug control officials in Vienna and New York. The regular budget of the UN drug control agencies was maintained at an acceptable level and voluntary contributions to the UN Fund for Drug Abuse Control (UNFDAC), an important priority for the United States, reached an unprecedented level primarily because of Italy's major contribution. Efforts were continued to maintain the favorable number of U.S. citizens employed by the UN drug control agencies through the support of incumbents and through the establishment of a new recruitment procedure to

encourage additional hiring of qualified U.S. nationals. The U.S. private sector was kept fully informed and involved in appropriate decisionmaking processes. This involvement included private sector participation in drug scheduling hearings and various UN meetings and consultations.

## **COMMISSION ON NARCOTIC DRUGS**

The Commission held its 30th regular session in Vienna, February 7-16, 1983. Delegations attending the session represented 29 of the 30 Commission members<sup>12</sup>, 37 observer countries, 10 UN bodies and international organizations, 24 intergovernmental and nongovernmental organizations, and private industry representatives. Mr. Dominick L. DiCarlo, Assistant Secretary of State for the Bureau of International Narcotic Matters, was the U.S. Representative. The U.S. Delegation included representatives from the Departments of State, Justice, and Health and Human Services, and U.S. Congressman Benjamin Gilman of New York. At the beginning of the session, Mr. DiCarlo delivered a statement on behalf of President Reagan expressing concern over the growing international drug problem and stressing the need for increased international action.

During the session it was evident that international concern had increased over the continued growth worldwide of drug abuse and trafficking problems. More types of drugs of abuse were reported to have spread to more countries. In particular new cocaine abuse was reported in some countries (primarily Europe) where such abuse had not been reported previously. These reports, along with the emphasis given to the problem of cocaine abuse by the various UN agencies, alerted the Commission to the need for new measures to prevent the burgeoning production, use, and trafficking of coca and its derivatives.

During its deliberations, the Commission endorsed the U.S. position on budget control and approved two resolutions drafted by the U.S. Delegation. In addition to putting new stress on coca control, as the U.S. Delegation had urged, the Commission endorsed the U.S. policy of linking economic assistance to crop control and enforcement actions and concurred with the view that international assistance should be targeted to those countries that are committed to upholding obligations under the international treaties.

### **Situation and Trends in Drug Abuse and the Illicit Traffic**

Statements made at the Commission by the Division on Narcotic Drugs, the International Narcotics Control Board, and UNFDAC, as

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<sup>12</sup> CND member countries: Argentina, Australia, Bahamas, Belgium, Bulgaria, Colombia, France, Federal Republic of Germany, Hungary, India, Italy, Japan, Madagascar, Malawi, Malaysia, Mexico, Nigeria, Norway, Pakistan, Panama, Republic of Korea, Senegal, Spain, Thailand, Turkey, U.S.S.R., United Kingdom, United States, Yugoslavia, Zaire.

well as by member countries and observers, indicated the trafficking of narcotic and psychotropic substances continued to increase. It was noted by the Division on Narcotic Drugs that the amount of heroin seized worldwide in 1982 was 120% more than was seized in 1981 and that in some cases links between drugs and underground arms purchases had been established. Delegates confirmed that heroin from Southeast and Southwest Asia was increasingly available. Some delegates also reported that there was an increase in opiates originating from the Middle East and that opiates were still being processed in Europe for U.S. distribution.

Because of increasing concerns about cocaine abuse, several European delegations urged that coca control be given a higher priority in the future. Most countries expressed concern for the burgeoning trafficking of psychotropic drugs; African nations called for additional resources and law enforcement training to assist them in controlling these substances.

Drug abuse involving two or more drugs at a time, often in combination with alcohol, was reported to be a predominant pattern in many Western nations. Cannabis continued to be the world's most abused illicit drug, with trafficking in cannabis liquid and resin reportedly escalating. The U.S. Delegation reported an overall decline in the prevalence of drug abuse during 1982 and indicated that, while pleased with this improvement, it was equally important to recognize that drug abuse was still at unacceptably high levels in the United States.

A number of countries expressed appreciation for U.S. assistance in this field. Many also expressed approval for increased international cooperation among law enforcement agencies. Several delegates supported measures to identify and confiscate the financial assets of drug traffickers, to strengthen extradition processes, to identify clandestine laboratories and monitor precursors of illicit drugs, to facilitate the exchange of intelligence and other informational records among concerned nations, and to use "controlled deliveries" as a valuable enforcement technique in accordance with national laws.

### **International Drug Control Strategy**

In keeping with the International Strategy and Policies for Drug Control and the 5-year Program of Action endorsed by the General Assembly in 1981, the Commission reviewed projects planned for execution in 1983, examined and prioritized proposed projects for regular budget financed implementation in 1984-85, and received a report and recommendations from the strategy-monitoring task force provisionally established at the 1982 CND special session.

The Commission reconsidered the priority of projects endorsed in 1982 in the light of current needs and resolution 37/162, which

required, at U.S. insistence, that all activities be implemented within available UN resources, i.e., with no additional regular budget funds. The CND accepted this budget philosophy when it considered proposed projects for 1984–85 implementation. Ultimately, it led to a general prioritized list of acceptable program areas from which the Division on Narcotic Drugs, as implementing agent, would undertake specific activities as regular budget or voluntary funds became available. The possible areas of regular budget-financed activity in 1984–85 included the reduction of excessive stocks of opiate raw materials, law enforcement, scientific research, demand reduction, and information management. The 1984–85 projects to be implemented with extrabudgetary resources, largely from UNFDAC, primarily continued existing support for control efforts in narcotics-producing nations.

The Commission determined that the task force to monitor the strategy, as provisionally constituted, was ineffective because it was required to operate with no additional resources and was controversial due to disputes regarding its composition. It was decided, with U.S. concurrence, that the Commission itself would undertake the functions originally envisaged for the task force. This decision was reflected in a resolution drafted for ECOSOC to send to the General Assembly.

### **International Drug Scheduling**

One of the major issues of the Commission meeting was consideration of WHO's recommendation that the Commission place under Schedule IV of the Psychotropic Convention 26 benzodiazepine drugs (a class of drugs used as tranquilizers). The U.S. Delegation, which was prepared to support WHO's scheduling recommendation on 13 of the 26 drugs, called for a drug-by-drug vote. After lengthy debate, each of the 26 drugs failed to receive the 20 affirmative votes required for scheduling under the Psychotropic Convention. Malaysia subsequently requested that the Commission vote to schedule the entire group of 26 benzodiazepines; this measure failed by a vote of 16 (U.S.) to 5, with 7 abstentions. The benzodiazepine votes were characterized by sizable numbers of abstentions, including both industrialized and nonindustrialized Commission members.

In other related actions, the Commission agreed with the U.S. position to defer voting on proposed WHO guidelines on the exemption of preparations from international scheduling until its next session in order to allow further review by member states. Consideration of the WHO recommendations for the termination of preparations exempted by Chile, Finland, France, and Hungary was also postponed, pending consideration of the proposed WHO exemption guidelines. The Commission also decided against provisional scheduling of the substance alfentanil, pending a WHO review.

## Other Matters

There were six resolutions and five decisions adopted by consensus at this session of the Commission. Two of the resolutions were drafted by the United States. The first invited parties to the Psychotropic Convention to submit to the Secretary General their opinions on amending the Convention to introduce a system of estimates of international commerce in substances listed in Schedule II of that Convention. The second requested governments to comment on, and the Secretary General to gather information regarding, the problem of deliberate misrepresentation and mislabeling of narcotic and psychotropic substances moving in international commerce.

The remaining resolutions adopted concerned: (1) improving methods of subjecting assets of convicted drug traffickers to forfeiture; (2) requesting WHO, *inter alia*, to review all benzodiazepines currently marketed, and requesting the Secretary General to obtain and analyze the data used by WHO to prepare reports, on a drug-by-drug basis, for transmittal to parties at least 2 months prior to the next session of the Commission (this draft was cosponsored by the United States); (3) developing and adopting proposed WHO exemption guidelines; and (4) urging that special priority and assistance be given to drug abuse problems in African countries.

The Commission also adopted by consensus four draft resolutions for consideration by ECOSOC. They were: (1) review and implementation of the program of strategy and policies for drug control, which recommends to the General Assembly that the Commission take on the functions of the task force as provisionally established in 1982; (2) demand and supply of opiates for medical and scientific needs, which urged governments to take steps to address the burdens of opiate stocks held by traditional supplier countries, including those steps recommended by an expert group and suggested in previous resolutions; (3) measures to improve international cooperation in the maritime interdiction of illicit drug traffic, which was introduced by the United States and urged governments to take measures to ensure the registry of their private flag vessels, including the establishment of a general registry of such vessels, and to cooperate with other governments seeking to reduce maritime smuggling of drugs; and (4) special session of the Commission on Narcotic Drugs, which was cosponsored by the United States and decided that the Commission would hold a 5-day special session in 1984, within existing UN resources, in order to fulfill necessary treaty obligations and address urgent matters.

## The International Narcotics Control Board

Commission members praised the comprehensive 1982 annual report of the International Narcotics Control Board. The report



noted the achievement of a precarious balance between the worldwide supply of and demand for opiate raw materials for medical purposes and focused on the need for governments to place high priority on controlling illicit coca. In the discussion which followed, the United States directed attention to the Board's recommendation that producer countries consider the use of environmentally safe herbicides, exemplified by the antiopium poppy program in Mexico, to control narcotics cultivation.

Many delegations discussed the need for governments to become parties to both the Single Convention and the Psychotropic Convention. It was also emphasized that parties to the conventions should adhere to their provisions more consistently.

The need to place the thebaine poppy, *Papaver bracteatum*, under the same international controls as the opium poppy, *Papaver somniferum*, was expressed by several delegations. The Indian Delegate stated that his Government progressively had reduced opium poppy cultivation in response to the problems of worldwide overproduction, and he suggested that nontraditional suppliers should restrict their production to domestic needs. The report of an expert group which studied the possibility of establishing an international buffer stock of opiate raw materials was also discussed. Nearly all the delegates who spoke, including the United States, opposed the creation of such a buffer stock.

Throughout the year, the United States continued to work closely with the Board on matters related to the enforcement of the international drug control treaties and the monitoring of treaty compliance.

## **UN FUND FOR DRUG ABUSE CONTROL**

In 1983 the UN Fund for Drug Abuse Control supported programs in 10 countries; these comprised 21 sectoral projects, with a total estimated expenditure of \$7.5 million. About 80% of UNFDAC's total budget allocation was expended on country programs. These included law enforcement projects; treaty and research projects; education and information projects; a rehabilitation project; and crop substitution projects. UNFDAC also supported centralized research and training operations, referred to as Headquarters-based projects.

Within the country programs, UNFDAC continued to emphasize the development-oriented aspects of drug abuse control in keeping with the International Drug Control Strategy. The Fund endeavored to support multisectoral country programs which incorporated income substitution, treatment and rehabilitation, preventive education and public information, research, and law enforcement components. Country program allocations to activities designed to reduce the illicit supply of drugs amounted to 45%, 39% was spent in

strengthening control measures, 13% went to demand-reduction activities, and almost 3% was spent on research. These expenditures continued to reflect the priorities of the Fund's major donors.

Also during 1983 several new policy priorities were implemented by the Fund's leadership. Cooperation between UNFDAC and interested countries with bilateral drug control programs in the same area were promoted as a positive direction for enhancement of both national and international efforts. It was also noted by UNFDAC that broad and comprehensive "plans of action" at country and regional levels were needed to help generate and channel targeted international financial resources and to coordinate drug control activities in specific countries and regions. In pursuit of this objective, the Fund undertook this approach in the development of a long-range coca control program in the Andean sub-region. In the area of evaluation, the Fund implemented its expanded program of project analysis and evaluation. Four major country programs were evaluated, and as a result the improvement and redirection of some activities were undertaken to assure additional efficiency and effectiveness.

The Fund continued to be successful in fundraising despite the global financial crisis and its general effect on UN voluntary contributions. At the UN Pledging Conference for Development Activities, UNFDAC received pledges amounting to about \$3.5 million. Overall in 1983, 43 countries contributed or pledged \$7,231,723 to the Fund. The United States indicated its intent to contribute \$2 million for 1983 and requested from Congress \$ 2.5 million for fiscal year 1984. Since the initiation of the Fund in 1971, the United States has provided 50.36% (\$35.3 million) of the total funding. Of particular note in 1983 was an unprecedented special contribution made by Italy of some \$40.9 million to be expended over a 5-year period primarily in coca control projects in the Andean Region. This contribution was greater than half of the total receipts of the Fund since its establishment in 1971 (\$76.5 million). This illustrated growing European concern over cocaine abuse, an orientation the United States had encouraged for many years.

At various times during the year consultations were held between UNFDAC and U.S. officials to assure policy and program coordination on a continuing basis. Prior to the February session of the Commission, an informal meeting was held between major Fund donors. It provided the U.S. Delegation an opportunity to encourage other donors to endorse U.S. policy priorities and helped orient international efforts along lines considered appropriate by the United States and the other major donors. The United States planned to continue its close collaboration with the Fund and to encourage additional program activity designed to combat drug abuse problems with a direct impact on the United States.

## **ECOSOC**

During its 1983 first regular session in May, ECOSOC considered the report of the 30th regular session of the Commission on Narcotic Drugs and other UN matters related to drug control. It subsequently approved the four draft resolutions forwarded by the Commission and cited above, as well as one new resolution generated by Peru. In approving the resolution concerning the holding of a special session in 1984, the Council determined that the current cycle of biennial regular Commission sessions would continue, with special sessions to be called in alternate years, as needed. (Resolutions 1983/1, 2, 3, and 4.) Five decisions adopted by the Council endorsed the work of the Commission, accepted the report of the International Narcotic Control Board, set future meeting agenda, and approved the program of work for 1984.

Resolution 1983/5, introduced by Peru and adopted by the Council on May 23, enlarged the Commission from 30 members to 40, with effect from January 1, 1984. Following the expansion of the Commission's membership, ECOSOC elected 25 members, 20 to serve for 4 years and 5, chosen by ballot, to serve only 2-year terms to maintain a balanced biennial election cycle. As a result of the election, Algeria, Brazil, Canada, Colombia, Federal Republic of Germany, Finland, France, German Democratic Republic, Greece, Iran, Italy, Madagascar, Morocco, Netherlands, Pakistan, Peru, Sri Lanka, Thailand, the United States, and Yugoslavia were chosen to serve 4-year terms. Argentina, Austria, Hungary, India, and Ivory Coast were chosen for 2-year terms.

During ECOSOC discussions, several other delegations supported the U.S. budget policy. The Secretariat acknowledged that no new regular budget resources would be required in 1984 and that even within this constraint useful and productive programs could be carried out. It was also noted that the Secretariat had resources available to finance a special session in 1984. The U.S. statement to the Council stressed the importance of law enforcement and national efforts to stop illicit drug production.

## **GENERAL ASSEMBLY**

On September 23 the General Assembly decided to include in its agenda an item entitled "International campaign against traffic in drugs." The Committee considered this item together with the portion of ECOSOC's report pertaining to drugs. The two were discussed at five meetings between November 18 and December 1.

During the Third Committee general debate, the U.S. Representative, Assistant Secretary DiCarlo, delivered a well-received intervention which stressed the political and economic dimensions of

problems related to drug abuse. "In many nations," Mr. DiCarlo said, the drug problem "is a threat to internal security. There are reports of linkages between drug traffickers and insurgents . . . where drug trade dollars, diversion of labor, and the criminal activities associated with trafficking are destabilizing the social, political, and economic structure of many governments." In response to these threats, Mr. DiCarlo noted that experience has shown the control of illicit drugs is most effective at its source, that greater support and financial resources from the international community are required, and that, most importantly, producing countries and others must be fully committed to eliminating illicit drug production, trafficking, and abuse.

On November 28 the Bahamas, on behalf of 19 other sponsors, introduced a draft resolution bearing the same title as that of the agenda item included on September 23. This draft was almost identical to resolution 37/198 of December 18, 1982. The draft, among other things, (1) called upon member states not yet having done so to ratify the international drug control treaties; (2) urged members and bodies within the UN system to grant technical and other forms of assistance, particularly in training of law enforcement professionals, to countries most affected by illicit production and traffic in drugs and drug abuse; (3) requested the Secretary General to explore all avenues leading to further improving regional and international coordination of activities against drug trafficking and drug abuse; and (4) suggested convening in 1986 an interregional meeting of heads of national drug law enforcement agencies. The draft resolution was approved in Committee on November 30 without a vote and in the plenary Assembly on December 16, also without a vote. (Resolution 38/122.)

On December 6, two additional resolutions were introduced. The first, entitled "Measures to improve coordination and cooperation in the international struggle against illegal production of drugs, illicit traffic, and drug abuse," was sponsored by 16 other states, including the United States. *Inter alia*, the draft would have the Assembly urge UN agencies and programs to identify drug control activities in their respective fields and accord higher priority to them in their respective budgets. The Secretary General was asked to improve coordination of drug control activities within the UN system and among other international and regional organizations, to avoid duplication of effort. (Resolution 38/93.)

The second draft was introduced by Canada and cosponsored by the Bahamas. The resolution entitled "Strategy and policies for drug control," *inter alia*, requested the General Assembly to approve programs envisaged in the report of the latest session of the Commission on Narcotic Drugs—the Program of Action for the 1984–85 biennium and the third and fourth years of the UN basic 5-year

program of the international drug control strategy. It was also decided that beginning with the eighth special session, the Commission itself should constitute the task force envisaged in resolution 36/168 to review, monitor, and coordinate implementation of the drug control strategy and the program of action.

Both drafts were approved in Committee on December 7 and adopted in the plenary Assembly on December 16, without a vote in both instances.

## **Crime Prevention and Control**

Although the Committee on Crime Prevention and Control held no meeting in 1983, the Economic and Social Council at its 1st regular session of 1983 considered a resolution and decision dealing with the Committee's work.

The first concerned the functions and long-term program of work of the Committee on Crime Prevention and Control stemming from the Caracas Declaration invitation for greater strengthening of UN organs concerned with crime prevention and treatment of offenders. On May 26 the Council, based on the broad scope of the Committee's crime prevention responsibilities, decided that the Committee shall report directly to the Council, also sending its report to the Committee for Social Development and, where appropriate, to other relevant UN organs. (Resolution 1983/25.)

On the same day the Council approved the provisional agenda and documentation for the eighth session of the Committee on Crime Prevention and Control to be held in 1984. (Decision 1983/125.)

Finally, in preparation for the 7th UN Congress on Prevention of Crime and Treatment of Offenders scheduled for 1985, in response to a U.S. initiative, an *ad hoc* meeting of experts was held at the Rutgers School of Criminal Justice in Newark, dealing with the issue of youth and crime.

## **UN Disaster Relief Coordinator and Emergency Assistance**

A series of major disasters in the late 1960's convinced UN members that a distinct office was needed to support worldwide emergency relief assistance which individual governments, UN agencies, the Red Cross, and other voluntary societies had provided for many years. In March 1972 a central office was established within the United Nations for the purpose of mobilizing relief more rapidly, coordinating it more systematically, and reducing risks of waste, duplication, and failure in the supply of essential items. M'Hamed Essafi of Tunisia, Coordinator for the Organization, holds the rank of UN Under Secretary General.

The new UN Disaster Relief Office (UNDRO) was also given the responsibility for improving contingency planning and disaster preparedness worldwide and for harnessing modern scientific and technological knowledge for the prevention and mitigation of disasters. To carry out its functions, UNDRO is divided into two major branches: the Relief Coordination and Preparedness Branch and the Prevention and Support Services Branch.

UNDRO was very active during its 1982-83 operational year in disaster relief coordination operations. For example, UNDRO reported that it was involved in 35 disaster cases, as compared to 15 and 12 in 1981-82 and 1980-81, respectively. Also, in 1982-83 the number of situation reports issued to inform the international community of relief needs increased to 217 from 88 and 81 in the 2 previous years. This increase reflected both the higher number of disaster cases dealt with and the wish of the donor and recipient governments to be provided with more frequent and detailed information on disaster needs and developments during the disaster phase. At the same time, UNDRO noted that a substantial increase was reported in the resources provided by the international community in response to appeals for emergency assistance; contributions reported to UNDRO from April 1, 1982, to March 31, 1983, increased to \$385 million from \$152 million the previous year, not counting contributions in kind for which cash value was not indicated by the donors.

## **DISASTER RELIEF COORDINATION**

UNDRO reported that its capabilities for the assessment of damage resulting from disasters and for the evaluation of relief needs had been strengthened by means of upgrading staff expertise and by identifying additional external expertise. In the 1982-83 reporting period, UNDRO reported that it organized special multi-agency assessment missions in connection with the extreme drought in Angola and typhoon damage in Vietnam. In addition, UNDRO has reported that relief coordination officers were dispatched to assist the UNDP Resident Representatives in the following disaster situations and countries: famine in Chad; the regional emergency resulting from Nigeria's expulsion of undocumented workers involving Ghana, Benin, Togo, and Nigeria; extreme flooding in Ecuador; a volcanic eruption in Indonesia; a drought in Mozambique; a tropical storm in Nicaragua; floods in Peru and Tunisia; and an earthquake in the Yemen (Sanaa). As will be noted elsewhere in this report, UNDRO officers also played a key role in famine relief efforts in Ethiopia.

## **DISASTER PREPAREDNESS**

In response to specific governmental requests, UNDRO reported that during the 1982-83 period, it performed disaster preparedness

tasks of various forms for the following Governments: Benin, Chad, Indonesia, Nepal, Papua New Guinea, Tonga, United Republic of Tanzania, and Western Samoa. UNDR0 also participated in preparedness projects at the sub-regional, regional, and interregional levels. Of most interest to the United States is the Pan-Caribbean Disaster Preparedness and Prevention Project. The Office of Foreign Disaster Assistance in AID continued its financial support of this project, contributing \$288,000 in fiscal year 1983. The WHO/ESCAP Typhoon Committee, which groups nine countries and one territory in the western Pacific area, is currently carrying out a Typhoon Operation Experiment aimed at minimizing the effects of typhoons through improved forecasting and warning systems. UNDR0 is also active in the same area in the joint WHO/ESCAP Panel on Tropical Cyclones. Also, in the southwest Pacific UNDR0 now plans to launch a regional project in cooperation with the South Pacific Bureau for Economic Cooperation to integrate national disaster preparedness plans already developed during recent years with UNDR0's technical assistance.

## **DISASTER PREVENTION**

During 1982-83 UNDR0 was active across the entire spectrum of disaster forecasting, prevention, and mitigation activities. It participated in or cosponsored studies, seminars, projects, and symposia concerning earthquakes, floods, volcanic eruptions, early warning systems, space research and disaster-related applications, and the assessment of the economic impact of natural disasters and relief policy planning. A few, but by no means all, of the activities in which UNDR0 participated during the reporting year were: UNDP/UNESCO Project for Earthquake Risk Reduction in the Balkan Area; International Earthquake Conference, Los Angeles, California; ESCAP-organized Seminar on Flood Vulnerability Analysis; and an Experts Meeting on Space Technologies for Acquisition and Dissemination of Disaster-related Data.

## **UNDR0 AS AN AID DISASTER RELIEF CONTRACTOR**

On two occasions during 1983 UNDR0 administered disaster-related contracts for AID. In the first instance it administered a grant for \$225,000 for the repair of six warehouses for the storage of emergency food supplies at the Chagoua complex near N'Djamena in Chad. This task was performed in such a cost-effective manner that there were subsequently sufficient funds remaining for the repair of two additional warehouses nearby. Later in the year UNDR0 was awarded a total of \$800,000 for a contract to be subcontracted to a U.S.-based private voluntary organization (World Vision Interna-

tional) to help overcome serious problems in the transportation of relief supplies to the drought-stricken people of Ethiopia. Results from this operation have not been finally evaluated.

## ECOSOC

At the summer ECOSOC four draft resolutions were introduced under the agenda item "Special economic, humanitarian, and disaster relief assistance." Three requested aid for specific areas: (1) Ghana; (2) Bolivia, Ecuador, and Peru—this cosponsored by the United States; and (3) the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan, and Uganda. All were adopted without a vote on July 28. (Resolution 1983/44, 45, and 46.)

The fourth resolution was entitled "Strengthening the capacity of the UN system to respond to natural disasters and other disaster situations." This resolution noted with appreciation the Secretary General's report of the same title. The report had been prepared pursuant to resolutions 37/255 and 37/144 by the Secretary General in consultation with Mr. Gordon Goundry, former Assistant Secretary General for Special Political Questions and Joint Coordinator of Special Economic Assistance Programs, and was known as the Goundry Report. At the conclusion of the report, under the heading of "Observations and Conclusions," general recommendations and suggestions were made. *Inter alia* they were (1) in disaster situations UNDR0 should continue to prepare "Concerted Relief Programs," with proper coordination among the several UN relief bodies and with suitable updating as necessary; (2) while UNDR0 should continue to issue overall disaster appeals, it should not seek to preclude the issuance of special appeals by other UN agencies, provided that the details of these appeals were included in the overall UNDR0 appeal; (3) long delays in the delivery of relief supplies should be examined to find ways of speeding them up, including on-site purchase, the breaking of transportation bottlenecks, and the training of local personnel to expedite transportation in disaster situations; (4) UNDR0 should continue its efforts to build up a roster of experts to be used in disaster situations; (5) ways and means should be found so that "general-purpose funding" can be made available in disaster situations through the UNDR0 Trust Fund to perform a "gap-filling" role where funding from individual agencies or the affected country is not available, e.g., to cover the cost of transportation from a border or port city to the disaster site; (6) although current funding restraints make it difficult to accomplish, the whole process of "evaluation" should continue to be examined; and (7) UNDR0 should use its final situation reports to inform potential donors of the needs of the disaster-stricken country for rehabilitation and reconstruction.



The final sentence under the "Conclusions" section of the Goundry Report is repeated verbatim in view of its particular policy relevance to the United States:

At present, it would not seem possible for UNDRO to undertake any of the additional activities suggested in the present report, given the current level of resources.

The U.S. Delegation to the summer 1983 meeting of ECOSOC sought a positive response to the Goundry Report but one that would not be costly. The United States was, for the most part, successful. The draft resolution recognized the Goundry Report's contention "that there is now in place a workable system to promote, facilitate, and coordinate relief activities by the United Nations system, in cooperation with Governments and voluntary agencies." However, the draft resolution noted "with particular interest" the Observations and Conclusions in the Goundry Report, and recognized the importance of disaster preparedness and prevention and called on UNDRO, governments, and involved agencies "to ensure that due priority attention is given to them." It "recommended" that the Secretary General authorize UNDRO to respond "within existing resources" to requests for emergency disaster assistance up to a total of \$600,000 in any one year. The United States and other interested members obtained Secretariat assurances that, in accordance with resolution 37/144, the phrase "within existing resources" meant that a maximum of \$30,000 per disaster could come from the assessed budget side, while the additional \$20,000 must come from available voluntary contributions. The resolution appealed to governments to consider the possibility of urgent voluntary contributions, channeled directly or through the UNDRO Trust Fund, and, finally, requested the Secretary General to submit ". . . specific proposals to follow up conclusions and problems identified" in the Goundry Report.

## **GENERAL ASSEMBLY**

The Second Committee of the 38th General Assembly considered the subject at two meetings on November 22 and 28. Kenya introduced a draft resolution, subsequently sponsored by 28 other member states, which was almost identical with that sponsored by ECOSOC. This draft revised the operative paragraph requesting emergency disaster assistance up to a total of \$600,000 in any one year by adding the phrase "with a normal ceiling of \$50,000 per country in the case of any one disaster." The draft was approved in Committee on November 28 by a rollcall vote 106 to 16 (U.S.), with 8 abstentions. It was adopted in the plenary session on December 20 by a recorded vote of 126 to 1 (U.S.), with 15 abstentions. (Resolution 38/202.)

Speaking in Committee after the vote, the U.S. Representative, Richard T. Miller, explained that he had voted against the draft resolution for budgetary reasons: the Organization's budget should be kept within zero-growth limits and there was no need to increase it by the expenditure that would result from the draft resolution, since the existing funds for disaster relief were quite adequate.

He stressed, however, that the United States was always ready to assist the victims of natural disasters; that had been proved by its contribution of nearly half the international aid provided over the past 18 years and its assistance to 43 countries in the year 1982-83. U.S. aid had been set at \$25 million for the coming year and efforts would be made to supplement it if necessary. That assistance was intended for the operations of the Office of the UN Disaster Relief Coordinator and also for any emergency operations that might be necessary.

## **UN High Commissioner for Refugees**

The Office of the United Nations High Commissioner for Refugees (UNHCR) was organized in 1951 and has as its primary function the responsibility for providing international legal protection to refugees. Its secondary function is to promote permanent solutions for refugee problems, mainly through resettlement programs, and to provide for interim and emergency care for refugees in places of temporary asylum. These responsibilities are carried out on behalf of refugees falling within the scope of the Statute of the Office adopted by the General Assembly in 1950. In general, the Statute applies to those persons who are outside their country of nationality because they have well-founded fear of persecution by reason of race, nationality, or political opinion and, because of such fear, are unable or unwilling to avail themselves of the protection of the government of that country. Occasionally, the UNHCR undertakes special activities outside its mandate at the request of the Secretary General, often to assist persons dislocated within their own country as a consequence of manmade disasters. The term of the current High Commissioner, Poul Hartling (Denmark), expires December 31, 1985.

The Executive Committee of the UNHCR<sup>13</sup> meets annually in Geneva to review the work of the UNHCR and approve the regular budget. At this meeting, the UNHCR also advises the Executive Committee on any special activities. The U.S. Representative at the 34th session, held in October 1983, was Mr. James N. Purcell, Jr., Director of the Department of State's Bureau for Refugee Programs.

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<sup>13</sup> Members of the Executive Committee in 1983 were Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, Finland, France, Federal Republic of Germany, Greece, Holy See, Iran, Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Sudan, Sweden, Switzerland, Tanzania, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United States, Venezuela, Yugoslavia, Zaire, and United Nations Council for Namibia.

## **INTERNATIONAL LEGAL PROTECTION**

The basic legal mechanisms for the protection of refugees are the 1951 Convention relating to the Status of Refugees, which is restricted to persons who became refugees as a result of events occurring before 1951, and the 1967 Protocol, which removes the time limit on eligibility. As of December 1983, 96 states had become parties to one or both of the treaties. The United States is a party to the Protocol. However, a large geographic area of the world, most of Eastern Europe and mainland Asia, subscribes to neither. States acceding to these international treaties accept provisions explicitly prohibiting the return of a refugee, in any manner whatsoever, to any country in which his life or freedom would be threatened because of race, religion, nationality, membership in a particular social group, or political opinion. At the same time, however, the refugee has obligations to the country in which he finds himself and is required to conform to its laws and regulations as well as to the measures taken for the maintenance of public order.

The international protection of refugees includes ensuring that they are granted political asylum and that those who wish to return voluntarily to their country of origin may do so without penalty for having fled. To facilitate the reestablishment of refugees around the world, the UNHCR also is concerned with protecting the refugees' right to work, to practice their religion, and to receive social benefits under the law. The task of providing legal protection has continued to increase in intensity as many refugees feel compelled to flee from their countries of origin.

### **UNHCR PROGRAMS**

In 1983 the UNHCR allocated \$407 million for refugee aid throughout the world. The United States gave \$107 million, or 26% of UNHCR's budget.

#### **Africa**

UNHCR allocated \$144 million in 1983, or about 35% of its budget, to assist nearly 2 million African refugees. UNHCR received \$44 million from the United States for this program. The largest African program was in Somalia, where more than 500,000 refugees remained. UNHCR budgeted \$38 million for refugees in Somalia during 1983. Other large UNHCR programs in Africa were Sudan, \$30 million; Zaire, \$13 million; and Ethiopia, \$13 million.

#### **Latin America**

The UNHCR allocated about \$29 million to Latin America in 1983, most of which was for programs in Central America. This allocation

represented more than 7% of UNHCR's worldwide budget. The United States contributed \$11 million for UNHCR programs in Latin America.

The most complex refugee problem in this region existed in Honduras where 18,000 Salvadorans, 17,000 Miskito Indians from Nicaragua, 4,000 other Nicaraguans, and 700 Guatemalans have taken refuge. There are 20,000 Guatemalans in refugee camps in Mexico. Several thousand other refugees of diverse nationalities in Mexico also received assistance.

UNHCR's office in San Jose, Costa Rica, continued to serve as the regional UNHCR Headquarters for Central America, although the UNHCR maintains independent branch offices in Honduras and Mexico.

### **Asia and the Near East**

In 1983 UNHCR allocated \$172 million to assist refugees in Asia and the Near East. Of this amount, about \$60 million was allocated for the care of Indochinese refugees in Southeast Asian countries of first asylum. The United States contributed \$20.3 million to UNHCR's programs in Southeast Asia. At the end of 1983, 166,055 Indochinese refugees occupied UNHCR-supervised camps, compared with over 200,000 at the end of 1982. Refugee arrivals by boat and land in Southeast Asian countries of first asylum averaged 3,222 a month, a 23% decrease from the previous year. During 1983, 66,827 Indochinese refugees were resettled permanently abroad, including some 37,156 in the United States.

UNHCR continued to pursue other solutions to the Indochinese refugee problem, such as voluntary repatriation when possible, and the Orderly Departure Program (ODP), a program through which asylum seekers may emigrate legally from Vietnam. In the past year 639 Indochinese refugees were voluntarily repatriated to their homelands; 7,746 Vietnamese used the ODP to join relatives in the United States, and another 10,748 were resettled in other countries.

In 1983 UNHCR allocated \$79 million to provide for the care and maintenance of Afghan refugees in Pakistan. A slower but steady flow of refugees fleeing Afghanistan during that year resulted in the Government of Pakistan having registered almost 2.9 million Afghan refugees by the end of 1983. This remained the largest refugee population in any country in the world. The United States contributed \$26.5 million to UNHCR for its Afghan refugee program.

### **Europe**

During 1983 UNHCR provided \$13 million or about 3.1% of its budget to assist refugees in Europe.

Funds were programed by UNHCR in Europe mainly to help care for refugees pending repatriation or resettlement and to assist those in transit.

## Cooperation to Avert New Flow of Refugees

This item has been on the agenda of the General Assembly since 1980 at the initiative of the Federal Republic of Germany (FRG) and has been assigned to the Special Political Committee. At the time the FRG sought support for an eventual agreement among UN member governments on principles to govern state-to-state behavior in situations involving large-scale flows of refugees. Unfortunately, a strong statement was not supported, so the FRG settled for a resolution inviting member governments to submit to the Secretary General their comments and suggestions on international cooperation to avert such flows and requested the Secretary General to report on those to the 36th General Assembly. The United States also recommended that an existing UN entity be given the task of monitoring compliance of states with those obligations, identifying and monitoring situations threatening to result in refugee flows, and alerting UN membership to situations requiring Security Council, General Assembly, or other UN action.

Resolution 36/148, adopted December 16, 1981, *inter alia*, decided to establish a Group of Governmental Experts to Develop Recommendations on International Cooperation to Avert New Flows of Refugees, their expenses to be borne by each nominating state. The Expert Group comprises 25 member states, including the United States.<sup>14</sup>

The Expert Group held two sessions from April 12 to 15 and from June 6 to 10. The first session was devoted to formulating its Rules of Procedure and the second to outlining a program of work as an essential first step in fulfilling its mandate. Included in the work program were an analysis of its mandate, circumstances causing new massive flows, and appropriate means to improve international cooperation to avert such flows. The Expert Group is to consider all aspects of the program and make recommendations based on its conclusions. There was general agreement that the Expert Group should not adopt a legalistic approach but search for effective means to avert new massive flows.

On November 1 Senegal introduced a draft resolution in the Special Political Committee. This draft resolution, eventually cosponsored by 30 countries, reaffirmed and extended the Group of Governmental Experts' mandate and called upon the Secretary General, without prejudice to the rule contained in resolution

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<sup>14</sup> Ambassador Harvey J. Feldman represented the United States at each of the two sessions.

36/148), to assist so far as possible and by way of exception the experts coming from the least developed countries to participate in the work of the Expert Group. The draft also called upon the Expert Group to continue its work in two 2-week sessions during 1984 and to submit a report for deliberation by the 39th General Assembly. The resolution was approved in Committee on November 15 and adopted in the plenary Assembly on December 15, in both instances by consensus. (Resolution 38/84.)

Speaking in Committee after the vote, the U.S Representative, Martin Lindahl, welcomed the fact that the draft resolution had been approved by consensus. He emphasized the earnestness with which the Expert Group had set about its task and said he hoped that its efforts would be of assistance in analyzing the problems and finding solutions. Referring to the expenses of experts from the least developed countries, he remarked that it was not generally in the interests of the United Nations to cover the travel costs and subsistence allowances of individuals performing tasks assigned to them by their governments. Accordingly, the experts whose expenses would be covered by the United Nations should be regarded as having been appointed in a personal capacity by the Secretary General.

## **Social Development**

The 28th session of the UN Commission for Social Development was held in Austria at the Vienna International Center, from February 7 to 16, 1983. The Commission, which meets biennially, is a functional commission of ECOSOC and is responsible for making recommendations on social development issues and policies for the UN system. It consists of 32 member governments<sup>15</sup> elected by ECOSOC and serving for 4-year terms.

The Commission has usually maintained a tight focus on social problems and avoided polemics on political issues. This session was no exception, despite several calls from the U.S.S.R., the Byelorussian S.S.R., and the Ukrainian S.S.R. for an end to the arms race and the use of the resources saved for social development. Again this year, all of its decisions were made by consensus, frequently after extensive negotiations resulting in carefully drafted compromises.

The session was opened by the Assistant Secretary General for Social Development and Humanitarian Affairs, Mrs. Leticia Shahani (Philippines). In her opening statement she set the tone for the meeting with a warning that the world recession is undermining the

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<sup>15</sup> Members in 1983 were Argentina, Austria, Byelorussian S.S.R., Central African Republic, Chile, Costa Rica, Cyprus, Ecuador, El Salvador, Finland, France, Ghana, India, Indonesia, Italy, Kenya, Liberia, Madagascar, Mongolia, Morocco, Netherlands, Panama, Philippines, Poland, Sudan, Sweden, Thailand, Togo, Turkey, Ukrainian S.S.R., U.S.S.R., and United States.

ability of the developing countries both to service their international debts and to assist vulnerable groups in their societies. In addition, she warned that "the rising tide of protectionism in the developed countries" threatened industries in developing countries and was "exacerbating this problem." Mrs. Shahani argued that recovery cannot come from any single country or group of countries and that international collaboration has an important role to play.

The U.S. Representative, John D. McDonald, endorsed the "1982 Report on the World Social Situation" as a comprehensive, concise, and useful summary of social conditions in the world. Nevertheless, he said that his Government felt that some areas required more attention when the 1985 report is prepared, including: (1) the question of how well families are coping with social change; (2) the role of the media in shaping social environments; (3) the impact of large-scale migration on societies; (4) the problem of high levels of unemployment; (5) the impact on societies of a new wave in the technological revolution; (6) the implications of the considerable lengthening of the post-parental and post-work phase of life; and (7) the impact of recent UN events such as the World Assembly on Aging and the International Year of Disabled Persons.

The Commission unanimously adopted a U.S. proposal to establish an informal open-ended Working Group to consider the "1982 Report on the World Social Situation" and draft the Commission's views on it as called for by the General Assembly in resolution 37/54.

After many hours of negotiations, the Working Group reached a consensus on a resolution noting *inter alia* the worsening situation in some regions. It acknowledged that despite some progress much remained to be done. The resolution urged that measures be adopted to ensure the effective participation of all people in the preparation and execution of national policies, based on the full enjoyment of human rights. Moreover, it called for greater attention to a unified approach to development and recommended that governments make a more rational use of available resources to deal with the worsening social situation. In addition, the resolution urged that the social situation should be monitored on a regular and indepth basis with special attention to the manner in which the Declaration on Social Progress and Development, the International Development Strategy, and world plans of action have been implemented. Finally, the 1985 report should emphasize the relationships among various aspects of national, regional, and international trends and policies. It should reflect the complex and changing relations between the economic and social, national and international facets of development. It should provide an intersectoral analysis of trends and an intersectoral treatment of issues and policies, bearing in mind different social and cultural traditions.

The UN Research Institute for Social Development (UNRISD) carries out research on social development in developing countries. It

was established in 1963 and Solon L. Barraclough of the United States has been its Director for the past 16 years. UNRISD has carried out pioneering research on such subjects as social indicators and the impact of the Green Revolution on the rural poor. Moreover, UNRISD maintains a macrodata bank containing over 90 socioeconomic indicators for 115 countries and shares this data freely with international and national institutions, including AID. At its 1983 meeting, the Commission recommended to ECOSOC six nominees, including Dr. Eugene Skolnikoff (United States), for membership on the UNRISD Board. All were confirmed at ECOSOC's 1983 first regular session on May 26. (Decision 1983/122.)

The report of the Committee on Crime Prevention and Control was the most contentious and time consuming issue the Commission dealt with at its 28th session. The widely diverging views on the Committee's proposed draft resolution II, which called for the Committee to report directly to ECOSOC rather than through the Commission, were hotly debated. These intense differences persisted to the final afternoon of the meeting. Finally, a U.S. proposal was accepted which would note the Committee's report; recommend by consensus to ECOSOC its draft resolution on arbitrary and summary executions and the Committee's draft agenda for its next regular meeting; and report to ECOSOC that the Commission was unable to reach a consensus on draft resolution II.

Another draft resolution called for a special session of the Commission in early 1984 to produce a progress report on social development aspects of the International Development Strategy for the Third Development Decade in time for a 1984 review of the Strategy. However, the United States opposed a special session because of the expense both for member governments and for the UN system, i.e., \$240,000–\$330,000 for a conference site, interpreters, and administrative support alone. In place of the proposed resolution, an alternate U.S. proposal was approved which called on the Commission's Secretariat to produce such a progress report for review by governments at the ECOSOC and at the 39th General Assembly in 1984.

A number of less controversial resolutions were introduced and after discussion were recommended to ECOSOC for favorable action. The broad range of topics included youth in the contemporary world and its participation in social and economic development. Resolutions relative to cooperatives, migrant workers, the aging, rural development, and the adverse effects of the arms race on social progress and development were discussed and approved. Others pertained to the International Development Strategy for the Third Development Decade, the interrelationship of social and economic development policies, interregional policies on social welfare policies and programs, and social policy and distribution of national income.



The United States introduced three draft resolutions: (1) implementation of the Declaration of the Rights of Disabled Persons; (2) role of the family in the development process; and (3) the exchange of information on the activities of the Center for Social Development and Humanitarian Affairs between the Commission for Social Development and the Commission on the Status of Women. Finally, the Commission endorsed the conclusions of the "1982 Report on the World Social Situation."

## **Aging and Disabled**

Following the 1982 World Assembly on Aging and the adoption of the World Program of Action Concerning the Disabled, most activity on these issues was expected to be that of national-level implementation. Nevertheless, the United Nations continued to demonstrate concern on both issues in the interim period before the major UN reviews of progress on the aging and the disabled become due in 1985 and 1987.

At the 1983 first regular session of ECOSOC, several resolutions were adopted which had been referred to the Council by virtue of the report of the Commission on Social Development. The first called upon governments and organizations to take action to implement the objectives of the World Program of Action and the UN Decade for Disabled Persons, inviting the full and direct participation of disabled persons themselves. It also requested the Secretary General to promote these activities, paying special attention to the situation of the disabled in developing countries, and to support the program by enlisting extrabudgetary resources. (Resolution 1983/19.)

The second called upon governments to implement the Vienna International Plan of Action on Aging and encourage information exchanges on this subject at the international and regional levels. It also requested the Secretary General, in promoting exchanges of information, to include the publication of an international review on aging and to continue research activities on the prospects and challenges of the aging of the world's population, to be financed from either voluntary contributions or existing resources. (Resolution 1983/21.)

The U.S. Representative, Dennis Goodman, speaking in the Council on May 6, said that the most significant achievement of the United Nations in the field of disability was the General Assembly resolution 37/53 to proclaim the period 1983-1992 as the Decade of Disabled Persons. He observed that the U.S. Congress was considering a resolution in support of the Decade which would urge the President to proclaim the Decade in the United States. The United States was convinced that greater awareness of the problems of the disabled, as engendered by the Decade, will make a difference in the

lives of our 35 million disabled citizens. He then addressed himself to the resolution on the aging and said that the United States believes that all governments can be proud of the action program that came out of the World Assembly on the Aging. He noted, however, that delegations should be given specific information about the resources available in the Aging Trust Fund, efforts to generate additional contributions, how the Fund would be managed, what projects have been proposed, and how projects will be selected for funding.

Mr. Alan Reich, President of the National Organization on Disability, made a speech before the Council on behalf of the United States.

At the General Assembly, most discussion concerned the merits of continuing the voluntary trust funds originally established in support of the World Assembly on Aging and the International Year of Disabled Persons. Some delegations were not in favor of continuing these funds, believing that voluntary resources were already stretched too thin in a number of areas. The United States and others, however, supported the continuation of the funds so long as their nature was voluntary.

On November 2, the Third Committee of the General Assembly entertained two draft resolutions, both of which were approved without a vote on November 3, and adopted by the plenary Assembly in the same manner on November 22.

The first draft was introduced by Malta on behalf of 23 other sponsors including the United States. The draft titled "Question of Aging" paralleled in some ways the ECOSOC resolution, but it also requested the Secretary General to ensure that the question of the aging of populations is brought to the attention of the appropriate UN bodies responsible for the preparation of the International Conference on Population in 1984 and that the question of aging be considered under the appropriate agenda items of the Conference; urged the Secretary General to continue his efforts to maintain the impetus generated by the Trust Fund for Aging at the national, regional, and international levels; and further requested the Secretary General to examine the gender-based difference in longevity and the impact of the increasing number and proportion of older women on living arrangements, income, health care, and other support systems, and to bring the question of older women to the attention of the preparatory body for the World Conference To Review and Appraise the Achievements of the UN Decade for Women in 1985 for its consideration. (Resolution 38/27.)

The second draft titled "World Program of Action concerning Disabled Persons" was introduced by the Philippines on behalf of 34 cosponsors including the United States. This draft, *inter alia*, recognized the desirability for the continuation of the Trust Fund for the International Year of Disabled Persons throughout the UN

Decade; decided that the Fund should continue its activities pending a report by the Secretary General at the 39th General Assembly; stressed the need that the administration of the Trust Fund should continue to be carried out as an integral part of substantive responsibilities for disability matters discharged by the UN Secretariat; requested the Secretary General to undertake the necessary steps to strengthen the Trust Fund; and appealed to governments and private resources for continuing generous voluntary contributions to the Trust Fund. (Resolution 38/28.)

Ambassador Harvey Feldman, speaking in the Third Committee on October 31, said that a number of projects financed by the Trust Fund for Aging were underway. Moreover, since the aging accounted for a growing portion of the world population, the United States believed that the question of aging should be included in the agenda of the International Conference on Population to be held in 1984.

With respect to measures taken by his Government to implement the International Plan of Action, he said that the U.S. Congress was examining a joint draft resolution which would invite all governmental agencies to participate in implementing the World Assembly recommendations and invite the private sector to participate in solving the problems of the aging. With respect to measures taken by the private sector, he said that a voluntary nongovernmental organization, the American Association for International Aging, had been created to propose new solutions to problems confronting older people in the developing world and enable them to contribute to and benefit from the developmental process.

Turning to the question of the disabled, he said that his Government fully recognized the importance of full participation by the disabled in society. It had noted that the UN Trust Fund for the International Year of Disabled Persons was an excellent vehicle for the financing of technical assistance and felt that it should be maintained. For that reason, the United States would make a contribution of \$103,000 to that Fund.

At the national level, the U.S. Congress had approved the objectives of the UN Decade of Disabled Persons, and in April 1983 President Reagan had set up a working group on the handicapped which was responsible for encouraging families and communities to take action themselves for the care of the handicapped, to promote the integration of the handicapped into society, workplaces, and schools, and to help them lead a life of independence and dignity. He continued by saying that many U.S. citizens were members of the National Organization on Disability, an organization comprising local committees of disabled and nondisabled volunteers in more than 1,000 of the country's communities, which aimed at promoting a better understanding of the situation of disabled people, giving them increased opportunities in education, housing, employment,

transportation, and recreation and eliminating the causes of disablement.

The key role played in the United States by volunteer and nongovernmental organizations in the implementation of UN programs and plans of action on youth, the disabled, and the aging could not be overemphasized. That was a form of popular participation which no country should ignore.

## Youth

The Advisory Committee for the International Youth Year, at its second session in 1982, recommended, *inter alia*, that regional meetings should be held with a view to sharing experiences and stimulating youth activities in development. The Committee's recommendations were endorsed by the 37th session and three regional meetings have taken place.

The European regional meeting was held at Costinesti, Romania, from September 5-9 to review and assess the situation of European youth and to evaluate current policies and programs for youth and youth development. A regional program of measures and activities for International Youth Year was adopted at that meeting.

The regional meeting for Asia and the Pacific was held at Bangkok, July 26-30. That meeting considered the social, cultural, and economic problems confronting youth and discussed the formulation of programs on youth. A number of recommendations were made, and a regional plan of action for International Youth Year and Beyond was adopted.

Africa held its meeting at Addis Ababa from June 20-24. The situation of African youth in the 1980's was discussed and national statements were made on existing policies and programs concerning youth. In addition to making a number of recommendations concerning youth-related activities, the regional meeting adopted a regional plan of action for International Youth Year.

The Latin America regional meeting was convened October 3, in San Jose, Costa Rica. The United States participated in this meeting, as it had in the others. The agenda covered prospects for youth in Latin America and the Caribbean in the areas of development needs; examination of the prospects of youth in the context of the process of social change which the region has experienced in the last two decades; youth as a social movement; and national programs and policies for youth. The results of this conference were generally satisfactory from the U.S. point of view. The United States obtained greater support for its opposition to additional financial expenditures for the International Youth Year. The U.S. position has been that International Youth Year activities are most appropriately undertaken at national and local levels and that such activities

should be funded within existing financial resources and supplemented, if necessary, by voluntary contributions. The United States opposes in principle permanent UN bodies for youth and a UN Decade for Youth. The idea for a World Conference was referred to the third meeting of the Advisory Committee in Vienna in April 1984.

## GENERAL ASSEMBLY

The Third Committee considered youth issues under the agenda items, "International Youth Year: Participation, Development, and Peace" and "Policies and Programs Relating to Youth."

Three draft resolutions were introduced in the Committee on November 2. The first draft resolution, titled "International Youth Year: Participation, Development, and Peace," was introduced by Romania, with 88 cosponsors including the United States. The resolution *inter alia*: (1) commended the regional meetings; (2) requested the Secretary General to ensure the implementation and followup of the specific program of measures and activities; (3) decided that the third session of the Advisory Committee should be convened at Vienna from April 2-11, 1984; and (4) welcomed the voluntary contributions made for the International Youth Year and again appealed to governments and others to make generous voluntary contributions to supplement funds provided under the regular budget of the United Nations in support of International Youth Year activities. The resolution was approved in Committee by consensus on November 3. (Resolution 38/22.)

The second draft was introduced by Czechoslovakia with 20 cosponsors and was titled "Efforts and measures for securing the implementation and the enjoyment by youth of human rights, particularly the right to education and to work." The resolution called upon all states to continue efforts aimed at the promotion of human rights and their enjoyment by youth; requested the Advisory Committee to give consideration to all relevant international human rights instruments when elaborating its recommendations concerning the Year; and invited national coordinating committees or other organs of coordination for the International Youth Year to give appropriate priority in activities to be undertaken prior to and during the Year to the implementation and enjoyment by youth of human rights, particularly the right to education and to work. The draft was approved in Committee by consensus on the same day it was introduced. (Resolution 38/23.)

The third draft, introduced by the Netherlands on November 2 and cosponsored by 33 other countries including the United States, was entitled "Channels of communication between the United Nations and youth and youth organizations." Like the other drafts, it too was

approved in Committee by consensus. The resolution called upon member states, specialized agencies, and others to continue to promote actively the full and effective implementation of the guidelines adopted by resolutions 32/135 and 36/17, through informing young people of relevant policies and programs and encouraging them to participate in the preparation and implementation of the policies and programs. It requested the Advisory Committee at its third session to evaluate measures taken with respect to such implementation and to make recommendations for the full and effective implementation and the further elaboration of the guidelines as an integral part of the preparation for, celebration of, and followup to the International Youth Year. (Resolution 38/26.)

The three draft resolutions were all adopted by the plenary Assembly on November 22 without a vote.

Speaking in Committee, the U.S. Representative, Ambassador Harvey Feldman, said that the United States fully supported the UN decision to declare 1985 International Youth Year and was pleased to be among the cosponsors of the draft resolution "International Youth Year." Among other things, it emphasized the importance of national and local policies and programs with each country's experience, conditions, and priorities; and planning and organization of activities for the preparation and observance of the Year. True participation means active involvement of youth not only in events, but also in studies of the root causes of societal problems and of methods of dealing with them. He added that the United States had already begun to plan for a successful celebration of International Youth Year. As a first step, the International Youth Year Commission, an adjunct of the U.S. Youth Council, has been selected to function as the officially designated American nongovernmental organizations coordinating committee to mobilize a large and diverse group of youth-oriented nongovernmental organizations in planning for the Year.

## **SCIENCE, TECHNOLOGY, AND RESEARCH**

### **UN Environment Program**

Acting on the recommendation of the Stockholm Conference on the Human Environment, the UN General Assembly established UNEP in 1972. The basic idea of UNEP, including its Environment Fund financed by voluntary contributions, closely paralleled proposals advanced by President Nixon in an environmental message delivered to the U.S. Congress the same year.

UNEP Headquarters is in Nairobi, Kenya. It operates under the policy guidance of a 58-member Governing Council<sup>16</sup> and reports annually to the General Assembly through ECOSOC.

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<sup>16</sup> Members in 1983 were Afghanistan, Argentina, Australia, Botswana, Brazil, Burundi,

UNEP acts as the principal UN body to coordinate environmental activities carried out within the UN system. Through the use of its Environment Fund it also acts as a catalyst in promoting worldwide and regional efforts to improve and preserve the human environment. Of particular importance to the United States are UNEP's programs in the field of environmental monitoring and assessment, especially GEMS, the Global Environmental Monitoring System. The International Register of Potentially Toxic Chemicals is another important program aimed at providing information on chemicals, especially pesticides, which can be dangerous to the environment and human health if misused. Other UNEP program areas of significance include its Regional Seas Program, promoting marine and coastal zone environmental protection agreements among littoral states of the ocean area covered.

An example of the effect of UNEP's activities on the United States and UNEP's relationship to the overall U.S. environment policy is the Cartagena Convention for the Protection of the Marine Environment of the Wider Caribbean. This agreement, along with a related protocol on combating oilspills in the Caribbean, developed under UNEP's auspices, was signed by the United States, 16 other states, and the European Community at the final experts meeting and plenipotentiary conference in March 1983.

The Cartagena Convention created general legal obligations to protect the marine environment of the region (which includes the U.S. Gulf Coast) and established machinery necessary to implement and elaborate on these undertakings through future protocols. While the Convention provided new protection for U.S. territory, it also reflected the ability of all the countries in the region to work toward a common goal. UNEP has made an invaluable contribution to this cooperation, both during negotiations and through its Regional Seas Program, under which the original Caribbean Action Plan—which provided the framework for the Convention—was developed. The completion of the Convention was a solid testimony to the important role UNEP plays in stimulating environmental activity.

During 1983 voluntary contributions to the Environment Fund amounted to approximately \$29 million of which the United States contributed \$7.835 million of a pledge of \$7.850 million, the difference representing the withholding, as required by U.S. law, of the U.S. proportionate share of UNEP financing of projects in Cuba.

## GOVERNING COUNCIL

The 11th session of the UNEP Governing Council was held in Nairobi, May 11-24. Among the significant decisions taken was a

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Byelorussian S.S.R., Cameroon, Canada, Chile, China, Colombia, Egypt, Finland, France, Federal Republic of Germany, Ghana, Greece, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Italy, Ivory Coast, Jamaica, Japan, Kenya, Lesotho, Libya, Malaysia, Mexico, Morocco, Netherlands, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Saudi Arabia, Senegal, Spain, Sri Lanka, Switzerland, Tanzania, Thailand, Uganda, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Venezuela, Yugoslavia, and Zaire.

proposal to streamline Governing Council operations and procedures by combining the budget and program committees (which should also result in more productive consideration of program expenditures), reducing plenary speeches, shortening Council sessions, eliminating one annual intergovernmental meeting, and experimenting with a change from annual to biennial Council sessions by not holding a session in 1986. This proposal should result in significantly reduced costs and, by creating a Permanent Representatives Group, should enable more effective control and consultations among governments with respect to UNEP activities.

The decision on program policy implementation also featured a break with past practice by placing increased emphasis on Governing Council-designated priority programs to be carried out within the expected \$50 million 1984-85 biennium program budget, with so-called "priority II" projects to be carried out if additional resources become available. In this context, there was broad agreement on priority I projects among both developed and developing countries, reaffirming that UNEP should continue primarily to maintain a global focus on such problems as ozone layer depletion and carbon dioxide buildup.

Specific elements of the program implementation decisions that were of particular note included approval of an Industry/Environment Conference (later called the World Industry Conference on Environment Management), to highlight the technical contributions of the private sector to sound environmental policy; increased emphasis on environmental data; and changes in UNEP's annual State of the Environment Report, intended to make the reports more accessible to the general public and thereby increase awareness of global environmental issues.

The 11th Governing Council also approved a decision authorizing the establishment of an Independent Commission on the Environmental Perspective to the Year 2000. The Commission (to be funded voluntarily by such sponsors as Japan, Sweden, Canada, Switzerland, and Norway) will develop a report on long-term environmental strategies for achieving sustainable development. Due to be completed in 2 years, the Commission report will be transmitted through the UNEP Governing Council to the General Assembly.

The 11th Governing Council also approved largely politically motivated decisions on the proposed Israeli canal project linking the Mediterranean to the Dead Sea, on the impact of South Africa's apartheid policies on the environment, and on environmental hazards of the arms race. The United States (along with Israel) opposed the decision on the canal and abstained on the other two. In general, however, extraneous political issues played a small role at the Governing Council. The meeting was unusually productive and, from a U.S. standpoint, successful in the implementation of U.S. initiatives on streamlining and program policy.



## ECOSOC AND GENERAL ASSEMBLY CONSIDERATION

The decisions of the Governing Council were confirmed by the second 1983 regular session of ECOSOC. In keeping with past practice ECOSOC adopted an omnibus decision on environment, forwarding the Governing Council report to the General Assembly. The ECOSOC resolution highlighted the decisions on streamlining Governing Council sessions and the creation of the Independent Commission on the Environmental Perspective. In contrast to previous years, it was free of references to controversial political issues.

ECOSOC also adopted a resolution on the implementation of the Plan of Action To Combat Desertification. Desertification programs will be the subject of a special session of the UNEP Governing Council to be held concurrently with its regular session in May 1984.

At the 38th General Assembly, the UNEP report was considered by the Second Committee. The Committee forwarded five resolutions relating to the environment to the plenary Assembly. Of these, all but one, dealing with the issue of remnants of war, were adopted by consensus. The United States and 22 other states abstained on the remnants of war resolution. Virtually identical resolutions on this subject have been adopted each year since 1979 with no productive result. (Resolution 38/162.)

Two of the remaining resolutions dealt with desertification, one on financing the Plan of Action To Combat Desertification and one on antidesertification activities in the Sudano-Sahelian Region, drawing attention to the pressing desertification problem in the region and the lack of available resources. Both desertification resolutions were essentially identical to those of previous years. (Resolutions 38/163 and 164.)

A fourth resolution approved the creation of the Independent Commission along the lines of the UNEP Governing Council decision. The selection of Commission members was, however, postponed until after the close of the General Assembly session. (Resolution 38/161.)

The most significant resolution, concerning international environmental cooperation and the report of the UNEP Governing Council, drew special attention to areas where the Council had adopted U.S. initiatives with regard to periodicity and streamlining of Council operations, and to the industry and environment conference. The omnibus resolution on international environmental cooperation was generally free of extraneous politicization and represented an encouraging focus of concern on issues appropriately raised under UNEP's mandate. (Resolution 38/165.)

## Effects of Atomic Radiation

The UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR)<sup>17</sup> was established by the General Assembly in 1955 to provide continuous review and evaluation of the effects of ionizing radiation on humans and their environment. Radiation in this context covers both natural and manmade (i.e., from atmospheric and surface nuclear-weapons tests, nuclear power plants, and peaceful nuclear explosions), environmental radiation, and medical and occupational exposures.

General Assembly resolution 37/87 requested the Committee to continue its work, including its important coordinating activities, to increase knowledge of the levels, effects, and risks of ionizing radiation from all sources.

Under its terms of reference, the Committee receives, assembles, and compiles reports and information furnished by its member states, members of the United Nations, specialized agencies, the IAEA, and nongovernmental organizations on observed levels of ionizing radiation and on scientific observations and experiments relevant to the effects of ionizing radiation on man and his environment.

Since its establishment, the Committee has prepared and submitted to the UN General Assembly five comprehensive reports on the effects of ionizing radiation. In addition to collation and evaluation of the literature on radiation effects, UNSCEAR agreed in 1973 to evaluate the radiological hazards created by the testing activities of one country if asked to do so by a possibly injured neighboring country. To date, no such evaluations have been requested.

The 32nd session of UNSCEAR met in Vienna from June 20 through June 24, 1983. The U.S. Delegation was headed by Dr. Robert D. Moseley. Dr. Moseley was elected Chairman of the Biological Sub-group succeeding Sir Edward Pochin (United Kingdom), who has served in that capacity since 1955 and who has now retired from the Committee. The session was concerned primarily with consideration of draft chapters for continuing reports to the United Nations on the effects of ionizing radiation in the following fields: the scientific basis for the evaluation of radiation risk and detriment, including an analysis of factors involved in risk perception; doses from natural sources of radiation with particular emphasis on the variability of such doses as a function of time and location; doses to the world population from nuclear explosions; the exposure, both general and occupational, arising from the nuclear fuel cycle, with particular emphasis on the problem of radioactive wastes; doses

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<sup>17</sup> The members are Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, Federal Republic of Germany, India, Indonesia, Japan, Mexico, Peru, Poland, Sudan, Sweden, U.S.S.R., United Kingdom, and United States.

from the medical uses of radiation; the biological effects of prenatal irradiation with special consideration on findings in man; the early effects of high doses of radiation on man; specialized topics relating to the genetic effects of irradiation; and radiation-induced tumors in man, with a reevaluation of the risk factors.

The Committee also reviewed a document on dose-response relationships for radiation-induced cancer, the publication of which had been postponed in 1982 pending revisions of the dosimetry in the survivors of Hiroshima and Nagasaki. The Committee made plans to finalize this document for submission to the General Assembly at the earliest possible date.

The Committee decided that for the near future systematic reports of the type presented at the 37th General Assembly would not be warranted. Accordingly, the Committee planned to submit to the General Assembly shorter reports with scientific annexes on the specialized topics mentioned, as soon as the relevant studies were completed. The Committee would, however, continue to report annually to the General Assembly on its progress.

The 33rd session of UNSCEAR is scheduled for June 25-29, 1984, in Vienna, and is expected to continue consideration of draft documents.

The Special Political Committee of the General Assembly considered the report of UNSCEAR at two meetings on October 6 and 7. At the first meeting Argentina introduced a draft resolution on behalf of the United States and 22 other member states, including the U.S.S.R. At the time the draft was introduced, the U.S. Representative in the Special Political Committee, Martin Lindahl of the U.S. Coast Guard, said that his Government was cosponsoring the draft because it had always taken a great interest in UNSCEAR's work. Through governmental and private agencies the United States had made substantial efforts to supply the Committee with the data it needed to carry out its functions. The Committee had consistently done work of the highest quality, and its current report lived up to its traditionally objective standards. It was satisfying to note that the cooperation among the Scientific Committee, UNEP, and IAEA was growing, and his delegates looked forward to seeing other manifestations of such cooperation in the future.

The draft resolution was approved in Committee without a vote and adopted by the plenary Assembly on December 15 in the same manner. (Resolution 38/78.)

## **New and Renewable Sources of Energy**

During 1983 little progress was achieved toward implementation of the Program of Action adopted by the UN Conference on New and Renewable Sources of Energy held in Nairobi in 1981. An Interim

Committee met in Rome in 1982 where discussion centered on the role of the UN system and the establishment of "consultative mechanisms" to generate additional funding, improve coordination between various sources of financing, and encourage cofinancing of the Program of Action. The United States and other industrialized countries emphasized the importance of bilateral and private efforts but joined in a consensus report, noting that the UN system "had a vital role to play" because of its universal nature.

The major area of disagreement at Rome was the question of establishing permanent institutional arrangements for implementing the Nairobi Program of Action. The United States and other developed countries attempted to limit the expansion of the UN bureaucracy by proposing that followup functions be carried out by the already existing Committee on Natural Resources. The Group of 77 pressed for the establishment of a new intergovernmental committee and a new support unit within the Secretariat. The Rome meeting ended with the institutional questions unresolved.

The 37th General Assembly, *inter alia*, decided to establish an intergovernmental committee, open to all states, on the Development and Utilization of New and Renewable Sources of Energy. The Committee was to meet biennially in even years, except for its first session which was to be in 1983. The resolution also outlined a secretariat support framework for the Committee and called for the appointment of a special coordinator and a new unit in the office of the Director General for Development and International Economic Cooperation. U.S. opposition to the resolution was based on its unacceptable financial implications for the UN budget and because the work of the new intergovernmental committee could be carried out by the already existing Committee on Natural Resources. The United States stated that the development of alternative energy resources should form part of national energy plans which involved both private enterprise and multilateral assistance. While the United States believed that the United Nations had a role to play in natural resources development, it was regretted that consensus had not been reached as to the nature of that role.

The first session of the newly created Committee took place at UN Headquarters from April 18 to 29. The United States joined in the adoption by consensus of the conclusions and recommendations of the meeting, but noted that the Committee had contributed little in addition to what was decided at the Nairobi Conference and the Rome Interim Committee Meeting.

On November 10 Mexico, on behalf of the Group of 77, introduced in the Second Committee of the General Assembly a draft resolution entitled "Immediate Implementation of the Nairobi Program of Action for the Development of New and Renewable Sources of Energy." On December 5 the Committee Vice Chairman introduced a

similar resolution on the basis of informal consultations held on the original draft. In the light of the approval, without vote, of the later draft the resolution introduced by Mexico was withdrawn by its sponsors.

The draft *inter alia*: (1) reaffirmed the importance of the Nairobi Program of Action; (2) called for the convening of consultative meetings at the national, regional, and global levels; (3) called for the mobilization of additional resources for the accelerated exploration and development of the energy resources of developing countries; (4) called for greater participation by international and regional financial institutions in the financing of energy projects in developing countries; and (5) reaffirmed the importance of the role of the Director General for Development and International Economic Cooperation in coordinating the activities and contributions of the various members of the UN system in connection with the new and renewable sources of energy.

Speaking after the vote, the U.S. Representative, Jack P. Orlando, said that his Government believed that substantial improvements could be made in the allocation of resources within the UN system and that additional resources could thus be made available for activities related to the Nairobi Program of Action. In the light of its support for zero-net program growth, however, the United States was not in a position to contribute additional resources to the United Nations for the purposes of the Program of Action. Any increase in budgetary resources for the Program of Action should be offset by savings in other areas. In addition, the United States had not supported the proposal to establish a World Bank energy affiliate and was not currently participating in it.

The draft was considered in the General Assembly on December 19 and adopted without a vote on the same day. (Resolution 38/169.)

## **Science and Technology for Development**

In 1979 the General Assembly created three bodies: (1) the Intergovernmental Committee for Science and Technology for Development (IGCSTD), open for participation by all UN members, to formulate policy guidelines and identify priorities and activities in this area; (2) the Center for Science and Technology for Development to coordinate science and technology activities within the UN at the Secretariat level; and (3) the Interim Fund for Science and Technology for Development to be sustained by voluntary contributions and administered by UNDP until the end of 1981. The General Assembly gave the Interim Fund permanent status in 1982 as the UN Financing System for Science and Technology for Development.

In 1982 the General Assembly adopted a resolution designed to keep open the institutional debate on science and technology for

development. Although the resolution established long-term financial and institutional arrangements, it left open to negotiation the difficult questions of establishment of the provisions of the proposed financing plan and the voting rules for its Executive Board. These were further negotiated at two sessions of the IGCSTD in 1983, both of which the United States attended.

A special session of IGCSTD in May failed to reach agreement on creating a broadly based UN science and technology superfund. Three apparently insoluble problems stymied progress: voting powers—no acceptable variation on the principle of universality could be found; burden-sharing—a formula for distributing the voluntary contributions could not be agreed upon; and critical mass—while \$50 million for the first year was discussed, it was obvious that it would be difficult to raise \$25 million.

At the fifth regular session of the Intergovernmental Committee in June, a voting formula was found, but the financial contributions question was left unresolved. At the end, the Secretary General was asked to undertake again consultations on the money issues, and, if he were satisfied that there was sufficient interest, to call a pledging session for later in the year that, in turn, could lead to a resumed fifth session of the Committee. Because potential donors did not indicate a willingness to contribute to the financing system, the Secretary General did not call a meeting.

The 38th General Assembly, on the recommendation of the Second Committee, adopted without a vote a resolution that authorized the Secretary General to convene a pledging conference, prior to the sixth IGCSTD session, to announce the pledges for the first year and, if possible, provide an indication of the amount that might be contributed in the 2 following years. (Resolution 38/157.)

While supporting the notion of increasing the ability of developing countries to use science and technology to further their development programs, the United States has been unable to support yet another UN fund and has indicated its inability to contribute to such a fund for the foreseeable future.

## **Export of Potentially Harmful Products**

On the subject of potentially harmful products in international commerce, the Secretary General distributed to member states on May 10, 1983, a questionnaire regarding national regulatory actions. The information requested was to be incorporated in the first draft of a list of products harmful to health and the environment, which the Secretary General had been requested by resolution 37/137 to prepare and to disseminate to member countries.

The United States provided an interim response to the Secretary General's questionnaire on June 27 and a detailed reply on Decem-

ber 2, 1983. The diplomatic notes pointed out that the United States strongly supported the wider dissemination of information regarding potentially harmful products. However, the United States said it had difficulties with steps being taken to implement resolution 37/137. These included (1) terminology in the proposed UN list ("banned," "severely restricted," "withdrawn," "not approved") which was not compatible with national laws and procedures regarding the regulation of potentially harmful products; (2) the lack of consistency in commercial practice regarding the use of "trade names" in various countries; (3) the difficulty of securing much of the information requested; (4) the possibility of misleading potential users of the list as to the true meaning of actions taken by individual governments; and (5) the lack of utility of the proposed list to potential users who could benefit from practical and accurate information regarding the regulation of potentially harmful products. The second note urged the Secretary General and UN member states to avoid potential duplication of effort and to minimize costs by considering greater utilization of information-sharing mechanisms already existing in several UN agencies. It also offered U.S. assistance in working with the Secretary General to discuss the issues further and to devise an appropriate way of addressing the problem.

During the 38th General Assembly, a Secretariat official reported to the Assembly that less than 25 member states actually had replied to the Secretary General's questionnaire and that not all of the responses provided information regarding regulated products. Nevertheless, he said the Secretariat intended to produce a preliminary list near the end of the year as requested by resolution 37/137.

The Assembly also received a report from the Secretary General regarding the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products, as requested by resolution 36/166 of 1981. The report, which had been submitted to the Assembly without discussion or comment by ECOSOC, summarized existing information systems in WHO, UNEP, FAO, GATT, ILO, and the UN Center for Transnational Corporations.

On November 11, Pakistan, joined by nine other countries, introduced in the Second Committee a draft resolution entitled "Protection against products harmful to health and the environment." The draft requested the Secretary General to make available the consolidated list on the basis of information supplied as of the time of the Assembly, urged other agencies and member states to cooperate in supplying information for the list, and asked the Secretary General to report to the 1984 Assembly both on the exchange of information in this field and on the implementation of resolution 37/137 "for purposes of review by the General Assembly." The draft was approved by consensus in Committee on December 1, and adopted in the same manner by the plenary Assembly on December 19. (Resolution 38/149.)

The U.S. Representative in the Second Committee, Richard Miller, said that his Government joined in the preparation of and consensus on the draft, noting that the United States not only shared the objective of increasing information regarding national regulatory decisions on potentially harmful products but that the United States already was making public more information of this nature than any other nation. Nevertheless, he reiterated the concerns of his Government about the mechanism set up in resolution 37/137. He added that the United States had problems with the introduction of a new role for nongovernmental organizations in development of a list of national regulatory decisions, since this was a matter of concern only between the Secretary General and the governments of member states which had imposed the controls.

He pointed out that the small response to the Secretary General's questionnaire indicated that other countries "have concluded with us that the prescribed form of the list oversimplifies the issues somewhat and requests information that may be either uninformative or misleading." For this reason Mr. Miller said the United States placed the highest importance on the review process called for by the resolution.

On December 30, 1983, the Secretary General published the "first issue" of the consolidated list, a document of more than 500 pages. The introduction to the document included a number of caveats, including the statement that the list, by itself, "does not provide a sufficient basis for regulatory action." It pointed out "conceptual difficulties" in regard to preparation of the list, largely drawn from the U.S. responses, and said that a number of governments, in replying to the Secretary General's note of May 10, 1983, had referred to difficulties stemming from the scope of information required and the criteria used for including products in the list. The entire texts of the two U.S. replies, as well as the texts of the replies of several other nations, were included in an annex to the document.

## Statistical Activities

ECOSOC's 24-member Statistical Commission<sup>18</sup>, which provides overall guidance for UN statistical activities, held its 22nd session March 7-16, 1983, at UN Headquarters in New York. The United States, which was not a member for the term 1982-83, was represented by an observer delegation.

Among the agenda items considered by the Commission were reports reviewing its work program. It agreed that a revision of the System of National Accounts should be completed by 1990. It

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<sup>18</sup> Members in 1983 were Argentina, Australia, Austria, Brazil, Czechoslovakia, Ecuador, Finland, France, Ghana, Hungary, India, Iraq, Ireland, Japan, Kenya, Libya, Malaysia, Mexico, Nigeria, Spain, Togo, Ukrainian S.S.R., U.S.S.R., and United Kingdom.



approved further work on shipping and energy statistics methodology and requested continued work on price statistics manuals and guidelines. With respect to technical cooperation, the Commission recommended an assessment of its effectiveness be undertaken.

There were also three special items on the agenda: statistical uses of administrative records; information technologies; and the UN Statistical Office's publication policy. The Commission did not agree that administrative records should be treated at the international level. It advised the Statistical Office not to spend resources on a global statistical network and put off until its next session a consideration of the Statistical Office's publication policy.

The United States was reelected to the Statistical Commission by the Economic and Social Council on May 25. Hence, the United States will have full representation on the Commission and will be able to participate fully in its 23rd session scheduled for February 25–March 6, 1985, in New York.

## **UN University**

The 38th session of the General Assembly reviewed the annual report of the Council of the UN University and adopted a resolution on the basis of the report.

The Report of the Council covered the period July 1982–June 1983. It reflected the major event at the Council's 18th session in 1981—the adoption of the Medium-Term Perspective (1982–87) which emphasized a multidisciplinary approach to the solution of global problems focused on five themes: (1) peace, security, conflict resolution, and global transformation; (2) global economy; (3) hunger, poverty, resources, and the environment; (4) human and social development and coexistence of peoples, cultures, and social systems; and (5) science and technology and their social and ethical implications.

The Report of the Council addressed the problem of fundraising. The Medium-Term Perspective stated that the University needed to build its Endowment Fund and related operating contributions in order to increase its core (interest) income from approximately \$15 million in 1982 to \$28 million in 1987.

The Report of the Council also discussed its consideration of actions to implement recommendations contained in the 1981 JIU report on the University. The JIU report gave a detailed and relatively concise explanation of what the University is, how it is organized, and how it functions, both administratively and financially, and made several practical suggestions for saving money and for streamlining its administration.

The University, which is located in Tokyo, receives its greatest financial support from Japan. The United States has never made a

formal financial contribution to the University, although it has supported private sector financial contributions. It has also supported the University program of research on developing new cooperative approaches to world problems. The United States strongly supports the endowment method of funding, which is of fundamental importance to the concept of the University and to the mandate it was given by the United Nations.

On December 18 the General Assembly, on the recommendation of the Second Committee, adopted without a vote a resolution on the UN University which appealed to member states to contribute to the University's Endowment Fund and to make "operating" contributions. The resolution noted with satisfaction the constructive development of the University's activities, progress toward the establishment of its first three research and training institutes, and the expansion of its cooperation with bodies within and outside the UN system. (Resolution 38/178.)

## **UN Institute for Training and Research**

Established in New York in 1965 as the result of U.S. initiatives embodied in resolutions adopted by the General Assembly in 1962 and 1963, the UN Institute for Training and Research (UNITAR), an autonomous UN institution, has as its purpose to enhance the effectiveness of the structure and functioning of the UN system by means of training and research. Since January 1983 UNITAR has been directed by Dr. Michel Doo-Kingue of the United Republic of Cameroon.

UNITAR has three main programs: training courses and seminars developed for diplomats accredited to the United Nations and for Secretariat personnel; a research department attuned to the current needs and interests of the international community; and the Project of the Future Department which conducts studies of long-term global problems and policy choices for the United Nations. It also conducts programs financed by special purpose grants.

UNITAR is governed by a Board of Trustees composed of 34 members, 4 of whom are *ex officio* members: the UN Secretary General; the President of the General Assembly; the President of ECOSOC; and the Executive Director of UNITAR. The remaining members, appointed by the Secretary General in consultation with the Presidents of the General Assembly and ECOSOC, each serve in an unstructured personal capacity for not more than two 3-year terms. Since September 1982, the American on the Board of Trustees has been Dr. Joel Segall, President of Bernard M. Baruch College of New York.

The Executive Director convened a special session of the Board that was held at Headquarters from April 11 to 14 to discuss new

directions for the Organization and to acquaint the Board with the Agency's financial situation.

The Board focused on the future of both the training and the research functions of UNITAR. Regarding training, the Board decided that UNITAR would go beyond its traditional role of training diplomats and design training programs that would enhance the capacity of developing countries to plan and manage their development. The Training Department would continue such traditional courses as the seminars for new delegates to the UN General Assembly, the seminar on economic development and its international setting—cosponsored by UNITAR and the Economic Development Institute of the World Bank—and the joint UN/UNITAR Fellowship Program in International Law. In addition, the Training Department would continue to respond to requests to set up in-country training programs for diplomats financed by special grants from various member states. The outline of these new training plans will be presented to the Board at its March 1984 annual meeting.

In the field of research, the Board decided that the Institute should "give priority to innovative programs, focusing on issues affecting the future of the United Nations system, on international peace and security and on development, especially those issues concerning the progress of the developing regions in the context of a changing world economy."

UNITAR's Project on the Future Department continued to focus on two broad themes of interest to a wide spectrum of UN member states: policy choices related to the implementation of a "new international economic order"; and on the meaning of physical limits and supply restraints on energy and natural resources. Within the theme of policy choices, UNITAR is focusing on a number of projects: technology, domestic distribution, and North/South relations; and regional approaches to issues of the future including strategies for the future of Africa, strategies for the future of Asia, and strategies of cooperation in the Mediterranean area.

The Board further agreed with the Executive Director that a sound policy of publications and closer cooperation with other international organizations, with member states, and with the mass media and other information organs were of special importance to the Institute's image and efficacy.

Regarding the organization of its own work, the Board decided that its regular annual sessions should be held in April rather than September and therefore postponed its scheduled 22nd regular session from September 1983 to April 1984.

An expansion of the Board of Trustees was considered to be a useful means of mobilizing support for the Institute. Accordingly, the Board authorized the Executive Director to advise the Secretary General to amend the UNITAR statute so that six members,

especially from potential contributing countries, could be added to the Board. The Secretary General accepted the proposal and amended the first sentence of Article III(a) of the statute, with effect from May 24, 1983, to read as follows:

(a) Not less than eleven members (and not more than thirty) shall be appointed by the Secretary-General of the United Nations in consultation with the President of the General Assembly and the President of the Economic and Social Council; these Board members may include one or more officials of the United Nations Secretariat.

Finally, the Board approved a resolution endorsing the notion that an effective UNITAR program requires a minimum funding level of about \$3 million. This resolution also reaffirmed the voluntary nature of member contributions to the Institute.

The United States contributed \$422,000 to UNITAR's General Fund in fiscal year 1983 and the same amount has been appropriated for fiscal year 1984. In 1983 this amount represented about 41.6% of total government pledges of about \$1 million. This represents more than a 30% reduction from 1982 contributions of about \$1.5 million.

UNITAR, by direction of the General Assembly, is supposed to be wholly dependent upon voluntary contributions. However, in 1980 and again in 1981 the General Assembly had to make up UNITAR's deficits with "grants-in-aid." The Agency balanced its budget in 1982, due to an unexpected income windfall. In 1983 however the Organization again reported a deficit; this time of almost \$0.9 million. This was because of expenditures that were well above the original estimates made in September 1982, as well as a shortfall in income some \$586,000 below original estimates. This shortfall was caused by decreased country contributions and a falloff in miscellaneous income. Faced with this shortfall, UNITAR moved to request an "advance" from the United Nations.

A draft resolution entitled "United Nations Institute for Training and Research" was introduced on November 18 by Pakistan on behalf of nine other sponsors. This draft was ultimately revised and reintroduced by Pakistan on December 5. The revised draft specifically encouraged the Executive Director to continue to evolve clear long-term priorities in the training and research program of the Institute which would emphasize its role in the promotion and strengthening of the development process and would make the need for that role more obvious. It also *inter alia* emphasized the necessity for the Institute to intensify its efforts further to improve its management and to develop its program of activities with a view to balancing its expenses with revenue and noted with satisfaction steps being taken by the Executive Director to adjust administrative costs and to mobilize resources to ensure avoidance of future deficits in the Institute's budget, and in operative paragraph 8 decided to

support the Secretary General's recommendations and agreed, on an exceptional basis, that an advance of \$886,000 should be given to the Institute to cover the 1983 deficit; this advance would be nonrecurrent and reimbursable in accordance with the terms set out in the Secretary General's report, and the repayment would begin after a grace period not exceeding 2 years.

Speaking in Committee before the vote, the U.S. Representative, R. E. Tierney, requested a recorded vote on the revised draft resolution. He said that his delegation would be obliged to vote against it because of the financial consequences of paragraph 8 and the implication that the General Assembly had agreed to a policy of bailing out voluntarily funded organs. The U.S. share of the proposed additional expenditure of \$866,000 would be \$221,500, which would be added to its regular assessment for 1984. The voluntary contribution it had earmarked for UNITAR for 1984 was \$422,000, the highest amount pledged by any state. If the resolution was adopted, the United States would have to reduce that contribution by the amount of the additional assessment. It believed that UNITAR's only appropriate response to its difficulties was to align its programs with actual contributions. The approach his delegation was adopting was not directed against UNITAR but against the failure of member states to support it. If it was not adequately supported, the Institute should cease to function.

The draft resolution was approved in Committee by a recorded vote of 115 to 9 (U.S.), with 6 abstentions. It was adopted in the plenary Assembly on December 19, again by a recorded vote of 128 to 9 (U.S.), with 6 abstentions. (Resolution 38/177.)

## **HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS**

The principal human rights organ of the United Nations, the Commission on Human Rights<sup>19</sup>, held its 39th annual session January 31–March 11, 1983, in Geneva. Richard Schifter led the U.S. Delegation. ECOSOC subsequently considered the Commission's report at its session May 3–27. At the General Assembly's 38th session its Third Committee considered a lengthy agenda of human rights issues.

The Commission's Expert Subcommission on Prevention of Discrimination and Protection of Minorities held its 36th regular session August 15–September 9, 1983, in Geneva.

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<sup>19</sup> Members in 1983 were Argentina, Australia, Bangladesh, Brazil, Bulgaria, Canada, China, Colombia, Costa Rica, Cuba, Cyprus, Fiji, Finland, France, Gambia, Federal Republic of Germany, Ghana, India, Ireland, Italy, Japan, Jordan, Libya, Mexico, Mozambique, Netherlands, Nicaragua, Pakistan, Philippines, Poland, Rwanda, Senegal, Tanzania, Togo, Uganda, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia, Zaire, and Zimbabwe.

## Elimination of All Forms of Religious Intolerance

Following up on the adoption by the 36th General Assembly in 1981 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the United States, Ireland, and the Netherlands in December 1982 proposed consideration by the Human Rights Commission's 39th session of a new agenda item on the Declaration's implementation. The initiative of the three governments had been foreshadowed by the adoption at the 37th General Assembly of a resolution which requested the Commission to consider necessary measures to implement the Declaration and to encourage understanding, tolerance, and respect in matters relating to freedom of religion or belief.

At its 39th session the Commission devoted two meetings to this item, resulting in the adoption of a resolution drafted under Irish leadership and cosponsored by a number of delegations, including the United States. The draft resolution contained four operative paragraphs which (1) requested the Subcommission on Prevention of Discrimination and Protection of Minorities to undertake a comprehensive and thorough study of the current dimensions of the problems of intolerance and of discrimination on the grounds of religion or belief, using as terms of reference the Declaration; (2) requested the Secretary General to hold within the framework of the Advisory Services Program in the period 1984-85 a Seminar on the Encouragement of Understanding, Tolerance, and Respect in Matters Relating to Freedom of Religion or Belief; (3) requested the Secretary General to report to the Commission's 40th session on measures taken to implement the present resolution; and (4) decided to consider the matter further at the 40th session under the separate agenda item relating to the implementation of the Declaration. The Irish draft resolution met with some objection from the Ukrainian S.S.R., which proposed two amendments to limit the scope of the requested study and to delay the decision as to whether or not a seminar should be held. The amendments were rejected by large majorities and the draft resolution was adopted by a vote of 39 (U.S.) to 0, with 4 abstentions.

ECOSOC approved the Commission's request for a seminar during 1984-85 by a vote of 48 (U.S.) to 0, with 4 abstentions. (Decision 1983/150.)

At the 38th General Assembly the item was considered in the Third Committee, again on the basis of a draft resolution formulated under Irish leadership and cosponsored by the United States and others. During the Committee's debate the U.S. Representative, Mr. Constantine M. Dombalis, pointed out that in many parts of the world not only are the principles and protections set forth in the Declaration on the Elimination of All Forms of Intolerance and of

Discrimination Based on Religion or Belief routinely ignored, but even a citation of them as the basis for criticizing state actions was likely to lead to arrest, interrogation, and possibly even imprisonment. It made it all the more important, he said, that the Committee take note of violations of the standards set by the General Assembly in the Declaration. Mr. Dombalis then described situations of religious persecution in Nicaragua, Vietnam, Ethiopia, the U.S.S.R., and Iran. In the case of Iran he drew special attention to the ill-treatment of the Baha'i religious minority.

The draft resolution was approved in Committee without a vote and subsequently, on December 16 adopted by the General Assembly, also without a vote. (Resolution 38/110.)

The resolution pledged the General Assembly's determination to encourage understanding, tolerance, and respect in matters relating to freedom of religion or belief and expressed the hope that the seminar called for by the Commission on Human Rights would contribute to the realization of these aims. The resolution also requested that the Commission continue its consideration of measures to implement the Declaration and to report, through ECOSOC, to the 39th General Assembly.

## **Racial Discrimination in Southern Africa**

The subject of racial discrimination, with emphasis upon the apartheid system in South Africa, was a principal item considered by the Commission on Human Rights at its 39th session. During the discussion, the U.S. Representative, Walter Berns, delivered a statement on U.S. policy concerning the apartheid situation in South Africa. That policy, he stated, was based on the belief in the possibility that a peaceful end to apartheid was possible. He noted that changes were underway in South Africa, both within and outside of Government. Mr. Berns concluded that "Given this willingness to change, we need to encourage that movement to ensure that the end result is an end to apartheid."

The Commission's debate focused on five draft resolutions. The principal draft resolution, sponsored by a group of African states, dealt with the report of the Commission's *Ad Hoc* Working Group of Experts (a group first created by the Commission in 1967). The draft resolution addressed in broad terms the apartheid situation in South Africa and highlighted and condemned several human rights violations occurring there. It also contained the Commission's decision to renew the mandate of the *Ad Hoc* Working Group of Experts composed of six persons acting in their personal capacity. The group was requested to continue to study the policies and practices which violate human rights in South Africa and Namibia, bearing in mind the effects of apartheid on black women and children and the group's

conclusion that the "criminal effects of apartheid amount to a policy bordering on genocide." This draft resolution was remarkable in that, unlike those of previous sessions on the same subject, the Commission adopted it by a vote of 42 (U.S.) to 0, with no abstentions. The United States joined in the unanimous vote for the resolution but expressed its opposition in two separate votes on specific paragraphs of the resolution. The United States voted against a provision expressing the Commission's profound indignation at the scale and variety of human rights violations in South Africa, in particular "the ill-treatment of captured freedom fighters and other detainees." The United States also voted against a paragraph which condemned South Africa's military attacks against neighboring countries. In explaining these two negative votes, on February 18, Mr. Schifter noted that the United States could not accept the notion, even by implication, that violence and armed conflict are legitimate means of reaching a political goal, nor could it agree to have the Commission involve itself in issues clearly within the jurisdiction of the Security Council.

Another resolution relating to the report of the *Ad Hoc* Working Group of Experts, but concerning the question of Namibia, was adopted by a vote of 37 to 0, with 5 (U.S.) abstentions. The United States joined the other members of the Western Contact Group, all of whom abstained because of their involvement in the negotiations on Namibian independence.

A resolution proposed under the item dealing with the adverse consequences of assistance to southern Africa was adopted by a vote of 30 to 4 (U.S.), with 8 abstentions. The United States based its vote on its nonacceptance of the resolution's numerous provisions opposing normal and legal business activities of U.S. companies in South Africa and which called for general economic sanctions against South Africa. The United States has also opposed the activity of a Special Rapporteur of the Subcommittee on Prevention of Discrimination and Protection of Minorities who has annually prepared a list of banks, transnational corporations, and other organs giving "assistance to the racist and colonial regime in South Africa."

Under the agenda item concerning the convention against apartheid, a resolution urging ratification of and support for the machinery under that convention was adopted by a vote of 31 to 1 (U.S.), with 10 abstentions. The U.S. vote reflected its basic opposition to the convention, dating from the General Assembly's approval of the convention in 1973. The convention established apartheid as an international crime, a concept too broadly and vaguely defined.

Finally, a resolution on the implementation of the Program for Action to Combat Racism and Racial Discrimination was approved by a vote of 41 to 0, with no abstentions. The United States did not participate in this vote because of its nonparticipation in the Decade



as a consequence of the General Assembly's adoption at its 30th session of a resolution equating Zionism with racism and racial discrimination.

ECOSOC at its first regular session of 1983 adopted without a vote a decision that endorsed the Commission's decision to renew the mandate of the *Ad Hoc* Working Group of Experts. (Decision 1983/135.) By a vote of 39 to 4 (U.S.), with 10 abstentions, ECOSOC also endorsed the Commission's decision supporting the continued mandate of the Subcommittee's Special Rapporteur to update the list of banks, transnational corporations, and other organs "assisting" the racist regime in South Africa. (Decision 1983/137.)

## **SECOND WORLD CONFERENCE TO COMBAT RACISM AND RACIAL DISCRIMINATION**

The 10-year period beginning December 10, 1973, was designated by the 28th General Assembly as the Decade for Action to Combat Racism and Racial Discrimination. The climactic event of the Decade was the Second World Conference to Combat Racism and Racial Discrimination, which was held in Geneva, August 1-12, 1983. Following its policy of nonparticipation in the Decade, the United States did not take part in the Second World Conference. The Conference adopted a Declaration and a Program of Action. In the Declaration, the Conference recommended that the General Assembly launch the Second Decade to Combat Racism and Racial Discrimination. To this end, the Conference adopted a Program of Action for the Decade. The Conference Declaration was adopted by a vote of 101 to 12, with 3 abstentions. The Program of Action was adopted by a vote of 104 to 0, with 10 abstentions.

## **GENERAL ASSEMBLY CONSIDERATION**

The Third Committee of the 38th General Assembly session considered three agenda items dealing with racial discrimination and apartheid. In a major address to the Third Committee on October 10, the U.S. Representative, Ambassador Keyes, related the discussion to the American experience in dealing with the issues of racism and racial discrimination:

No representative of the United States can address the issues of racism and racial discrimination without being conscious of the critical role they have played in the experience of the American people. From the day our independence was declared 207 years ago, through the slaughter and spiritual anguish of a terrible Civil War, and into the painful years of glory that finally removed the legal structures of racial persecution, we have as individuals and as a people, struggled with the consequences of racial bigotry, fear, and hatred. The struggle had a special urgency for us because it involved the integrity and truth of the principles of human freedom and equal justice that bind us together as a nation.

With regard to South Africa, Ambassador Keyes rejected the pessimistic view that the situation there is hopeless and that no real change can occur except through violence. He pointed to the basic economic forces at work in South Africa:

As the South African economy diversifies its agrarian and mineral base, significant segments of the white community see a rational selfish interest in fostering improvement in the educational and employment opportunities of black South Africans. . . . The more imperative it becomes that this potential be realized, for the welfare of blacks and whites alike, the more unrealistic resistance to change becomes. This suggests that change in South Africa is not only a matter of changing white attitudes and prejudices. It involves understanding and facilitating the conditions in which justice and self-interest run along parallel lines.

The Third Committee approved six draft resolutions which the General Assembly subsequently adopted on November 22.

In a resolution adopted without a vote, the Assembly proclaimed the 10-year period beginning on December 10, 1983 as the Second Decade to Combat Racism and Racial Discrimination. Note was taken of the results of the Second World Conference to Combat Racism and Racial Discrimination which had drawn up the Program of Action for the Decade. The Assembly approved the Program of Action which it annexed to the resolution and called upon all states to cooperate in its implementation. Finally, the Assembly requested ECOSOC to coordinate, with the help of the Secretary General, the implementation of the Program of Action and to evaluate the activities undertaken during the Second Decade. The Secretary General was requested to submit to the 39th General Assembly, through ECOSOC, a plan of activities for the period 1985-89 for implementing the Program of Action and achieving the objectives of the Second Decade. (Resolution 38/14.)

The Assembly also approved a companion resolution, also without a vote, expressing its satisfaction at the serious and constructive work undertaken at the Second World Conference to Combat Racism and Racial Discrimination. It appealed to all governments, UN organs, the specialized agencies, and other intergovernmental organizations as well as the concerned nongovernmental organizations in consultative status with ECOSOC to participate in the observance of the Second Decade to Combat Racism and Racial Discrimination by intensifying and extending their efforts toward ensuring the rapid eradication of racism and racial discrimination. The United States did not participate in the vote on either of these two resolutions. (Resolution 38/15.)

The U.S. Representative, Carl Gershman, explained in the Committee on October 26 that because of its nonparticipation in the Decade, the United States had not participated in the Conference which was the subject of the two resolutions. Reiterating the absolute U.S. Government opposition to apartheid and to any form of

racial discrimination, he strongly regretted the politicization of the Decade.

Also adopted without a vote was a resolution concerning the status of the International Convention on the Elimination of All Forms of Racial Discrimination. The resolution was generally supportive of the Convention and sought to maximize the number of parties to it. (Resolution 38/18.)

A similar resolution relating to the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid was adopted by a vote of 110 to 1 (U.S.), with 23 abstentions. (Resolution 38/19.)

A resolution, adopted without a vote, dealt with the special problem of reporting obligations of states under the International Convention on the Elimination of All Forms of Racial Discrimination. These reports are considered by the organ of implementation established under that Convention, the Committee on the Elimination of Racial Discrimination (CERD). (Resolution 38/20.)

Finally, in another resolution also adopted without a vote, the Assembly expressed its support for CERD's work. The resolution strongly condemned the policy of apartheid in South Africa and Namibia and urged all member states to adopt effective political, economic, and other measures in order to secure the elimination of that policy and to achieve the full implementation of the relevant resolutions of the General Assembly, the Security Council, and other UN bodies. (Resolution 38/21.)

In explaining the U.S. decision not to break consensus on the draft resolution, Mr. Gershman, speaking in Committee on October 27, noted U.S. reservations concerning this operative paragraph which, he said, introduced extraneous political considerations outside CERD's mandate. He explained that the United States had abstained in the separate vote on the paragraph. He stated that the United States believed that the call upon member states to adopt effective political and economic measures to secure the elimination of apartheid was consistent with the U.S. policy of promoting peaceful change in South Africa through practical, positive steps. Mr. Gershman explained that such steps, however, did not include mandatory sanctions (which only the Security Council can impose) or recourse to armed struggle—measures which he believed would work against the objective of eliminating apartheid. He said that the United States would regard as "relevant" only those resolutions of the General Assembly and other UN bodies which, in its view, were best designed to achieve this objective.

## **Science and Technology**

Emphasis on potential and actual misuses of psychiatry has gained momentum in recent years, marked in part by the Soviet withdrawal

from the World Psychiatric Association in 1983 in the face of potential condemnation by that Organization.

At its 1983 session the Commission on Human Rights adopted by consensus a Subcommission resolution calling for prompt completion of a study relating to guidelines, principles, and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder; being prepared by its Special Rapporteur, Erica-Irene Daes. The resolution also requested the Subcommission to submit a final draft to the Commission's 40th session.

Although the 1983 session of the Subcommission failed to complete action on these guidelines and principles, the Subcommission did agree by consensus to ask the 1984 sessions of the Commission and ECOSOC to approve publication and distribution of the Special Rapporteur's general study on misuses of psychiatry.

The Soviet Union continued its activities under this agenda item on behalf of several resolutions on peace and disarmament which the United States considers beyond the scope of the Commission's work. One such resolution introduced by the Soviet Union called upon states "to ensure that the results of scientific and technological progress are used exclusively in the interests of international peace," and to consider this matter further at the Commission's 40th session. The United States abstained on the resolution, which was adopted by a vote of 32 to 0, with 11 (U.S.) abstentions. The resolution did, however, incorporate an Irish amendment concerning rights to freedom of expression, association, and peaceful assembly, approved by a vote of 27 (U.S.) to 9, with 7 abstentions.

The Commission also approved by consensus a Yugoslav/Japanese draft resolution relating the application of science and technology to economic and social progress and to the promotion and enjoyment of human rights and fundamental freedoms. The resolution invited member states and international organizations to submit their comments to the Secretary General for transmission to the 40th session of the Commission.

Finally, the Commission approved by a vote of 32 to 0, with 9 (U.S.) abstentions, an Eastern-bloc resolution on the role of science and technology in development. The resolution called upon states to use science and technology as an instrument for progress toward economic, social, and cultural development and to improve the well-being of peoples. It called for continued study by the Subcommission and review at the Commission's 40th session.

The 38th session of the General Assembly, in addition to considering the question of psychiatric abuse, also considered two resolutions dealing with peace and disarmament. The United States abstained on both resolutions as outside the human rights context. The first, a Byelorussian S.S.R. draft text, called upon all states to make every

effort to use the achievements of science and technology in order to promote peaceful social, economic, and cultural development and progress. The resolution was approved in Third Committee by a vote of 114 to 0, with 22 (U.S.) abstentions and in plenary by a vote of 115 to 0, with 22 (U.S.) abstentions. (Resolution 38/112.)

The Third Committee also approved a Soviet draft resolution by a vote of 110 to 0, with 23 (U.S.) abstentions. It was similar to the Soviet resolution approved by the Commission in that it attempted to establish the right to life as the most important human right. The resolution expressed deep concern over the arms race and noted the pressing need for nuclear disarmament. It called upon states "to take effective measures to prohibit by law any propaganda for war" and to ensure that the results of scientific and technological progress are used exclusively for peace. The resolution was adopted in plenary by a vote of 123 to 0, with 23 (U.S.) abstentions. (Resolution 38/113.)

Finally, the General Assembly approved without a vote a procedural resolution on the abuse of psychiatry which urged the Commission and Subcommission to undertake, as a matter of priority, a study of the question of the protection of those detained on the grounds of mental ill-health, with a view toward formulating guidelines for consideration at the General Assembly's 40th session. (Resolution 38/111.)

In his statement before the Third Committee on November 25, the U.S. Representative pointed out that it had been 5 years since the General Assembly had requested the Commission to study the question of abuse of psychiatry and noted that in the year since the last General Assembly, the Soviet Union had resigned from the World Psychiatric Association to avoid expulsion and had been emulated by affiliates from Czechoslovakia, Bulgaria, and Cuba. The case of Dr. Anatoliy Koryagin, a Soviet psychiatrist arrested in 1981 and sentenced to 12 years' imprisonment and internal exile for criticizing Soviet abuse of psychiatry, provided one of the most egregious examples of that abuse.

## **35th Anniversary of the Universal Declaration of Human Rights**

December 10, 1983, marked the 35th anniversary of the Universal Declaration of Human Rights. In preparation for that event, the General Assembly in 1981 invited member states, specialized agencies, and international organizations to prepare for a celebration and proposed holding a special commemorative meeting during the 1983 session of the General Assembly.

The United States responded to the Secretary General's invitation with a program of activities whose centerpiece was a commemoration at the White House at which President Reagan and senior

members of his Administration spoke before an audience of non-governmental organizations, international human rights activists, Members of Congress, and the news media, as the President signed his annual Human Rights Day Proclamation. The President's remarks were preceded by those of several international human rights activists from Poland, El Salvador, Grenada, and Iran speaking of their personal experiences in countries where the international standard of human rights was far from being achieved. Other commemorative activities included a taped USIA interview with Secretary Shultz, a publication of Administration statements on human rights entitled *Human Rights and Foreign Policy: Commemorating the Universal Declaration of Human Rights*, and various commemorative activities at U.S. Embassies worldwide.

On December 9 as part of its own celebration, the General Assembly approved without a vote a resolution stressing the significance of the Universal Declaration and expressing grave concern over continuing mass and flagrant violations of human rights in many parts of the world. The resolution called upon all states to consider ratifying or acceding to international human rights instruments and called upon UNESCO to report to the General Assembly's 40th session on UNESCO's educational efforts in the area of human rights. (Resolution 38/57.)

## **Drafting of International Human Rights Instruments**

During roughly the first 20 years of UN human rights activities, the emphasis was almost completely upon the drafting of human rights instruments (treaties, covenants, declarations, principles). Although emphasis in recent years has shifted from drafting to consideration of specific human rights problem areas, some drafting exercises which are designed to strengthen or fill gaps in the existing framework of international human rights standards are still being carried out. (In addition to those discussed here, the developments in drafting a convention against torture are discussed on p. 186.)

### **RIGHTS OF THE CHILD**

Since its 1978 session, the Commission on Human Rights has been engaged in drafting a Convention on the Rights of the Child on the basis of a draft text submitted at that session by Poland. Since 1979 an informal, open-ended working group of the Commission has met to continue work on the draft convention. Prior to the Commission's 39th session, the working group had adopted the preamble and 12 operative paragraphs of the draft convention. Since the drafting exercise began, the United States has been among the most active participants. Its general aim has been to assure that the convention

would cover all essential rights as well as reflect the changes which have occurred since the UN Declaration on the Rights of the Child was adopted by the General Assembly in November 1959. The U.S. view was that the Polish draft text has been deficient mainly in its concentration upon economic and social rights and a neglect of civil and political rights.

At a 1-week meeting before the opening of the Commission's 39th session, the working group recorded a modest advance in its drafting effort. It adopted complete or partial provisions on family reunification, on direct contacts between a child separated from one or both parents, on child abduction, and on disabled children. The text adopted on child abduction in part was in response to the concern which had been expressed in ECOSOC resolution 1982/39, in which the Commission had been invited, when drafting the convention, to consider the protection rights of the child in cases of unauthorized international removal. The Secretary General presented a report on this increasingly serious current international problem to the Commission at its 39th session. The Commission's action was based upon the report of its working group and on a draft resolution introduced by Poland. In the resolution, which was adopted without a vote, the Commission decided to continue at its 40th session as a matter of highest priority its work on the elaboration of the draft convention with a view to completing the draft at that session.

The Third Committee considered the question of a Convention on the Rights of the Child as a separate agenda item at the 38th General Assembly. The brief discussion was concluded by the adoption, without a vote, of a resolution which was presented by Poland and others. The resolution followed a pattern of previous sessions in welcoming progress in the drafting of the convention and urging continuing highest priority attention to it by the Commission. Unlike previous sessions, the resolution contained a new provision which urged that the Commission make every effort to complete the draft convention as its tangible contribution to the commemoration of the 25th anniversary of the UN Declaration of the Rights of the Child. In joining the consensus on the resolution, the U.S. Representative observed that the extra pressure which the resolution appeared to place on the Commission to complete its work in 1984 could not obviate the need for extreme care in drafting the convention, which would create binding legal obligations for its states parties. The Third Committee's draft resolution was subsequently adopted without a vote in plenary on December 16. (Resolution 38/114.)

## **HUMAN RIGHTS OF MIGRANT WORKERS**

The question of the human rights and dignity of migrant workers has been a longstanding concern of the Human Rights Commission

and the General Assembly. Since 1980 the focus of this concern has been the activity of an open-ended working group which was established by the General Assembly in 1979 to elaborate an International Convention on the Protection of the Rights of All Migrant Workers and Their Families. The working group had met twice in 1982 and its reports were before the Commission's 39th session in 1983. The Commission considered the topic at only two meetings and adopted without a vote a resolution which highlighted the work being carried on by the working group. In its resolution, the Commission welcomed the progress being made by the working group and reiterated its hope that the General Assembly would complete the elaboration of the convention as soon as possible.

During 1983 two sessions of the open-ended working group were held, the first May 31–June 10 and the second September 27–October 6, during the General Assembly's session. The working group adopted a report at each session, and both were submitted to the General Assembly. The reports summarized the working group's slow progress. Annexed to the reports were the texts of articles of the draft convention to which the working group had provisionally agreed, including numerous bracketed portions (areas of nonagreement), which illustrate the great complexity of the issues being addressed. Probably the overriding impediment to progress to date, as pointed out by the U.S. expert member of the working group, Thomas A. Johnson, has been the inability of the working group to reach agreement on the basic definitions to be used throughout the convention, particularly, the lack of an agreed definition for the term "migrant worker."

At the General Assembly the Third Committee considered the subject under the agenda item, "Report of the Economic and Social Council." The Committee approved a draft resolution sponsored by Algeria and others without a vote. As approved, the draft resolution took note of the reports of the open-ended working group and expressed its satisfaction with the "substantial progress" that the working group had made in accomplishing its mandate. The Assembly decided that, in order to complete its task as soon as possible, the working group should again hold an intersessional meeting in 1984 and also meet during the General Assembly's 1984 session. Finally, the Assembly expressed the hope that the working group would, if possible, complete the elaboration of the convention at its second 1984 session. This resolution was subsequently adopted in plenary on December 16 without a vote. (Resolution 38/86.)

## **HUMAN RIGHTS OF NON-CITIZENS**

Since its 35th session the General Assembly has been drafting a Declaration on the Human Rights of Individuals Who Are Not



Citizens of the Country in Which They Live. The General Assembly's work began when it received from ECOSOC the text of a draft declaration which had been prepared by Baroness Elles (United Kingdom), Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities, and amended by the Subcommission. At each session since the 35th, an open-ended working group, meeting during the course of the Assembly sessions, has carried out the drafting activities.

At the 38th General Assembly the open-ended working group held nine meetings during October and November. The group reported its adoption of the proposed declaration's preamble and four substantive articles and part of another. In the working group and subsequently in explaining his position on the draft resolution in the Third Committee, the U.S. Representative made clear that his agreement to the substantive articles was conditional upon the eventual approval of a satisfactory Article 1 relating to definitions. The U.S. position emphasized the fact that the group has not yet agreed upon the key definition of the term "alien." In particular, the group has differed sharply as to whether the declaration should apply only to an alien *lawfully resident* within a state of which he is neither a national nor a citizen, or whether it should apply to all aliens so situated. The Third Committee and subsequently, on December 16, the General Assembly adopted without a vote a draft resolution which took note of the working group's report and of the fact that although the working group had done useful work, it had not had sufficient time to complete its task. The Assembly decided to establish at its 39th session another open-ended working group and expressed the hope that it would adopt the draft declaration on the human rights of non-citizens at that session. (Resolution 38/87.)

## **RIGHTS OF MINORITIES**

Since 1978 the Commission on Human Rights has been engaged in the drafting of a Declaration on the Rights of Minorities. The project to draft a declaration was instituted in response to a recommendation made by its Subcommission. The drafting has been carried out at each session through an informal open-ended working group which has used as its basic text a draft Declaration on the Rights of Persons Belonging to National, Ethnic, Religious, or Linguistic Minorities proposed by Yugoslavia in 1978 and subsequently revised and consolidated by the Yugoslav Chairman/Rapporteur of the working group at the Commission's 1981 session. Prior to the Commission's 1983 session the working group had provisionally adopted the title and the preamble of the draft declaration, although it still remained undecided whether the draft declaration should apply to "national" minorities as well as to ethnic, religious, or linguistic minorities. The

working group has not yet been able to agree on a definition of the term "minorities." In spite of this lack of agreement, the group decided to proceed with its discussion of the substantive articles.

At the 39th session of the Commission, the working group met again and resumed its consideration of the substantive articles of the draft declaration but adopted no text of any article. The Commission considered its agenda item concerning the rights of minorities at one meeting. It took note of the report of the working group and adopted without a vote a draft resolution presented by Yugoslavia. As adopted, the resolution reestablished the working group at the Commission's 40th session to continue consideration of the draft declaration.

## **Economic, Social, and Cultural Rights**

The 39th session of the Commission on Human Rights had as one of the recurring items on its agenda an item dealing with the realization in all countries of the economic, social, and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social, and Cultural Rights. Two sub-items related to the right to development and the effects of the existing unjust international economic order on the economies of developing countries. At the outset of the session, the Commission accepted a Yugoslav proposal that a third sub-item be added; concerned with the right of popular participation as an important factor in development and in the realization of human rights. Addition of this sub-item was in part a response to the request contained in General Assembly resolution 37/55, which had requested the Commission to consider the question of popular participation at its 39th session.

Since 1981 the Commission's annual consideration of the group of human rights known as economic, social, and cultural rights has been largely a holding exercise while the Commission awaited the results of its 15-member Working Group of Governmental Experts on the Right to Development, which it had established at its 37th session. This working group was mandated to study the scope and content of the right to development and the most effective means to ensure the realization in all countries of generally recognized economic, social, and cultural rights. The working group also has been requested to submit concrete proposals for a draft declaration on the right to development. The Commission had before it the working group's report on its two 1982 sessions. The debate in the Commission followed the lines of the previous session, with a wide divergence of views being expressed as to the nature and dimensions of the right to development.

The Commission adopted three resolutions under this item. The text of the resolution dealing with the right to development was

virtually identical to that which the Commission had adopted at its previous session. The resolution, introduced by Senegal on behalf of many cosponsors, commended the report of the Working Group of Governmental Experts on the Right to Development and decided that the working group, with the same mandate, should reconvene for two meetings in 1983. Included in the resolution's preamble were references to previous General Assembly resolutions relating to the establishment of a new international economic order and the Charter of Economic Rights and Duties of States, as well as references to previous General Assembly resolutions which declared that the right to development is an inalienable human right and that equality of opportunity for development is as much a prerogative of nations as of individuals within nations. Some delegations objected to this selective choice of resolutions which omitted other important resolutions which they considered equally relevant. The resolution was adopted by a vote of 40 to 0, with 3 (U.S.) abstentions.

Also adopted was a resolution which Yugoslavia had proposed concerning popular participation. The United States was unable to vote for this resolution, chiefly because of the inclusion in its text of references to a so-called "right of popular participation," as well as certain language which appeared to equate all categories of human rights: economic, social, cultural, civil, and political. The vote on this resolution was 42 to 1 (U.S.), with no abstentions. As approved, the resolution asked ECOSOC to request the Secretary General to undertake a comprehensive analytical study on the "right" to popular participation as an important factor in the full realization of human rights and to submit a preliminary study to the Commission's 40th session and the final study to the 41st session. In his explanation of vote on February 22, Mr. Schifter reaffirmed the U.S. belief that human rights are those elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights, and other international human rights instruments. He stated that the United States did not consider the still undefined term "popular participation" a basic human right but a social concept.

Finally, the Commission approved a Subcommission draft resolution regarding the new international economic order and the promotion of human rights. This draft resolution expressed deep concern about the precarious nature of the food situation, particularly in the least developed countries, and its implications for the enjoyment of the fundamental right to food. In its principal operative paragraph, the Commission recommended to ECOSOC that it authorize the Subcommission to entrust to one of its expert members the task of preparing a study on the right to adequate food as a human right. The Special Rapporteur would be requested to give special attention to the normative content of the right to food and its significance in relation to the establishment of the new international economic

order. This resolution was approved by a vote of 36 to 0, with 5 (U.S.) abstentions. The U.S. abstention was based on doubts as to the real utility of the proposed study and the devotion of scarce resources to its preparation.

The Commission's Working Group of Governmental Experts on the Right to Development held two sessions in 1983, its sixth session, June 13–24 and its seventh, October 31–November 11. Peter L. Berger represented the United States at these sessions. At the seventh session, the progress achieved in finding a consensus formulation of a possible right to development, to which the United States had made substantial contributions, was severely set back by the adamant and firmly unyielding positions which some participants, particularly Cuba and Algeria, expressed.

In the General Assembly, consideration of the economic group of human rights and related issues, including a right to development, once again fell under the agenda item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms." (See p. 204.)

## **Regional Arrangements**

The General Assembly's 38th session carried forward its interest in the subject of regional human rights arrangements by considering the Secretary General's report which had been requested in a resolution of the 37th session. In his report the Secretary General described the status of regional arrangements for the promotion and protection of human rights in Africa, the Americas, Europe, and Asia. He also reviewed the exchanges of experience and information between the United Nations and regional human rights organs and organizations, as well as ways and means to further those exchanges. The Secretary General's report gave rise to comparatively little discussion. A resolution presented by Belgium and others in the Third Committee noted the Secretary General's report and invited him to submit to the 39th General Assembly a supplemental report, further developing the views and proposals set forth in his report. The draft resolution was approved without a vote in the Third Committee and adopted in plenary on December 16. (Resolution 38/97.)

## **Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

UN activity on this subject in 1983 centered on the negotiations concerning two draft instruments—the torture convention and the principles of medical ethics—and on the means of providing continued support for the UN Fund for Victims of Torture.

The Commission on Human Rights approved without a vote a resolution recommending that ECOSOC authorize the Working Group on the Draft Convention Against Torture to meet 1 week before the Commission's 40th session to complete its work and provide the Commission the opportunity to review the completed draft convention at that session.

ECOSOC agreed by consensus during its first regular session of 1983 to authorize the additional meeting of the working group, as requested by the Commission. (Resolution 1983/38.)

The question of torture, and other cruel, inhuman, or degrading treatment was raised during the 38th General Assembly in the form of a Swedish resolution dealing with the working group's mandate. The text of this resolution updated General Assembly resolution 37/193 which had called for completion of the draft convention and its submission to the General Assembly at its 39th session. The resolution was approved by consensus in the Third Committee and adopted without a vote in plenary on December 16. (Resolution 38/119.)

A related measure considered by the General Assembly concerned principles of medical ethics. The resolution, entitled "Principles of Medical Ethics," drafted by the Netherlands and cosponsored by the United States and several other Western countries, built on the resolution adopted by the 37th General Assembly approving principles of medical ethics finalized by a working group of the Third Committee. It expressed alarm at the continued involvement of medical personnel in activities contrary to principles of medical ethics; urged governments to take measures promoting application of these principles, particularly in prisons and places of detention; urged the Secretary General and governments to disseminate the principles of medical ethics; and requested the Secretary General to report to the 39th General Assembly on steps taken toward their wide dissemination. The resolution was approved by consensus in the Third Committee and adopted without a vote in plenary on December 16. (Resolution 38/118.)

Finally, the Human Rights Commission considered a resolution sponsored by the Nordic countries concerning the UN Voluntary Fund for Victims of Torture. The resolution noted the obligation of all governments to respect and promote human rights in accordance with their responsibilities under various international instruments and the related need to provide assistance to victims of torture. The resolution expressed gratitude to those governments which had contributed to the Fund, called upon those which had not done so to contribute, and requested the Secretary General to keep the Commission informed of the Fund's operation. The Commission approved the resolution without a vote.

In a similar draft resolution considered by the General Assembly, the Third Committee approved by consensus a Swedish draft calling

for contributions to the Fund and requested the Secretary General to encourage contributions. The resolution was adopted without a vote in plenary on December 16. (Resolution 38/92.)

## Violations of Human Rights

An item automatically placed on the Commission's annual agenda is entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories." This item customarily occupies more of the Commission's time than any other, because statements and draft resolutions by Commission members present their separate viewpoints on the state of human rights and situations of violations throughout the world. A part of its consideration is in closed session, where situations brought to the Commission's attention under the confidentiality provisions of ECOSOC resolution 1503 (XLVIII) are reviewed. At its 39th session the Commission devoted 18 meetings to this item, 8 of which were closed. At the conclusion of the closed meetings, the Chairman announced that the following countries had been considered: Afghanistan, Argentina, the German Democratic Republic, Haiti, Indonesia (in relation to East Timor), Iran, Paraguay, Turkey, and Uruguay.

During the public meetings, Mr. Schifter delivered two major U.S. statements. His first statement, on March 3, was devoted to a discussion of the human rights situation in Poland. In support of the draft resolution on Poland, presented by several Western states, Mr. Schifter noted that by adopting the proposed resolution he hoped that the Commission could exercise moral suasion and effect change for the better. He noted that the draft resolution was not anti-Polish. "It is the most positive contribution we can make to the case of human rights in Poland," he said. Mr. Schifter closed his statement by deploring the fact that all the major advances over a 25-year period toward greater respect for human rights in Poland had suddenly vanished with the crackdown of December 13, 1981. "It is that giant step backward," he stated, "that caused such deep concern. It was a concern for the people of Poland, but it was also a wider concern; for, in our view, open societies are the best guarantors of peace."

In another statement, on March 4, Mr. Schifter reviewed the world human rights situation. He noted the advances which had occurred in 1982 in "the Commission's favorite region—Latin America," and he deplored the fact that the Commission did not take up the serious human rights violations occurring in Cuba and Nicaragua. He also expressed concern over the Suriname's human rights record. Turning to other regions, Mr. Schifter spoke of the plight of the Baha'is in Iran and reviewed in detail human rights developments in the Soviet

Union in 1982. "It is a matter of regret to us," he said, "as it should be to all mankind, given the importance to us all of conditions in the U.S.S.R., that 1982 was the year of regression in Soviet respect for human rights. The sparks of freedom that were allowed to glimmer in the 1970's are now rapidly being extinguished."

Under the agenda item concerning violations, the Commission adopted nine resolutions and two decisions. In three cases the Commission acted on the basis of reports presented to it by persons who had carried on investigations between Commission sessions pursuant to Commission decisions.

Concerning El Salvador the Commission received a report from its Special Representative, Professor Jose Antonio Pastor Ridruejo. It considered two draft resolutions, one put forward by Canada and a competing draft proposed by Mexico, France, and others. In his general statement under the item, Mr. Schifter referred to the human rights situation in El Salvador and stressed the activities of guerrilla forces, actively supported and advised from the outside, which were attempting to overthrow the established Government by force and violence. He also pointed to the opportunity which the people of El Salvador would have to express their points of view at the ballot box. The United States was prepared to support the Canadian draft resolution, which stressed human rights concerns and avoided controversial political subjects such as an arms embargo and the requirements of a negotiated settlement by the Government and the guerrillas. Although the Canadian draft resolution, because it had been put forward first, would have had priority in the voting, the Commission voted first on the Mexican draft resolution after adopting a motion put forward by Mexico that its draft resolution be considered first. This motion was adopted by a vote of 18 to 17 (U.S.), with 7 abstentions. The draft resolution was then adopted by a vote of 23 to 6 (U.S.), with 10 abstentions. As adopted, the draft resolution expressed the Commission's deep concern that violations of human rights of the most serious nature continued in El Salvador, reiterated its appeal for an arms embargo, and expressed its regret that the El Salvador Government had not responded to its suggestions to initiate contacts to negotiate a peaceful settlement with all representative political forces in that country. The mandate of the Commission's Special Representative was extended for 1 year, and he was requested to report on developments in El Salvador to the 38th General Assembly and to the 40th Commission session.

As concerns Poland, the Commission received a report, regrettably incomplete, from the Secretary General, prepared by his designated representative, Under Secretary General Hugo Gobbi. A four-power draft resolution on Poland expressed the Commission's thanks to the Secretary General and to Mr. Gobbi, deplored the attitude of the Polish authorities in not cooperating with the Commission, called

upon the Polish authorities to realize fully and without further delay their stated intention to terminate the restrictive measures imposed on the exercise of human rights and fundamental freedoms, and decided to request the Secretary General, or his designee, to update and complete the thorough study of the human rights situation in Poland which the Commission had requested in its 1982 resolution. The resolution was adopted by a vote of 19 (U.S.) to 14, with 10 abstentions.

With regard to the human rights situation in Bolivia, the Commission received a study from its Special Envoy, Mr. Hector Gros Espiell. The Commission approved without a vote a resolution proposed by Canada and others which noted with satisfaction the Special Envoy's conclusion that during the period under review the Bolivian Government had demonstrated a complete respect for human rights. The Commission also noted with satisfaction the determination of the constitutional Government to take the necessary measures to ensure that a thorough investigation of all past human rights violations is undertaken, and decided to end its consideration of the human rights situation in Bolivia.

The situation of human rights in Iran was the subject of a report submitted by the Secretary General, who also reported on his direct contacts with the Iranian Government. Other information on the human rights situation in Iran appeared in the report of the Commission's Special Rapporteur on Summary or Arbitrary Executions. The Commission considered and adopted a draft resolution presented by the Netherlands and others in which it expressed its profound concern at the continuing grave violations of human rights and fundamental freedoms in Iran—of particular concern was evidence of summary and arbitrary executions; torture; detention without trial; religious intolerance and persecution, in particular of the Baha'is; and the lack of an independent judiciary and other recognized safeguards for a fair trial. The resolution also requested the Secretary General or his representative to continue direct contacts with the Government on Iran's grave human rights situation, including the situation of the Baha'is, and to submit a comprehensive report to the Commission's 40th session. The resolution was adopted by a vote of 17 (U.S.) to 6, with 19 abstentions.

Although the Commission at its previous session had requested the appointment by the Chairman of a Special Rapporteur on the human rights situation in Guatemala, negotiations concerning the appointment had been inconclusive and so no report was prepared. The Commission considered the human rights situation in Guatemala on the basis of a draft resolution put forward by the Netherlands and Canada, together with an amendment proposed by Cuba and Nicaragua calling for an arms embargo. This Cuban-Nicaraguan amendment was adopted by a vote of 24 to 8 (U.S.), with 11 abstentions. The



amended draft resolution was then approved by a vote of 27 to 4 (U.S.), with 12 abstentions. Mr. Schifter explained that the U.S. negative vote had been occasioned by the adoption of the Cuban-Nicaraguan amendment. He also drew attention to the consistent U.S. support for due process and an open judicial system. He noted that there were aspects of the special tribunals process in Guatemala that the United States questioned because it was not known whether individuals tried under this process were being given due process. He expressed concern at the Guatemalan system's lack of openness. As adopted, the resolution reiterated the Commission's profound concern at the continuing reports of massive violations of human rights taking place in Guatemala, and urged the Guatemalan Government to ensure its citizens' human rights and fundamental freedoms. The Commission expressed its disappointment that a Special Rapporteur had not been appointed to make a thorough study of the Guatemalan human rights situation and repeated its request that the Chairman appoint a Special Rapporteur with a mandate to undertake such a study. The Special Rapporteur was requested to make an interim report to the 38th General Assembly and a final report to the Commission's 40th session.

Carrying forward its concern with the human rights situation in Equatorial Guinea, the Commission considered the Secretary General's report on the provision of expert services in the field of human rights to Equatorial Guinea. It adopted without a vote a resolution proposed by Canada which requested ECOSOC to authorize further expert assistance toward the restoration of human rights in Equatorial Guinea in response to its Government's request.

For several years the Commission has had on its agenda, under the violations item, a sub-item entitled "The question of human rights in Cyprus." Following the pattern of recent sessions, the Commission accepted the Chairman's proposal, based on consultations with the interested parties, that the item be postponed to the 40th session. This decision expressed the understanding that action required by previous Commission resolutions on this subject should continue to remain operative, including the request that the Secretary General report to the Commission on their implementation.

In addition to its consideration of these specific country situations, the Commission also continued to devote attention to certain, current, worldwide human rights abuses on a worldwide basis, in following the so-called generic approach.

## **HUMAN RIGHTS AND MASS EXODUSES**

In 1982 the Commission had received a study on human rights and mass exoduses from its Special Rapporteur, Prince Sadruddin Aga Khan, which it transmitted to the General Assembly for considera-

tion. At its 39th session the Commission considered a draft resolution presented by Canada on behalf of its cosponsors. The Commission adopted without a vote the draft resolution containing amendments proposed by Cuba, Mozambique, and Nicaragua and accepted by the sponsors. As adopted, the resolution recognized the important contribution the Special Rapporteur's study could make to the development of international thinking on the pressing problem of mass exoduses and their causes. After acknowledging that the recommendations in the Special Rapporteur's study could possibly contribute to the prevention of further mass movements of population and to the mitigation of their consequences, the resolution again requested governments to communicate to the Secretary General their opinions on the study and its recommendations (U.S. comments on the Special Rapporteur's study were submitted to the United Nations in November 1982) and invited the Secretary General to propose to the General Assembly effective international cooperative arrangements to address and alleviate those root causes of mass movements of population related to violations or suppression of human rights.

### **SUMMARY OR ARBITRARY EXECUTIONS**

At its 39th session, the Commission received a report on summary or arbitrary executions submitted by its Special Rapporteur, Mr. S. Amos Wako. His report identified or directed attention to the existence of situations of summary or arbitrary executions in various countries. The Commission action on his report was embodied in a draft resolution presented by Finland on behalf of its cosponsors. The resolution, which was adopted without a vote, expressed the Commission's deep alarm about the occurrence on a large scale of summary or arbitrary executions, including extralegal executions. After an urgent appeal for effective action to be taken to combat and eliminate summary or arbitrary executions, the resolution requested that ECOSOC continue the mandate of its Special Rapporteur for another year, and the Special Rapporteur was requested to submit a report to the Commission's 40th session.

### **THE RIGHT TO PROMOTE AND PROTECT HUMAN RIGHTS**

The Commission also considered a resolution proposed by Canada and Senegal concerning the right and responsibility to promote respect for human rights and fundamental freedoms. The resolution, which was adopted without a vote, welcomed the Subcommission decision to prepare draft Principles on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. The Commission decided to undertake at its 41st session, on the basis of the Subcommission's report, work on this draft declaration.

## ECOSOC CONSIDERATION

The most contentious of the recommendations which had been submitted by the Commission for review by ECOSOC at its first regular session of 1983 was that requesting the Secretary General to update and complete the study of the human rights situation in Poland. ECOSOC endorsed the Commission's decision by a vote of 22 (U.S.) to 12, with 18 abstentions. (Decision 1983/145.)

The U.S. Representative, Carl Gershman, in explanation of vote, expressed regret that the Polish authorities had refused, until now, to cooperate with the study requested by the Commission and authorized by ECOSOC. He noted that cooperation would be taken as a sign of willingness to move in the direction of dialogue and reconciliation. He concluded that the absence of such cooperation, however, should not prevent the preparation, before the Commission's 40th session, of a clear and comprehensive report which accurately described the human rights situation in Poland.

ECOSOC also adopted, by a vote of 29 to 3 (U.S.), with 19 abstentions, a decision extending for another year the mandate of the Commission's Special Representative on the Situation of Human Rights in El Salvador. (Decision 1983/144.) The Commission's action with respect to Iran was approved by a vote of 19 (U.S.) to 3, with 28 abstentions. (Decision 1983/147.) ECOSOC welcomed the Commission's appointment of a Special Rapporteur on the Situation of Human Rights in Guatemala in a decision adopted by a vote of 31 to 1, with 20 (U.S.) abstentions. (Decision 1983/148.) A decision supporting the Commission's action with respect to the situation of human rights in Bolivia was adopted without a vote. (Decision 1983/146.)

ECOSOC adopted the Commission's draft resolutions concerning summary or arbitrary executions and on the situation of human rights in Equatorial Guinea, both without a vote. (Resolutions 1983/36 and 1983/35, respectively.)

## GENERAL ASSEMBLY CONSIDERATION

At the 38th General Assembly violations of human rights within certain countries were discussed. However, unlike the wide range of countries discussed earlier by the Commission, the Third Committee discussion focused on only three Latin American countries—Guatemala, El Salvador, and Chile (for discussion of Chile, see p. 201).

With respect to El Salvador, the Third Committee had before it an interim report on the situation of human rights in El Salvador prepared by Professor Ridruejo, Special Representative of the Commission on Human Rights. Regarding Guatemala the Committee received the interim report prepared by the Special Rapporteur on the situation of human rights in Guatemala, Viscount Colville of

Culross, who had been appointed by the Chairman of the Commission on Human Rights. Resolutions on both countries were proposed. The draft resolution on El Salvador was sponsored by 10 states; 9 states sponsored the draft resolution on Guatemala.

The U.S. position on the draft resolutions was stated by Ambassador Kirkpatrick in a statement on human rights, before the Third Committee, on December 8. Most of her statement was devoted to a discussion of totalitarianism and human rights. Ambassador Kirkpatrick referred to the resolutions focusing on the three Latin American countries as substantiating the claim that the issue of human rights is used to legitimize Soviet-bloc totalitarianism and terror. She said that the three countries had been singled out for special attention in the Third Committee not because of human rights concerns, but because they were political targets. She characterized the resolutions on El Salvador and Guatemala as being unbalanced and one-sided, betraying a clear political motivation. Both resolutions referred to the guerrilla warfare being carried on in those two countries, but they failed to take account of the outside support the guerrilla movements receive. With respect to the draft resolution on Guatemala, she noted that it provided for prohibition of arms supplies only to the Government of that country. The overall thrust of the resolution seemed to be that the Government was fully to blame for the situation in Guatemala and, in fact, did not have the right to use force in opposition to the armed guerrilla insurgency. "The guerrillas have all the rights, the Government has none," she asserted. She criticized the draft resolution on El Salvador as seeming to attribute all human rights problems within that country to the Government, a feature which she described as factually "inaccurate, hypocritical, and propagandistic." Ambassador Kirkpatrick stated: "We have in the General Assembly of the United Nations enunciated a doctrine according to which the government has no right to resist, a doctrine that gives the Soviet-backed forces of 'national liberation' a monopoly on the legitimate use of violence, while the use of force by government forces resisting them is deemed to be illegitimate."

The two resolutions were voted on in Committee on December 9 and in the plenary Assembly on December 16. The resolution on human rights and fundamental freedoms in El Salvador was approved in Committee by a vote of 78 to 13 (U.S.), with 41 abstentions. The resolution on human rights and fundamental freedoms in Guatemala was approved in Committee by a vote of 80 to 14 (U.S.), with 36 abstentions. In plenary the resolution on El Salvador was adopted by a vote of 84 to 14 (U.S.), with 45 abstentions, and on Guatemala by a vote of 85 to 15 (U.S.), with 44 abstentions. (Resolutions 38/101 and 38/100, respectively.)

As adopted the resolution on El Salvador expressed the Assembly's deepest concern that the gravest violations of human rights are

persisting in El Salvador and that the appeals for the cessation of the acts of violence made by the General Assembly, the Commission on Human Rights, and the international community as a whole have not been heeded. The resolution called upon El Salvador's Government and other political forces to intensify their talks and work for a comprehensive, negotiated political solution which will put an end to the internal armed conflict and establish a lasting peace, which will allow the full exercise both of civil and political rights and of economic, social, and cultural rights by all Salvadorans. The resolution also urged all states to abstain from intervening in El Salvador's internal situation and to suspend all supplies of arms and any type of military assistance so as to allow the restoration of peace and security and the establishment of a democratic system based on full respect for human rights and fundamental freedoms. Other parts of the resolution expressed concern at reports of the bombardment of urban areas by Government forces and at the resurgence of disappearances and murders for which so-called "death squads" claim responsibility. Concern was also expressed at the consequences of the damage done to El Salvador's economy as a result of the attacks on the economic infrastructure attributable for the most part, according to the Special Representative's report, to the opposition forces.

The resolution on Guatemala expressed deep concern at the continuing massive violations of human rights in Guatemala, particularly the violence against noncombatants, the widespread repression, killing, and massive displacement of rural and indigenous populations which are reported to have recently increased. Governments were called upon to refrain from supplying arms and other military assistance as long as serious human rights violations in Guatemala continue to be reported. Finally, the Commission on Human Rights was requested to study carefully the report of its Special Rapporteur as well as other information pertaining to the situation in Guatemala, and to consider further steps for securing effective respect for human rights and fundamental freedoms for all in that country.

The Assembly also considered the question of mass exoduses and had before it the Secretary General's report which contained a review of the proposals made to the Commission on Human Rights in 1982 by its Special Rapporteur, Prince Sadruddin Aga Khan. The Secretary General also summarized the views and comments on the Special Rapporteur's proposals which he had received from governments and other sources. As at previous sessions, Canada, joined with other cosponsors, presented a draft resolution on this subject. The draft resolution, which was revised during the discussion to incorporate a number of amendments, was approved without a vote in Committee on December 9 and adopted in plenary, also without a vote, on December 16. (Resolution 38/103.)

In the resolution as adopted, the General Assembly invited governments to intensify their cooperation and assistance in worldwide efforts to address the increasingly serious problem of mass exoduses and expressed the desire that the Secretary General use to the greatest extent possible relevant UN machinery to analyze promptly information on situations which might cause mass exoduses. The Secretary General was requested to follow closely developments on this question, to take into consideration all further comments of member states, and to keep under review the recommendations of the Special Rapporteur.

The subject of summary or arbitrary executions was also addressed in the Third Committee on the basis of a draft resolution proposed by Denmark and others. The draft resolution was approved without a vote in Committee on December 9 and adopted in plenary, also without a vote, on December 16. (Resolution 38/96.)

As adopted, the resolution welcomed ECOSOC's decision to continue the mandate of the Special Rapporteur on Summary or Arbitrary Executions and again requested the Secretary General to continue to use his best endeavors in cases where the minimum standard of legal safeguards contained in the provisions of Articles 6, 14, and 15 of the International Covenant on Civil and Political Rights appear not to be respected. The 40th session of the Commission on Human Rights was requested to recommend appropriate action to combat and eventually eliminate the practice of summary or arbitrary execution.

## **Self-Determination**

The subject of self-determination has been a recurring item on the agenda of the Commission on Human Rights. At its 39th session, the Commission considered issues dealing with the concept of self-determination for the peoples of Afghanistan, Kampuchea, the Western Sahara, Palestine, Namibia, and East Timor. Mr. Schifter spoke for the United States before the Commission on February 4.

On the subject of Afghanistan, Mr. Schifter underscored the persistence of Soviet forces in that country over 4 years of occupation. He cited Afghanistan as the first time the Brezhnev doctrine—the principle that once the Soviet Union has established its imperialist control over a country, it will not let go—had been applied outside of Eastern Europe. In surveying the situation over the past 4 years, Mr. Schifter emphasized the need for a negotiated settlement to end the massive flow of refugees to Pakistan. "This Commission owes it to itself, to the principles it has been established to promote, and to the Afghan people," he said, "to ensure that the Soviet Union knows that it is action that counts, not words, and that the world continues to condemn the Soviet occupation of Afghanistan and the numerous violations of human rights connected with it."

The Commission approved on February 16, by a vote of 29 (U.S.) to 7, with 5 abstentions, a Pakistani draft resolution which, as it had the previous year, called for the immediate withdrawal of foreign troops from Afghanistan, a political settlement of the situation in Afghanistan on the basis of such withdrawal, and full respect for the independence, sovereignty, territorial integrity, and nonaligned status of the country. As in previous years, this resolution called for the right of return for refugees, most of whom are being cared for by Pakistan. Two new paragraphs called on the Secretary General to continue his search for a negotiated settlement.

With respect to Kampuchea, Mr. Schifter regretted that the Kampucheans continued to suffer under the occupation of Vietnamese troops and noted the recent attack by Vietnamese forces that destroyed a Kampuchean refugee camp near the Thai border, forcing 48,000 people to seek other refuge.

On February 15 by a vote of 28 (U.S.) to 9, with 4 abstentions, the Commission approved a Philippine draft resolution similar to its 1982 resolution, reiterating its condemnation of the violations of the right to self-determination by forces of foreign occupation and calling for the end of hostilities, the immediate and unconditional withdrawal of foreign forces, and the holding of free elections without outside interference. More specifically the resolution underlined the "urgent need for a comprehensive political solution to the Kampuchean problem" which would bring to an end the "continuing illegal occupation of the country by Vietnamese forces," and, in a new preambular paragraph, the resolution recognized "that the continuing illegal occupation of Kampuchea by foreign forces not only deprives the people of Kampuchea from exercising their right to self-determination but also forces a large number of Kampucheans to flee their own homeland as refugees and displaced persons outside Kampuchea." The resolution also deplored "violations of the fundamental principles of humanitarianism" and of the principles of the UN Charter, "particularly the recent military attack by occupying troops against border encampments, including a hospital for Kampucheans on the Thai-Kampuchean border."

On February 15 the Commission adopted by a vote of 26 to 7 (U.S.), with 10 abstentions, a resolution which rejected "all partial agreements and separate treaties" relating to the rights of the Palestinian people. Paragraphs, not in previous Commission resolutions, specifically named Israel as the force preventing the Palestinian people from enjoying their right to self-determination, referred to the "Israeli invasion of Lebanon," and strongly condemned Israel for the massacres at the Sabra and Shatila refugee camps, declaring these events to be acts of genocide. Mr. Schifter, speaking before the vote, expressed "particular shock and disappointment" at the last-minute amendments falsely asserting that the Israeli Government's responsibility had been established in the Beirut refugee camp massacres.

The United States also opposed a resolution adopted by the Commission on February 15 which reaffirmed the right of the Namibian people to independence and self-determination; condemned South Africa for the mistreatment of workers, schoolchildren, and other opponents of apartheid; and called upon all states to impose nuclear and economic boycotts against South Africa. Prior to voting on the resolution as a whole, the United States asked for a separate vote on operative paragraph 3, which reaffirmed the "legitimacy of the struggle of the oppressed people of South Africa and their national liberation movements by all available means, including armed struggle . . ." The Commission voted 27 to 12 (U.S.), with 4 abstentions, to approve that paragraph and, 31 to 7 (U.S.), with 4 abstentions, for adoption of the resolution as a whole.

As in 1982 the Commission adopted a resolution regarding self-determination in the Western Sahara. The resolution, adopted on February 16, called upon Morocco and the POLISARIO as the two parties in the conflict to enter into direct negotiations with a view to concluding a cease-fire. The resolution also proclaimed the inalienable right of the people of Western Sahara to self-determination and independence. The United States opposed the resolution, which was adopted by a vote of 16 to 2 (U.S.), with 15 abstentions, because its reference to independence prejudged the outcome of the negotiations.

Also on February 16 the Commission approved by a vote of 16 to 14 (U.S.), with 10 abstentions, a Subcommission resolution concerning East Timor, reaffirming the right of the people of East Timor to independence; calling upon Portugal, representatives of the East Timorese people, and Indonesia to cooperate with the United Nations with a view toward guaranteeing the East Timorese the right to self-determination; and calling upon all parties to facilitate entry of international assistance into East Timor.

At the 38th General Assembly, the U.S. Representative, Carl Gershman, speaking before the Third Committee on October 27, on the right of self-determination, observed that five points are essential to the realization of self-determination within the context of the UN Charter: (1) the essence of self-determination is method, not result. The critical issue is not the specific form self-determination takes, but the method of reaching a decision. The vital principle is the "need to pay regard to the freely expressed will of peoples"; (2) self-determination is a gradual, evolutionary process; (3) self-determination is a continual process, not completed with the determination of international status; (4) the principle of self-determination is clearly universal in scope; and (5) self-determination is a relative not an absolute principle—it is one of a number of Charter principles that limit and reinforce each other. Mr. Gershman added that self-determination "is a democratic principle in the true sense of the



term—meaning the right of individuals and peoples freely to determine their internal and external status and to pursue their political, economic, social, and cultural development in a manner that respects the right of other individuals and peoples to do likewise.” Self-determination, he said, provides a “meaningful and constructive framework for addressing many complex issues” but is often distorted and misused to justify the actual denial of self-determination.

On December 22 on the Committee’s recommendation, the Assembly adopted two resolutions that dealt with self-determination. The first, which was approved in Committee without a vote on October 26, addressed the universal realization of the right of peoples to self-determination in general. The United States joined in the consensus on this resolution, as it had in previous years. In his explanation of vote in Committee, Mr. Gershman expressed satisfaction that the draft resolution clearly applied to the situations in Afghanistan and Kampuchea, “both of which clearly and directly involve a denial of the exercise of the right of self-determination owing to foreign military intervention and occupation.” The resolution was also adopted without a vote in plenary. (Resolution 38/16.)

The second resolution concerned the importance of the realization of the right to self-determination and of the speedy granting of independence to colonial countries and peoples. The United States opposed this resolution because of its generally counterproductive rhetoric which would not bring about peaceful change in South Africa or independence for the people of Namibia. The United States also objected to its treatment of the Arab-Israeli conflict and reiterated U.S. opposition, based on a decision of Congress, to assisting national liberation movements as a means of achieving self-determination.

In his explanation of vote in Committee on October 27, Mr. Gershman remarked that the resolution “takes an approach that is neither consistent nor democratic nor universal, and which is characterized by rhetoric both strident and counterproductive.” He argued that neither the resolution’s content nor tone would “facilitate peaceful evolutionary change in South Africa or the achievement of the independence of Namibia.” Concerning the Arab-Israeli conflict, he argued that the resolution would only encourage more polarization. “Independence is but one of a number of possible outcomes in the process of self-determination, and . . . any sound approach to self-determination cannot support self-determination for one people at the expense of another people’s right to self-determination.”

The resolution was approved in Committee on October 26 by a vote of 105 to 17 (U.S.), with 8 abstentions, and in plenary by a vote of 104 to 17 (U.S.), with 6 abstentions. (Resolution 38/17.)

## Human Rights in the Occupied Territories of the Middle East

The issue of human rights in the Middle East has been considered in the Commission each year since 1968. At its 39th session the Commission adopted, as in previous years, a two-part resolution on the question of the violation of human rights in the occupied territories, including Palestine. The resolution adopted on February 15 was sponsored primarily by the Arab Commission members.

Part A of the resolution strongly condemned Israeli policies, practices, and administrative and legislative measures in the occupied territories. A new operative paragraph requested the General Assembly to recommend action by the Security Council against Israel for violations of the human rights "of the population of the Palestinian and other occupied Arab territories." Part A was adopted by a vote of 29 to 1 (U.S.), with 12 abstentions.

Part B of the resolution primarily condemned Israel for refusing to apply the Geneva Convention Relative to the Protection of Civilian Persons in Time of War to the occupied territories. Part B of the resolution was adopted by a vote of 39 to 1 (U.S.), with 3 abstentions.

The Commission also adopted a resolution, again principally sponsored by the Arab members, that, as in previous years, condemned Israel for annexing the Syrian Golan Heights, declared Israeli policies and practices in the occupied territories as null and void, and called upon Israel, as "the occupying Power," to rescind its laws, jurisdiction, and administration over the Syrian Golan Heights. In a new paragraph, the resolution strongly deplored a veto (by the United States) in the Security Council of a draft resolution directed toward Israel. (For a discussion of the Security Council action see p. 5) The Commission adopted the resolution on February 15 by a vote of 27 to 2 (U.S.), with 13 abstentions.

On February 3 in a speech before the Commission, Mr. Schifter had reiterated the unswerving U.S. commitment to achieving peace in the Middle East based on Security Council resolutions 242 (1967) and 338 (1973), and President Reagan's proposal of September 1, 1982. Mr. Schifter concluded by asking the Commission to sidestep "one-sided and counterproductive" resolutions "contributing only to continued turmoil rather than the attainment of tranquillity." Quoting President Reagan, he added:

Tragic turmoil in the Middle East runs back to the dawn of history. In our modern day, conflict after conflict has taken its brutal toll there. In an age of nuclear challenge and economic interdependence, such conflicts are a threat to all the people of the world, not just the Middle East itself. It is time for us all—in the Middle East and around the world—to call a halt to conflict, hatred, and prejudice: it is time for us all to launch a common effort for reconstruction, peace, and progress.

At the 38th General Assembly, the human rights situation in the occupied territories of the Middle East was again debated in the Special Political Committee. (For a discussion of the General Assembly action see p. 17.)

## **Human Rights in Chile**

Although the question of continuing the mandate of the Special Rapporteur on the Human Rights Situation in Chile remained central to U.S. focus on Chile during the 39th session of the Commission and the 38th session of the General Assembly, no progress was made toward ending the separate agenda item and merging it into the general item of worldwide human rights abuses. The Commission adopted by a vote of 29 to 6 (U.S.), with 8 abstentions, a Mexican draft resolution that was critical of the Chilean Government on several grounds, including its refusal to cooperate with the Special Rapporteur and complaints against it of severe human rights violations. The resolution, as in previous years, urged the Chilean Government to take specific steps to deal with problems relating to civil and political liberties in that country. In a preambular paragraph, the resolution expressed grave concern over the absence of improvement in the human rights situation in that country, and in operative paragraphs indicated specific areas which seemed to call for improvement.

At the General Assembly a Mexican draft resolution, also sponsored by 12 other countries, which was more critical of Chile than those of previous years, essentially reiterated the concerns expressed in the Commission and urged that Chile cooperate with the Commission and its Special Rapporteur.

The Chilean Government's cooperation with the Special Rapporteur in September and October 1983 resulted in amendments to the Special Rapporteur's report. His revised conclusions indicated that although there were positive responses in certain specific aspects about which the international community had expressed concern, there was not sufficient evidence to support claims of comprehensive improvement. The Mexican draft resolution was adopted on December 16 by a vote of 89 to 17 (U.S.), with 38 abstentions. (Resolution 38/102.)

On December 8, in a strong statement before the Third Committee, Ambassador Kirkpatrick had underscored the lack of evenhandedness in treating human rights violations throughout the world as exemplified by the special attention paid by the General Assembly to Chile, rather than Cuba, a far more repressive country. Ambassador Kirkpatrick argued that although Chile's human rights record is far better than Cuba's in areas involving treatment of political prisoners, freedom of religious expression, trade union

rights, freedom of the press, and political exchange, the General Assembly regularly took a "totally condemnatory, punitive, unremittingly hostile attitude to Chile, which is involved in a serious and, we believe, hopeful process of liberalization moving toward democratization." Ambassador Kirkpatrick's conclusion was that "Chile is a focus of attention in this body, therefore, not because of human rights concerns but . . . because it is a political target." She reiterated, however, U.S. willingness to support a balanced resolution on Chile "with the objective of contributing to the enhancement of human rights."

## **Measures Against Ideologies and Practices Based on Terror or Incitement to Racial Discrimination**

At its 39th session, the Commission on Human Rights considered the question of "measures to be taken against all totalitarian or other ideologies and practices, including Nazi, Fascist, and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences." The Byelorussian S.S.R. introduced a draft resolution, also on behalf of 13 other sponsors, which strongly condemned all Nazi, Fascist, neo-Nazi, neo-Fascist, and racist organizations and groups that advocate racial or ethnic exclusiveness or intolerance, apartheid, hatred, terror, or genocide. The draft resolution would invite all member states to adopt, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and outlawing organizations based on racial hatred or prejudices. A new operative paragraph noted the 40th anniversary, in 1985, of the end of the Second World War and called for mobilized worldwide efforts in the struggle against totalitarian and similar ideologies. Amendments suggested by Australia, Canada, and the Netherlands to the Byelorussian S.S.R. draft resolution resulted in extensive debate. The Commission voted to accept Canadian amendments replacing two preambular paragraphs which associated the victory over Nazism and Fascism in the Second World War with the rise of national liberation movements and the collapse of the colonial system. Despite adoption of the amendments, the final draft resolution, in the U.S. view, remained flawed. However, in order to spare the Commission a rollcall vote, the United States decided not to participate in the vote, allowing the Commission to approve the resolution by consensus on March 7.

In an explanation of vote, Mr. Schifter noted that, "unlike the Soviet Union, the United States never signed a pact with Adolph Hitler nor joined the Nazis in carving up another country." The United States, he said, has always opposed Nazism even to the extent

of sending millions of soldiers into war against Hitler. Nevertheless, the draft resolution contained provisions which the United States could not support. As an example, Mr. Schifter pointed to a provision which called for prohibition or deterrence of totalitarian groups or organizations. Such action was not possible under the U.S. Constitution. The Soviet Union, on the other hand, he said, would use this provision at will to restrain objectionable groups. "Is it not," he asked, "important for us to take great care as to what we vote for and try to make our actions meaningful and useful?"

At the 38th session of the General Assembly, the German Democratic Republic introduced a resolution in the Third Committee which did not substantively differ from the language of the previous year or from the language adopted by the Commission's 39th session. Preliminary negotiations succeeded in deleting a preambular paragraph which automatically linked Nazi ideologies with racist and colonial regimes. However, efforts by the Netherlands and the Federal Republic of Germany were not successful in modifying the title of the resolution, "Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred, and terror." The United States chose once more not to block consensus and did not participate in the vote. The Third Committee approved the resolution by consensus on December 7, and it was adopted without a vote in plenary on December 16. (Resolution 38/99.)

## **Disappeared Persons**

At its 39th session the Commission on Human Rights considered the question of the human rights of persons subjected to any form of detention or imprisonment, and in particular, the question of missing and disappeared persons. France proposed a resolution which expressed appreciation for the report of the Working Group on Enforced or Involuntary Disappearances. The resolution extended the term of the Working Group for another year and requested the Working Group, bearing in mind the need to protect the identity of confidential sources, to report on its work to the Commission's 40th session. A new but essential element of the resolution required that the Working Group, to facilitate its effectiveness, retain its existing composition although certain Working Group members were no longer representatives to the Commission. The Commission adopted the resolution without a vote on February 22.

In an explanation of vote, the U.S. Representative, Walter Berns, expressed support for the Working Group's efforts and the extension of its mandate. Mr. Berns expressed hope for the day when the need for such a group no longer exists. He focused particularly on the

continuing puzzle of Raoul Wallenberg<sup>20</sup>. Mr. Berns asked whether the Working Group might not be authorized to make a renewed search and full report.

The General Assembly's 38th session, on December 16, adopted without a vote a resolution on disappearances similar to one adopted the previous year. It welcomed the resolution approved by the Commission and extended for 1 year the Working Group's mandate. (Resolution 38/94.)

The Commission also considered under this agenda item a draft resolution on the question of the human rights of persons subjected to detention or imprisonment. The draft resolution called upon Israel to cooperate with the International Committee of the Red Cross and to observe the Geneva Conventions, as well as other humanitarian principles. U.S. attempts to negotiate changes designed to broaden the scope of responsibility to include "all parties" failed to gain support from the resolution's cosponsors. The United States considered the draft resolution imbalanced and thought it important to broaden the resolution to encompass all parties to the conflict. The United States also considered efforts to categorize persons as falling under one or the other of the relevant Geneva Conventions not particularly useful because of the similarity of the basic rights accorded by these Conventions. The important objective, in the U.S. view, was to ensure that all persons received appropriate treatment under either convention.

The Commission adopted a revised draft resolution on March 7, by a vote of 40 to 0, with 2 (U.S.) abstentions. Libya, originally a cosponsor, abstained, explaining that it could not accept references to "Israel" in the resolution since Libya did not recognize the existence of any such state. Revisions in the draft text resulted in deletion of a request to the Working Group on Disappearances to give special attention to cases in Lebanon.

## **Improving Effective Enjoyment of Human Rights**

The Commission at its 39th session also continued its ongoing effort to improve its programs and methods and to make the Commission's work more effective in its pursuit of human rights and fundamental freedoms. An open-ended sessional working group, whose task it was to develop an overall analysis of the best means by which to further the promotion and encouragement of human rights, had been established at the beginning of the 1981 session. This

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<sup>20</sup> During the Second World War, Mr. Wallenberg was on assignment in Budapest for the Swedish Government. He disappeared in 1945, after being taken to the Soviet Union. Subsequently, the Soviet Union made a statement that he died in prison in 1947. However, many reports since that time, that he has been seen or spoken to, have led Mr. Wallenberg's family and friends to believe that he was still alive.

working group continued its analysis of structural and organizational issues. In connection with the same item the Commission considered the question of the establishment of a post of High Commissioner for Human Rights and a draft resolution dealing with public information.

The working group reported to the Commission on a broad range of questions it had considered at its six meetings, including a possible intersessional role for the Commission's Bureau, the possibility of holding emergency sessions of the Commission, the establishment of a post of High Commissioner, and the possibility of redefining the Commission's terms of reference. Based on the working group's recommendation, the Commission adopted without a vote a resolution endorsing several procedural suggestions, including time limits for statements in the Commission and the possibility of rescheduling the annual Commission sessions to allow for a longer interval between the General Assembly session and that of the Commission.

The Commission considered a draft resolution on a High Commissioner for Human Rights which was essentially procedural and looked toward reaching a substantive decision during its 40th session. In an important step in the process of establishing the post, the Commission adopted the resolution on March 10 by a vote of 24 (U.S.) to 11, with 7 abstentions.

Also on March 10, the Commission adopted by consensus an Australian draft resolution requesting the Secretary General to enhance the promotional and public information activities of the Center for Human Rights and to report to the Commission on UN public information activities in the human rights field.

At the General Assembly's 38th session, the Third Committee considered a draft resolution on national institutions for the promotion and protection of human rights, sponsored by 11 states. The resolution took note with appreciation of the Secretary General's report and requested an updated report for the next General Assembly. The resolution was approved without a vote in the Third Committee on November 30 and adopted without a vote in plenary on December 16. (Resolution 38/123.)

Cuba introduced, also on behalf of 20 other states, a draft resolution on "Alternative approaches and ways and means within the UN system for improving the effective enjoyment of human rights and fundamental freedoms." Although negotiations led to some improvements in the text, the final draft continued to "reaffirm" that the right to development is "an inalienable human right," a formulation unacceptable to the United States. The resolution was approved in the Third Committee on November 30 by a vote of 120 to 1 (U.S.), with 14 abstentions, and adopted in plenary on December 16 by a vote of 132 to 1 (U.S.), with 13 abstentions. (Resolution 38/124.)

In an explanation of vote in Committee, the U.S. Representative, Margaret C. Jones, expressed appreciation for the extensive negotia-

tions resulting in the final text and regretted that the resolution retained the equation of the right to development with inalienable human rights, prejudicing the ongoing efforts of the Working Group of Governmental Experts on the Right to Development.

## **Subcommission on Prevention of Discrimination and Protection of Minorities**

The 36th session of the Subcommission on Prevention of Discrimination and Protection of Minorities met August 15–September 9, 1983, in Geneva. John Carey acted as the independent expert from the United States on the 26-member body. The Commission had elected Mr. Carey at its 39th session, to fill the vacancy resulting from the death of the U.S. expert, W. Beverly Carter, Jr.

The Subcommission carried forward a growing new emphasis in its work program on a range of human rights situations in particular countries throughout the world. It forwarded to the Commission recommendations for action concerning the human rights situations in Nicaragua, the Israeli-occupied territories of the Middle East, Iran, South Africa, Sri Lanka, Afghanistan, East Timor, and Paraguay. It also adopted resolutions and decisions, without reference to the Commission, on the human rights situations in Guatemala, El Salvador, and Chile.

In addition to actions with respect to specific country situations, the Subcommission also adopted resolutions concerning current human rights problem areas in general, which related to the human rights of disabled persons, the subject of conscientious objection to military service, the human rights of detainees, the new international economic order and the promotion of human rights, and the human rights of indigenous peoples. At its 36th session, the work of the Subcommission was in part entrusted to three working groups dealing, respectively, with the subjects of indigenous populations, slavery, and human rights of detainees. This latter working group was requested to devote its attention to an important new problem area by preparing a first draft of a Declaration Against Unacknowledged Detention of Persons, Whatever Their Condition, to be submitted to the 37th Subcommission session. The Subcommission determined that this declaration should be drafted with due attention to all relevant factors, such as domestic violence, sabotage and terrorism, and the duty of governments to deal adequately with these problems.

The drafting of declarations is in keeping with the traditional method of work of the Subcommission which has always emphasized the conduct of expert studies and the drafting of international instruments based on those studies. At its 36th session, the Subcommission considered progress reports on a number of studies now



underway which have been entrusted to one or more of its expert members. These studies include: (1) updating the Study on the Prevention and Punishment of the Crime of Genocide; (2) Study on the Independence and Impartiality of the Judiciary, Jurors, and Assessors and the Independence of Lawyers; (3) Study on the Right to Food as a Human Right; (4) Study on Amnesty Laws and Their Role in the Safeguard and Promotion of Human Rights; (5) Study of the Problems of Discrimination Against Indigenous Peoples; and (6) Study on the Status of the Individual and Contemporary International Law.

At its 36th session the Subcommission decided to seek authority from ECOSOC, through the Commission on Human Rights, to initiate new studies as follows: (1) Study on All Aspects of the Problem of Female Sexual Mutilation; (2) Study on the Current Dimensions of the Problems of Intolerance and of Discrimination on Grounds of Religion or Belief; (3) Analysis of Current Trends and Developments in Respect of the Right of Everyone to Leave Any Country, Including His Own, and to Return to His Country, and to Have the Possibility to Enter Other Countries; (4) Study on the Achievements Made and Obstacles Encountered During the Decade for Action to Combat Racism and Racial Discrimination. Also, an expert member of the Subcommission is engaged in drafting Principles on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

At its 36th session the Subcommission received and forwarded to the Commission a key report entitled "Human Rights and Scientific and Technological Developments: Principles, Guidelines, and Guarantees for the Protection of Persons Detained on Grounds of Mental Ill-Health or Suffering from Mental Disorder." The Subcommission recommended to ECOSOC, through the Commission, that this study be published and given the widest possible distribution.

Acting at the request of the Commission, the Subcommission at its 36th session completed and forwarded to the Commission proposals concerning the possible terms of reference for the mandate of a High Commissioner for Human Rights. The proposal for a High Commissioner has been discussed in various UN human rights forums since 1965. In its resolution the Subcommission included its suggestions as to the functions and responsibilities of the UN High Commissioner for Human Rights. In a departure from previous resolutions concerning a High Commissioner, the Subcommission proposed that he be elected directly by the General Assembly for a 5-year term (a nominating role for the Secretary General was dropped), that he should not serve for two consecutive terms, and that he should be elected on the principle of regional rotation.

## **Status of Women**

Issues concerning the status of women were debated in many parts of the UN system during 1983, including the Preparatory Body for the 1985 World Conference on Women, ECOSOC, and the General Assembly. As a result of a Joint Inspection Unit report, a number of bodies took up the question of the status of women professionals employed by the United Nations. The United States strongly supported women employees in these debates and also took a leadership position on the educational needs of women at the UNESCO General Conference. The United States participated actively in the August ECLA meeting on the integration of women in development. However, preparations for the 1985 World Conference on Women were a predominant concern during 1983.

### **COMMISSION ON THE STATUS OF WOMEN**

The Commission on the Status of Women held its first extraordinary session as the preparatory body for the 1985 World Conference on Women in Vienna from February 23 to March 4.

The Commission made six formal recommendations on topics including the World Conference agenda, documentation, regional preparatory meetings, and a public information program. Of these, development of the conference agenda proved the most time-consuming and divisive. The United States took a leadership role in promoting balanced treatment of the Decade's themes of equality, development, and peace, and it also stressed the need to address the Decade's sub-themes of health, education, and employment in the face of Soviet determination to make "peace" the preeminent issue with a selective bias toward certain areas of conflict.

Ultimately, consensus was achieved on two substantive conference agenda items: review and appraisal of progress achieved and obstacles encountered during the UN Decade for Women and development of forward-looking strategies for women to the year 2000.

### **ECOSOC CONSIDERATION**

At its first regular session of 1983, ECOSOC considered the questions of "Activities for the advancement of women"; "UN Decade for Women: Equality, Development, and Peace"; and several related reports and notes from the Secretary General.

During the discussion centering on the report of the Commission as the preparatory body for the World Conference, some delegations had serious reservations about the projected budgetary implications of the recommendations. On May 18 the U.S. Representative, Robin Ritterhoff, introduced a draft decision on program implications of

the recommendations of the Commission and said that her Government had worked very hard to agree on the agenda and a number of preparatory activities to lead to the best possible conference. The United States believed the United Nations should exercise fiscal restraint in this time of domestic crisis all over the world. The programs and financial implications should be reconsidered in the light of the views of the delegates, and the Secretariat should then present a revised document to the General Assembly. The Council adopted the draft decision on May 26. (Decision 1983/131.)

On the same day four draft resolutions and another draft decision were adopted. The first concerned communications on discrimination against women and was adopted by a vote of 34 (U.S.) to 5, with 9 abstentions. By this resolution the Council would reaffirm the mandate of the Commission on the Status of Women to consider confidential and nonconfidential communications on the status of women and authorize the Commission to appoint a working group to consider communications that might reveal "a consistent pattern of reliably attested injustice and discriminatory practices against women." (Resolution 1983/27.)

By the resolution on the participation of nongovernmental organizations in the 1985 World Conference to Review and Appraise the Achievements of the UN Decade for Women, the Council requested the Secretary General to invite nongovernmental organizations having consultative status with the Council to submit information, including their views on progress made and obstacles still to be overcome in attaining the goals of the Decade, to the Commission on the Status of Women. The draft was approved without a vote. (Resolution 1983/28.)

The Council also approved without a vote the resolution on the International Research and Training Institute for the Advancement of Women, by which the Council expressed satisfaction with the Institute's activities accomplished so far. The Council emphasized that the work program of the Institute for the next biennium should continue to focus on research, training, and information that would lead to the integration of women in mainstream developmental activities. It would also call on all states to contribute to the trust fund to ensure financing for the Institute. (Resolution 1983/29.)

According to the resolution on prostitution, approved without a vote, the Council urged all countries to draw up national policies that would help prevent prostitution, curb the pornography industry, and punish procurement. The Council also recommended that countries provide vocational training for former prostitutes and eliminate the discrimination that ostracizes prostitutes and makes their reabsorption into society more difficult. (Resolution 1983/30.)

The final draft decision took note of the report of the Commission acting as the preparatory body and decided to endorse the recom-

mendations therein and transmit the report to the 38th General Assembly for its consideration. (Decision 1983/32.)

## GENERAL ASSEMBLY CONSIDERATION

The 38th General Assembly adopted six resolutions under the agenda items "UN Decade for Women: Equality, Development, and Peace" and "Elimination of All Forms of Discrimination Against Women." The Third Committee considered the items at 15 meetings between November 1 and December 1. Four of the drafts were introduced in Committee on November 28 and approved without a vote on November 30. They were similarly adopted by the plenary Assembly on December 16. The other two were introduced on November 29 and approved by recorded votes on December 1. These two were adopted also by recorded votes in plenary on December 16.

The first, introduced by Sweden on behalf of 33 other sponsors, was entitled "Elimination of All Forms of Discrimination Against Women." It noted with appreciation the increasing number of member states that had ratified or acceded to the Convention on the Elimination of All Forms of Discrimination Against Women; invited those not yet having done so to become parties to the Convention; took note of the first report of the Committee on the Elimination; and welcomed the fact the Committee had started its work and developed guidelines regarding the form and contents of the reports received from states parties under Article 18 of the Convention. (Resolution 38/109.)

As it had the previous year, Argentina introduced a draft resolution sponsored by 46 states similar to the resolution adopted by ECOSOC relative to the International Research and Training Institute for Women. It urged the Secretary General to provide support to the Institute through the Secretariat and to secure office space at UN Headquarters to ensure prompt execution of the Institute's program of work, as well as to maintain channels of communication between the Institute and the United Nations in conformity with a decision of the Board of Trustees. (Resolution 38/104.)

Participation of women in promoting international peace and cooperation was the subject of a draft resolution introduced by the German Democratic Republic on behalf of 23 other sponsors. This resolution, *inter alia*, reaffirmed the 1982 resolution proclaiming the Declaration on the Participation of Women in Promoting International Peace and Cooperation; requested the Secretary General to bring the Declaration to the attention of appropriate bodies within the UN system for consideration of measures to implement the Declaration; and requested the Commission on the Status of Women to report through ECOSOC to the 39th General Assembly on what measures may be necessary to implement the Declaration. (Resolution 38/105.)

Jamaica, on behalf of five other cosponsors, introduced a draft resolution relative to the "Voluntary Fund for the UN Decade for Women." The draft resolution would have the Assembly urge the Secretary General to ensure that all temporary and senior women's program officers' posts be continued at the regional commissions within the regular budget resources available to them. It also noted with satisfaction the increasing number of projects submitted to and financed by the Fund and their contribution to promoting the involvement of women in development; and urged governments to continue and increase their contributions to it, calling on those that have not yet done so to consider contributing.

A statement of the text's financial implications said preliminary consultations with the Executive Secretaries of the regional commissions had indicated that it would not be possible, or would be extremely difficult, to continue those posts with the resources expected to be available under the regular budget in the biennium 1984-85. However, should the draft be adopted, the Executive Secretaries would be consulted again in the hope that developments in 1984 would permit adjustments in the commissions' activities with a view to continuing the posts. If the commissions' resources prove insufficient, the Secretary General would report to the Assembly next year. Accordingly, no additional resources are requested at this time. (Resolution 38/106.)

Speaking before the vote in Committee, the U.S. Representative, Margaret Jones, said the United States was pleased to support the draft but said resources for the posts in question should be made by deployment. The statement of financial implications was an inadequate response to the Committee's request that those posts be reintegrated in the regional commissions' regular budgets. It would support a transfer of funds from the Voluntary Fund only on the understanding that it would be accompanied by redeployment. In the future, the United States would not support any calls for extrabudgetary allocations.

A draft resolution entitled "Suppression of prostitution" was introduced by Iran on behalf of six cosponsors. As introduced, the draft was identical to the resolution adopted by ECOSOC. However, during discussion in the Third Committee, a number of oral amendments were adopted, including one which altered the title of the draft to "Prevention of prostitution." Another preambular paragraph was expanded to say that ". . . prostitution and the accompanying evil . . . are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family, and the community." The draft was approved in Committee by a rollcall vote of 106 to 0, with 28 (U.S.) abstentions, and adopted in the same manner by a plenary Assembly vote of 121 to 0, with 25 (U.S.) abstentions. (Resolution 38/107.)

The final resolution was introduced by Mexico on behalf of the Group of 77, concerning the preparations for the World Conference to Review and Appraise the Achievements of the UN Decade for Women. By virtue of the draft, the Assembly accepted Kenya's offer to host the Conference at Nairobi in 1985. It also endorsed the recommendations of the Commission on the Status of Women, in its capacity as preparatory body for the Conference, and expressed the view that, within the framework of the draft agenda proposed by the Commission, particular attention should be paid to the problems of women in territories under racist colonial rule or foreign occupation. These were clear references to the situation of Palestinian women and women in southern Africa, issues that proved divisive at previous World Conferences on Women.

Speaking in Committee before the vote, Miss Jones said the United States could not support the draft and must vote against it. "It will come as no surprise that our problems lie with operative paragraph 4." (That paragraph directs the Conference's attention toward the problems of women under racist colonial rule.) The paragraph highlighted certain situations that were bound to be divisive and to divert attention from the main substantive concerns of the Decade for Women.

The United States was also disturbed by the financial implications of the report of the preparatory body. The estimates given for travel, consultancies, and temporary positions were excessive. A greater effort could have been made to absorb preparatory expenses within the regular budget for the 1984-85 biennium. For example, the Department of Public Information could absorb the expenses of preparing press kits, estimated at \$63,000.

The operative paragraph was retained in the Committee and the plenary Assembly by recorded votes of 107 to 8 (U.S.), with 14 abstentions, and 124 to 9 (U.S.), with 15 abstentions. The resolution as a whole was approved in those bodies by recorded votes of 123 to 2 (Israel, U.S.), with 7 abstentions, and 141 to 2 (Israel, U.S.), with 7 abstentions. (Resolution 38/108.)

## **SPECIALIZED AGENCIES AND THE IAEA**

### **World Bank Group**

#### **INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT, INTERNATIONAL DEVELOPMENT ASSOCIATION**

During the World Bank's fiscal year of 1983, ending June 30, 1983, Hungary joined the IBRD and St. Vincent and the Grenadines joined the IBRD and IDA, bringing total membership of the IBRD to 144 countries and IDA membership to 131.

New cofinancing instruments that will permit the World Bank, for the first time, to participate directly in commercial loan syndications were introduced during 1983. The instruments were designed to increase commercial bank participation in World Bank-assisted projects in developing countries.

The Executive Directors approved in February 1983 a Special Assistance Program, designed to help developing countries restore their development efforts despite adverse external circumstances. The program involves financial measures and policy advice to help those countries that are themselves pursuing appropriate policies.

The objectives of the program were to: (1) emphasize high-priority operations that support policy change; (2) expand lending to help maintain crucial infrastructure and fuller use of existing capacity, particularly in export-oriented activities; (3) expand Bank advisory services in the design and implementation of appropriate policies, including the reordering of investment priorities; (4) maintain the impetus of project activities by increasing the share of Bank financing in projects, including local costs in some instances; (5) accelerate disbursement from existing loans and credits, where feasible; and (6) urge other lenders to make similar efforts.

## **Resources**

And a Congressionally mandated stretch-out of U.S. appropriations originally scheduled for fiscal year 1981–83 to a fourth year resulted in delays in effectiveness of the sixth replenishment of IDA resources (IDA VI), reductions in planned lending activities, and a delay in the start of negotiations for the seventh replenishment of the Association (IDA VII). To prevent a gap emerging in available resources in fiscal year 1984, donors other than the United States agreed to provide Special Contributions, equivalent, in most cases, to one-third of their total contributions to IDA VII. These contributions were to be provided to either a "Fiscal Year 1984 Account," which would add to the general resources of IDA, or to a "Special Fund," with restrictions on procurement eligibility. Negotiations for IDA VII began in November 1982 in Washington, D.C., and continued throughout the fiscal year.

IBRD borrowings, which are the principal source of funds for lending operations, reached \$10.3 billion in fiscal year 1983. The largest share of operations was in the United States followed by Switzerland, Germany, Japan, and the Netherlands.

## **Lending Program**

During fiscal year 1983 the IBRD committed \$11.1 billion in support of 136 projects in 43 countries, an 8% increase over fiscal

year 1982. IDA approved credits totaling \$3.3 billion for 107 projects in 44 countries, up 24% from the previous year.

The increase in IDA lending in fiscal year 1983 reflects mainly the large decline in 1982, and IDA credits in 1983 remained 4% below the 1981 level. IDA credits were concentrated in the poorest countries, with 90% going to countries with a per capita income below \$410 (1981 dollars).

Total IBRD and IDA commitments in fiscal year 1983 had the following sectoral composition:

Sector	U.S.Dollars Millions	Percentage
Agriculture and Rural Development	3,698	25.5
Development Finance Companies	1,238	8.6
Education	548	3.8
Energy		
Oil, Gas, and Coal	1,050	7.3
Power	1,768	12.2
Industry	692	4.8
Nonproject	1,435	9.9
Population, Health, and Nutrition	118	0.8
Small-Scale Enterprises	531	3.7
Technical Assistance	53	0.4
Telecommunications	57	0.4
Transportation	1,924	13.3
Urban Development	554	3.8
Water Supply and Sewerage	811	5.6
<b>TOTAL</b>	<b>14,477</b>	<b>100.0</b>

Projects approved during fiscal year 1983 had the following regional distribution:

Region	Number	U.S. Dollars Millions	Percentage
Eastern Africa	43	1,130	7.8
Western Africa	37	664	4.6
East Asia and Pacific	40	3,709	25.6
South Asia	40	2,979	20.6
Europe, Middle East and North Africa	41	2,536	17.5
Latin America and Caribbean	42	3,460	23.9
<b>TOTAL</b>	<b>243</b>	<b>14,477</b>	<b>100.0</b>

Actual disbursement on IBRD and IDA loans totaled \$9.4 billion in fiscal year 1983, an increase of 12% over the 1982 level.



## **INTERNATIONAL FINANCE CORPORATION**

The Maldives and Guinea became members of the IFC in 1983, bringing its membership to 125.

The IFC assists the economic development of its developing member countries by making loans to and equity investments in productive enterprises in the private sector; by bringing together investment opportunities, domestic and foreign private capital, and experienced management; and by helping to develop local and regional capital markets and promoting privately owned development finance corporations. Projects are selected on the basis of financial viability and on their useful contribution to economic development.

The total dollar volume of approved investments increased 38% over fiscal year 1982 to \$845 million. Of the total, \$55 million was for equity investments in 41 countries. The bulk of investments supported 58 projects, with total costs of \$2.9 billion, in 36 countries. About 38% of these were in countries with a per capita income of less than \$731 per year.

### **International Monetary Fund**

The continued problems of international debt among the LDCs in 1983 were reflected in extensive use of the IMF resources by the members. New commitments under the Fund's conditional facilities (standby and extended arrangements) totaled \$11.0 billion (end of year exchange rates) during calendar year 1983, bringing total commitments to \$24.0 billion by the end of the year. Disbursements of IMF resources in 1983 totaled \$14.2 billion, of which disbursement through the conditional facilities totaled \$9.9, while disbursements under the Compensatory Financing Facility totaled \$2.9 billion. During the year the Fund had entered into stabilization programs with 36 countries and made 22 loans under the Compensatory Financing Facility. Repurchases (loan repayments) were \$2.1 billion for all facilities in 1983.

The rapid escalation in the use of the Fund's resources put considerable pressure on the Fund's financial position and required major decisions as to the sources of the Fund's own financing and levels of borrowing from its resources.

### **QUOTA INCREASE**

Under the IMF's Articles of Agreement its Board of Governors is required to review Fund quotas in intervals of not more than 5 years. The Eighth General Review of Quotas was completed on March 31, 1983, when the Board of Governors authorized an increase of 47.5% in aggregate Fund quotas to increase the total from \$63.8 billion to

\$94.2 billion. The agreement, which the United States supported, required an increase in the U.S. quota of \$5.8 billion. Congress and the President approved U.S. participation in the quota increase in November 1983, and the quota increase went into effect on November 30, 1983.

## GENERAL ARRANGEMENTS TO BORROW

In February 1983 the ministers and governors of the Group of 10<sup>21</sup> announced their decision to increase the aggregate commitments available under the General Arrangements to Borrow (GAB) from about \$7 billion to \$19 billion. The U.S. portion of the increase was \$2.6 billion and was approved by Congress and the President at the same time as the quota increase.

In addition to the enlargement of credit lines, the February decision made several other changes in the GAB. Under the revised and expanded GAB, the Fund is permitted to use GAB resources to finance transactions with Fund members that are not GAB participants in exceptional circumstances when Fund resources are inadequate to cope with or forestall a serious threat to the stability of the international monetary system. Additionally, the revised GAB provisions permit the Fund to establish supplemental credit lines with non-GAB participants. Under the new provisions, an associated borrowing arrangement was concluded with Saudi Arabia—a non-GAB participant—for a maximum amount equivalent to Special Drawing Rights (SDR) 1.5 billion. This credit line may be activated for the same purposes and under the same circumstances as prescribed for credit lines maintained with full GAB members. Finally, the February decision announced that Switzerland would receive full membership status in the GAB.

## ACCESS LIMITS

In 1983 the Fund also reviewed its policy of limitations on the amount a member can borrow from the Fund from its various facilities. Some members, including the United States, expressed concern that lending under the existing access limits (defined in terms of percentage of quota) had put considerable strain on the Fund's financial position, which threatened to undermine the revolving character of IMF resources and compromise the traditional monetary role of the Fund. At its September meeting the Interim Committee recommended that access to IMF resources under the conditional facilities during 1984 be subject to annual limits of 102%

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<sup>21</sup> Belgium, Canada, France, Federal Republic of Germany, Italy, Japan, Netherlands, Sweden, United Kingdom, and United States, which have agreed to lend their currencies to the IMF up to specified amounts when supplementary resources are needed.

or 125% of quota, 3-year limits of 306% or 375% of quota, and cumulative limits of 408% or 500% of quota (net of scheduled repurchases), depending on the seriousness of the member's balance-of-payments needs and the strength of its adjustment efforts. The Interim Committee also indicated that these limits were not to be regarded as targets and that within these limits the amount of access would vary in individual cases according to the circumstances of the member. The Interim Committee recommendations included the provision that in exceptional circumstances the Fund could approve standby or extended arrangements that provide for amounts in excess of these access limits. These new limits were a decline from the previous 150/450/600% limits in effect earlier but in absolute (i.e., money) terms did allow a small increase for some countries.

At year end the IMF Executive Board was still discussing new access limits for the Compensatory Financing Facility.

## **International Fund for Agricultural Development**

The International Fund for Agricultural Development (IFAD) was established in 1977 with strong leadership from the United States. IFAD provides concessionary loans and some grants for projects in food-deficit developing nations. A special feature of IFAD is its emphasis on addressing the needs of small farmers and the rural poor. Another is the undertaking by the OPEC nations to nearly match the contributions of the Western donors to a major international development agency. Overall, the OPEC nations have provided about 43% of IFAD's resources since 1978 while the OECD nations have provided about 57%. Finally, IFAD's governing structure, which divides voting shares equally among the OECD nations, the OPEC nations, and the less developed countries, is unique among development institutions.

During 1983, 26 new projects totaling \$278 million were approved together with about \$20 million in technical assistance grants. IFAD calculates that these 26 new projects will benefit 1.2 million small farmers and landless families in 26 countries.

Much of IFAD's administrative activity in 1983 centered on problems caused by late payments to the Fund's first replenishment (IFAD-I) and the implications of these late payments on preparations for a second replenishment (IFAD II). IFAD-I, originally planned for 1981-83, had a halting start since final agreement on a replenishment for 1981-83 was not reached until early 1982. By the end of 1983 only about 73% of the total pledge of \$1.07 billion had been paid, owing mainly to lateness in payments by the United States and several OPEC nations.

The United States paid \$40 million in 1983 and anticipated making an additional \$50 million payment in January 1984. Of the \$90

million balance of the U.S. pledge, \$50 million was to be requested by the Administration in its fiscal year 1985 budget. The full \$180 million U.S. contribution was authorized in fiscal year 1982 but no funds were appropriated that year because of congressional concerns about the burdensharing arrangement and about the size of IFAD's professional staff.

Responding to U.S. concerns, IFAD instituted a staff freeze in December 1981 and agreed to a review of staffing needs by Elmer Staats, former U.S. Comptroller General. The Staats report, issued at the end of February 1983, concluded that IFAD was generally well managed, and, if anything, understaffed, with 78 professional positions. Based on the study, Mr. Staats strongly supported an IFAD proposal to add 6 professional and 8 nonprofessional positions in 1984, which IFAD's Executive Board accepted.

Delays in payments to IFAD-I have resulted in a *de facto* extension of the 1981-83 replenishment to the end of 1984 and a reduction in IFAD's 1983 and 1984 lending program. It has also delayed plans for beginning IFAD-II, originally conceived to extend from 1984-86.

There were two consultations on IFAD-II in 1983, one in July and the other in October. Among the principal issues were the level of the new replenishment, the relative share and absolute amount of the contributors, and the period of the replenishment. While these meetings produced much sparring over the status of payments to IFAD-I and the possibility of a lower OPEC share in IFAD-II, no real results were achieved. The United States continued to believe that there should be equality in burdensharing between OECD and OPEC since this principle was one of the rationales for the establishment of the organization and distinguished IFAD's resource base from other development institutions.

## **Food and Agriculture Organization**

The Food and Agriculture Organization (FAO) is one of the largest UN specialized agencies and the lead international organization in the field of agriculture. FAO's mandate also includes fisheries and forestry. The principal objective of FAO's agricultural program is to bring about a sustained global improvement in nutrition levels, food security, and rural incomes, especially for the disadvantaged, through increasing rural productivity. The major objective of the fisheries program is promoting the management and optimal utilization of the world's fishery resources, with the thrust directed at assisting developing countries in enhancing their self-reliant capacity for the development and management of their fisheries, both marine and inland. Forestry is the smallest of FAO's major programs; its long-term objective is the provision of assistance to member countries to meet their growing demand for forest goods and

services while ensuring environmental balance and stability against increasing pressure of agriculture on forest land. These objectives are consonant with the development aims of the United States in its bilateral programs.

FAO has a biennial budget which reflects its 2-year programing and planning cycle. In even-numbered years there are regional conferences in each of the organization's five geographical regions and a session of the Council (about one-third of the membership) in the fall. In odd-numbered years the Council meets in the late spring, preparing the way for the biennial Conference in the fall attended by all members. FAO had 152 members in 1983. An unusual feature of the FAO's membership is the absence of the Soviet Union.

## **22ND FAO CONFERENCE**

The Chairman for FAO's 22nd Conference in November 1983 was U.S. Agriculture Secretary John Block. This marked the first time in over 30 years that a U.S. Secretary of Agriculture had chaired the biennial meeting of FAO's full membership. Secretary Block's Chairmanship gave tangible form to the improved relationship between the FAO Secretariat and the United States, in strong contrast to the 21st Conference in 1981 when the relationship was strained by differences over the budget, which the United States voted against.

Important issues at the Conference were the Program of Work and Budget for 1984-85; proposals for changes in the system under which plant genetic resources are collected, preserved, and disseminated; review of the International Agricultural Adjustment Guidelines; and improving world food security. Each of these issues was treated at various technical meetings during the year as well as at the Council meeting in June before submission to the Conference. The United States was generally pleased with the proceedings of the Conference especially the lack of extraneous politicization which has plagued other technical agencies, and the increasing recognition by the less developed countries of the importance of their own policy framework to their agriculture development efforts.

One discordant note at the Conference centered around contingency plans of the Secretariat to respond to possible cash shortfalls which might be brought about by U.S. implementation of the Lugar Amendment and nonpayment of assessments by other countries. The Lugar Amendment stated that the aggregate U.S.-assessed payments in calendar year 1984 for the United Nations, UNESCO, WHO, FAO, and ILO should not exceed the aggregate payments for calendar year 1983. Concluding that the Secretariat was operating on an extreme worst case basis, the United States opposed granting the Director General authority to tap the 1982-83 cash surplus for payment of 1984-85 programs. The Secretariat argued that its proposal was only

prudent in view of the threats to FAO's financial viability. In the end the authority to use the cash surplus was given under specific limited conditions and only if the FAO Council so decided. The United States cast the only vote against this proposal.

## **PROGRAM OF WORK AND BUDGET 1984-85**

The United States played the leading role in persuading FAO to exercise budgetary restraint. In terms of real growth FAO's 1984-85 budget was less than 1% above the preceding budget. As Co-Chairman (with the United Kingdom) of the Geneva Group (Rome), the United States pressed both formally and informally for zero program growth. At meetings of the Agriculture and Program Committees early in the year, U.S. calls for budgetary restraint were placed firmly on the record.

Through a tightening of administrative costs, the FAO Secretariat was able to present a budget with program increases in high-priority areas largely offset by cost decreases in administration. In nominal terms, the 1984-85 budget represented a 14.86% increase over that for 1982-83 and included net real growth of 0.5%. The United States generally supported the program's priorities, its chief reservation being to the increase in technical assistance, which the United States continued to believe should be funded through voluntary contributions to UNDP, not through assessed budgets. FAO's technical cooperation program, however, had the overwhelming support of the developing countries. Based on general support for the objective and priorities of the overall program and the budget restraint demonstrated in its presentation, the United States joined in voting for the Program of Work and Budget, which was approved by the unanimous vote of the 139 members present.

## **PLANT GENETIC RESOURCES ISSUES**

The present worldwide system by which plant genetic resources are collected, preserved, and disseminated is coordinated by the International Board for Plant Genetic Resources (IBPGR), a body supported by the Consultative Group for International Agricultural Research (CGIAR). Members of the CGIAR include the World Bank, which houses the Group, FAO, the United States and other governments, and private foundations. The CGIAR supports such world-renowned research centers as the Center for the Improvement of Corn and Wheat, in Mexico, and the International Rice Research Institute, in the Philippines, institutions which have sparked the agricultural revolution of the past few decades.

The present system has been criticized by various activists with a bias against transnational corporations. These critics charge that the

system facilitates the developed countries obtaining plant species from the Third World and using them to develop advanced plant varieties; these advanced varieties are unavailable to the Third World without buying them from the plant breeders who develop them. Furthermore, critics charge that some countries deny provision of plant genetic material to researchers in other countries for political reasons. To remedy these perceived defects, a group of states within FAO, principally from Latin America, proposed a new international genebank under FAO control, thus making the IBPGR system subservient to the one-country, one-vote system of FAO, and an international plant genetic resources convention, which would if its most extreme proponents had their way end private property rights in plant genetic material.

In the Committee on Agriculture, where the issue was first discussed, there was universal sentiment among the developed countries against these schemes and the proposals that finally reached the Conference in November were much watered down, but still unacceptable to the United States. In the end the Conference did approve a Set of Principles (the "Undertaking") on plant genetic resources without provision for the rights of private plant breeders and did establish a commission on plant genetic resources within FAO. The Set of Principles embodied in the undertaking are nonbinding. The United States entered a reservation in the Conference record. The Undertaking is being studied by the United States and private sector experts to determine whether they can or should subscribe to it.

## **INTERNATIONAL AGRICULTURAL ADJUSTMENT GUIDELINES**

The International Agricultural Adjustment Guidelines were put forward by FAO in 1975 to promote faster and more balanced growth in agricultural production, improved food distribution, and a rising share for developing countries in expanded agricultural trade. While not legally binding, the guidelines of 1975 were acceded to by the United States. A group within the developing countries and FAO Secretariat has sought for a number of years to make sweeping changes in the guidelines, including some in trade and food security, which the United States considered impractical and irrelevant to the real causes of agricultural problems in developing countries and which impinged on the mandates of other international organizations directly concerned with such issues. The United States engaged in protracted negotiations on revision of the guidelines in 1981 that ended without reaching agreement. The United States, at the FAO Council in 1982, expressed its conviction that the effort was flawed. At the 1983 Conference it was clear that the differences could not be reconciled and the United States disassociated itself from the revised guidelines approved by the Conference.

## FOOD SECURITY

For the spring meeting of FAO's Committee on World Food Security (CFS), the Director General of FAO unveiled a food security paper heralded in advance as the most comprehensive approach to food security that had so far been put forward. According to the Director General "the ultimate objective of world food security should be to ensure that all people at all times have both physical and economic access to the basic food they need."

This broader concept, formulated in a report he had prepared on world food security, stated that "food security should have three specific aims, namely ensuring production of adequate food supplies; maximizing stability in the flow of supplies; and securing access to available supplies on the part of those who need them." Besides expanding the definition of world food security, the Director General's paper made programmatic proposals at the national, regional, and world levels and advanced various institutional changes that would expand the CFS into areas primarily the responsibility of other institutions—*inter alia*, the World Food Program, the International Wheat Council, and the World Food Council. The United States in the Committee meeting and at later discussions of the food security issues took exception to many parts of the Director General's paper, including many of the programmatic proposals at the regional and world level. The United States emphasized that the primary responsibility was at the national level for implementing appropriate policies to address problems of food production and distribution and ensuring economic access to food. It further took exception to the conclusions which it thought infringed on the role, responsibilities, and activities of other organizations that the international community had established and repeatedly endorsed. The results of the discussions at the Committee on World Food Security were inconclusive. The expanded definition of World Food Security was generally endorsed. The conclusions of the Committee deliberations otherwise preserved both the objectives of the Director General to keep the various elements of his report alive and those of the developed countries, including the United States, to prevent endorsement of proposals and institutional changes it would find unacceptable. At the meetings of the Council and Conference the United States found it necessary to restate its position and to deflect the pretensions of proponents of the Director General's paper to treat it as if it were an internationally approved document, which it was not.

## AFRICAN FOOD CRISIS

In 1983 FAO was in the forefront of the international effort to assist African countries affected by severe drought and threatened



by grave food shortages. Through its Early Warning System it alerted the international community to the most critical needs and continually monitored the effort to meet those needs. The Director General convened emergency meetings of concerned countries both before and during the annual Conference. The United States continued to be very responsive to the food assistance needs of Africa. At the Conference, Secretary Block announced that the United States was providing an additional \$25 million in direct emergency food aid donations to help meet the African crisis bringing the total for 1983 to \$50 million. This was in addition to its regular ongoing bilateral food aid of over \$200 million and nearly \$300 million in economic assistance for rural and agricultural development, which supported long-term activities designed to address the fundamental causes of food shortages in African countries. This brought the total of U.S. food and agricultural aid to Africa to \$500 million in 1983.

## **WORLD FOOD PROGRAM**

Since it began operations in 1963 the World Food Program, sponsored jointly by the United Nations and FAO, has specialized in using food aid for social and economic development and for emergency relief. The WFP's governing body, the Committee on Food Aid Policies and Programs (CFA), meets twice a year to review developments in food aid policies and programs and to review WFP's projects. The CFA has 30 members, elected for 3-year terms, 10 new members being elected annually to replace the 10 retiring members. ECOSOC elects half of these (five annually), and the other five are elected by the FAO Council. The United States and some other major donors are regularly reelected.

As the principal vehicle for multilateral food aid within the UN system, WFP distributes commodities supplied by donor countries to support development projects (e.g., food-for-work projects) designed to produce social and economic progress and as emergency food assistance in response to natural and manmade disasters. Development projects make up about 75% of the total WFP program and emergency projects the remaining 25%. The concentration of WFP activities in low-income, food-deficit countries has increased in the last decade from 65% to over 80% of WFP regular programs.

The WFP operates on a 2-year cycle for budgeting, programing, and planning purposes. Most of WFP's donors made pledges of contributions for the 1983-84 biennium in March 1982. The United States, together with some other large donors (Netherlands and Italy), however, did not pledge then, pending the resolution of some outstanding issues. At the CFA's 14th session in October 1982, the United States pledged \$250 million of which \$188 million was for commodities, \$59 million was for freight costs, and \$3 million was for

the WFP's Administrative Fund. By December 31, 1983, donor governments and organizations had pledged \$961.4 million for the 1983-84 biennium. Although the United States did not make a specific pledge to the International Emergency Food Reserve (IEFR), it did indicate it would continue the strong support for IEFR it had provided in the past.

The 15th session of the CFA, held in Rome in May 1983, was chaired by J. Sonneveld (Netherlands). In his opening statement the WFP Executive Director, James Ingram (Australia), noted that, while over 80% of WFP's commitments in 1982 were directed to low-income, food-deficit countries, many middle income countries had been exceptionally hard hit by the international recession. He suggested a continuation of WFP's predominant emphasis on low-income food deficit countries but said that WFP should be in the vanguard of international efforts to assist other countries seriously affected by the recession. He also suggested a total policy package approach on several matters, including the criteria to be used in determining the existence of an emergency but suggested that this agenda item be deferred until the 16th CFA since he intended to undertake a major review of the structure and functioning of the WFP.

As the 15th CFA marked the 20th anniversary of the WFP, the Executive Director highlighted the cumulative achievements of the organization over the past two decades—about \$5.3 billion in assistance had been committed to over 1,100 development projects in 114 developing countries; over \$1 billion in food aid had been supplied to almost 600 emergency operations in over 100 countries; and about 170 million people had benefited directly from WFP projects.

The Executive Director also announced his proposed target of \$1.5 billion for the 1985-86 biennium, up from \$1.2 billion in the previous biennium. Among the major donors, only Australia supported the proposed increase, which the United States considered unrealistic. It became increasingly obvious that most major donors did not expect to be able to increase current pledge levels substantially.

The United States applauded WFP's ongoing emphasis on low-income, food-deficit countries as recipients of agriculture and rural development projects. However, the United States called for improved project quality in terms of design, prompt initiation of approved projects, greater accountability, and orderly relinquishing of projects to local governments when appropriate. The United States congratulated WFP for its 20 years of distinguished service to humanity and the Executive Director on his forceful leadership during his first year at WFP's helm and called on other CFA members to support WFP in its request for improved administrative services from FAO and other UN agencies. The United States advised the CFA that it would not stand in the way of consensus in

favor of a \$1.35 billion target in order to meet the Executive Director's request for a pledge target which would encourage new donors. The United States had not reached a decision on the amount of its pledge for the 1985-86 biennium by the close of 1983.

The 16th session of the CFA convened in Rome in October 1983. In his opening remarks the Executive Director stated that WFP's cash position was the healthiest ever, with over \$200 million available for program and administrative costs. He gave special recognition to the recent U.S. decision to entrust to the WFP the total responsibility for shipping donated U.S. food, and also complimented Canada, Australia, the EC, and other donors for their cash contributions. FAO Director General Saouma called for an examination of the use to which cash contributions were put. He called for improvements in the project preparation process and a strengthening of FAO technical backup during project development.

In comparison to the strikingly smooth tone of the previous session, the 16th CFA was marred by the underlying strain in the FAO/WFP relationship, much of which centered on Executive Director Ingram's 1984-85 administrative budget request. That part of the budget amounted to an estimated \$56.9 million and allowed for the creation of 18 new staff positions and the upgradings of 11 positions.

Ambassador Millicent Fenwick, U.S. Representative to the UN Agencies for Food and Agriculture, supported the Administrative Budget, in recognition of WFP's need to improve its management capabilities to meet an expanded workload. In response to a U.S. request, Mr. Ingram indicated that he did not expect to propose any comparable staff increases in the foreseeable future. The United States and all other CFA members approved 18 projects with a total value of \$256.6 million. The plenary session also approved budget increases for 18 ongoing projects. No projects were turned down. A new fee schedule for bilateral services was also approved.

As no discussion paper had been submitted for the agenda item on emergency operations, the CFA decided once again to defer discussion of criteria for emergency operations until CFA's 17th session. There had been a basic controversy between FAO and WFP on this item: FAO does not want emergency criteria, while WFP does. However, the 16th CFA began what was to be a series of reviews of national experiences of individual countries with food aid, either as donors or recipients.

At the 16th CFA, in addressing the key agenda item of the Administrative Budget Estimates for 1984-85, the Budget Subcommittee emphasized that, while the Finance Committee and the ACABQ had approved the budgetary proposals in their entirety, it was the CFA which must make the final decision. Consistent with this analysis, the 16th CFA approved the 1984-85 Administrative Budget proposal.

## UN Educational, Scientific, and Cultural Organization

In December 1983 the United States decided to withdraw from UNESCO and so notified the Director General, Amadou-Mahtar M'Bow, on December 28. Withdrawal will become effective on December 31, 1984, in accordance with the 1-year notice period provided for in the UNESCO constitution. A separate letter from the Secretary of State to UN Secretary General Perez de Cuellar, delivered on December 29, explained that the decision did "not presage any wider disengagement from the United Nations or its other specialized agencies."

The Department explained in a press release of December 29 that it had conducted a 6-month, in-depth review of U.S. participation in UNESCO. It concluded, at the end of that review, that continued participation no longer served the interests of the country. The recommendation to leave the Organization was based on a judgment that UNESCO had deep-seated problems. Among the most prominent were (1) politicization of UNESCO's traditional subjects by the introduction of programs, resolutions, and debate on disarmament and other extraneous themes; (2) an endemic hostility toward the basic institutions of a free society, especially a free market and a free press; (3) the most unrestrained budgetary expansion in the UN system; and (4) poor management throughout the Organization, prime reasons for which were a top-heavy, overcentralized bureaucracy and a structure wherein excessive authority had flowed to the Secretariat and away from the governing bodies and member states.

The Department's statement further pledged the United States to continued international cooperation in education, science, culture, and communications, which UNESCO was originally created to promote. It expressed support for other means of cooperation between governments and for various forms of private sector activity. Steps were planned to identify those UNESCO activities in which the United States would be able to participate after withdrawal (such as the World Heritage Convention, the Intergovernmental Oceanographic Commission, and the Universal Copyright Convention), other beneficial activities carried on by UNESCO, and alternative mechanisms to continue these and other worldwide programs.

The United States also began planning its UNESCO-related activities for 1984, during which it would continue to participate as a full member and meet its legitimate financial obligations. A U.S. panel of eminent persons in UNESCO's various fields will be appointed to evaluate change in UNESCO during 1984. The panel will report to the Secretary of State to assist him in deciding whether sufficient change has taken place in UNESCO to warrant reconsideration of the decision to withdraw.

UNESCO's Executive Board held three sessions in 1983—the 116th from May 16–July 1, the 117th from September 12–October 14, and

the 118th at the end of November. The 116th session continued its examination of the draft program and budget for 1984-85. The United States and several other Western members objected strenuously to programs dealing with communications and human rights and abstained on the omnibus resolution recommending major programs to the autumn UNESCO General Conference. The United States called for a vote on the budgetary position of the resolution and acquired 7 votes in support of the U.S. position against the proposed 9.7% increase. However, the budget position was adopted by a vote of 29 to 8 (U.S.), with 4 abstentions. The other major donors who joined the United States in opposition were Belgium, Denmark, France, the Federal Republic of Germany, Japan, New Zealand, and the United Kingdom.

The 117th session was devoted mainly to preparing for the following 22nd General Conference, October 24-November 25. An additional subject of debate was the Soviet downing of a Korean Airlines flight (see also p. 261), which was referred to by several delegations as a violation of the human rights and other provisions in UNESCO's constitution. The 118th Executive Board dealt with elections to its various bodies and commissions. The United States was elected to all the positions it sought, including the Executive Board.

The General Conference divided into commissions to discuss the individual sectors of UNESCO activity. Some gains were made in the communications debate although many problems remained. The program was amended to reflect the view that any New World Information and Communication Order (NWICO) was an "evolving, continuous process," not an established, defined order. Also accepted was the contention that any study of a "right" to communicate must take into account traditional human rights as opposed to collective rights. The Western European and Others Group (WEOG) successfully modified the work plans to introduce the concept of the "watchdog" role of the press and enlarged the focus of several studies relating to the role of the private media in the promotion of the free flow of information. A Soviet omnibus resolution containing a number of antifree press segments was withdrawn, and the expected Soviet push for a celebration of the Soviet-inspired Declaration on the Role of the Media did not develop.

A major shortcoming of the General Conference was that despite WEOG efforts, several resolutions potentially harmful to the free flow of information were also adopted. A project calling for studies of "the working conditions and professional practices of communicators" was retained, and NWICO advocates gained acceptance for other projects which could lead to state censorship—a study on the "Dissemination of False and Distorted Information," referring to Western media; and a study on the collective "right" to commu-

nicate, using General Assembly resolution 37/92 (on Direct Broadcast Satellites) as a reference, from which the United States disassociated itself. Results of the General Conference demonstrated that the concept of a NWICO and its troublesome implications for the free flow of information remain firmly entrenched in the UNESCO communications program.

In the area of human rights, language was adopted which distinguished collective rights from the traditional rights which attach to the individual. Nevertheless, the term "peoples' rights" recurs often in UNESCO programs and will no doubt be the subject of future study and expenditures. The Conference attempted to involve UNESCO in the establishment of a code of conduct for transnational corporations, but this attempt was defused by efforts of Western members.

The budget debate turned into one of the most contentious issues at the Conference. UNESCO had proposed a real program growth budget of 9.7%, far out of line both with the U.S. policy of zero net program growth in multilateral organizations and with the budgets of other major organizations. Even though hard negotiations finally resulted in a real program growth budget of 5.5%, or \$374.4 million, this growth rate was still unacceptably high, and the United States voted against it.

Two final decisions were taken at the Conference, both over U.S. objections. The membership voted to hold the 23rd General Conference in 1985 in Sofia. The United States pointed out that new facilities were recently completed in Paris for the very purpose of accommodating large gatherings and another site would be wasteful and inefficient. The other decision involved a proposed revision of the geographic personnel quotas which would work to the detriment of the United States in placing its nationals in Secretariat positions.

The United States evaluated the results of the General Conference before reaching its decision to withdraw from UNESCO. It was pleased at the relatively moderate tenor of some of the General Conference conclusions but dismayed at other actions, particularly the budget resolution. An examination of the overall outcome revealed little basic change in UNESCO's behavior in recent years. Since UNESCO knew the U.S. position and of the possibility of a U.S. withdrawal, the action of the Conference led to the conclusion that this performance by UNESCO was probably the best the United States could expect in the prevailing circumstances. The General Conference did not engage the Organization in any fundamental changes, and the United States did not consider them likely in any reasonable time frame. The decision to withdraw was, therefore, fully consistent with the results of the Conference.

## SECTORAL OVERVIEW

### Education

UNESCO's education program is the largest program of UNESCO with approximately 37% of the total program budget. The education program's main lines of emphasis are to promote equality of educational opportunity, combat illiteracy, improve the quality of education, and foster international understanding. In addition this sector focuses on the educational aspects of such major social concerns as improving the status of women, promoting human rights, combating drug abuse, and developing physical education.

Although the U.S. Delegation to the 22nd General Conference session supported the program in general, it did so with some reservations. The program included many activities of little value and lacked the concentration of resources necessary to make an impact. Moreover, three programs were adopted that contained elements adverse to U.S. interests. These included support for national liberation movements, education in the disarmament field, and education related to collective "rights of peoples."

The United States attended the Intergovernmental Conference on Education for International Understanding in Paris, April 12-20. It was considered one of UNESCO's more important conferences because it reviewed UNESCO member states' implementation of the 1974 Recommendation on Education of International Understanding, Cooperation, Peace, and Education Related to Human Rights and Fundamental Freedoms. The conference addressed such issues as freedom of expression; academic freedom; and education for international understanding, human rights, peace, and disarmament. The conference was disappointing to the United States because it adopted resolutions which dwelled on extraneous political issues rather than on improvement of UNESCO's program.

The United States attended UNESCO's International Congress on the Associated Schools in Sofia, September 12-16. The Congress examined the accomplishments of the Associated Schools during the past 30 years and considered its role in implementing the 1974 UNESCO Recommendation on Education for International Understanding. It also adopted recommendations for a medium-term strategy for the development of the school network.

Other meetings in which the United States participated included: the Intergovernmental Committee on Physical Education and Sports; the Council of the International Bureau of Education; the Advisory Board of the European Center for Higher Education; and the Joint Studies Committee on Educational Technology. During 1982 UNESCO did some of its best work in the field of literacy development, science education, nutrition education, and vocational/technical education.

UNESCO's science sector activities in 1983 concentrated on promoting research, providing access to research data, organizing global-scale scientific research projects on a cost-sharing basis, and offering scientific and technological assistance to developing countries. UNESCO's activities in this sector during 1983 generally satisfied U.S. priorities. However, U.S. dissatisfaction was expressed about UNESCO's organizational shortcomings or failures to achieve some of its priorities, particularly its inability to consider adequately the need for planning long-term priorities. The 22nd General Conference approved a science budget of \$69,245,600, which constituted 29% of the program budget.

During 1983 the United States was an active participant in several intergovernmental science meetings which the American science community viewed as important to its international science cooperation efforts and to obtain access to valuable data and research sites.

In January the United States attended the annual meeting of the International Union of Geological Sciences (IUGS) in Bangkok to discuss development and coordination of regional geological activities in developing countries, new guidelines for its publications, and preparations for the International Geological Congress to be held in Moscow in the summer of 1984.

U.S. National Commission members of the International Geological Correlation Program (IGCP) Board attended the IGCP's annual meeting in February. The Board approved 11 projects, including the study of active geological faults worldwide.

U.S. oceanographic and marine scientists representing U.S. Federal agencies, the National Science Foundation, and private American ocean research institutions attended the Intergovernmental Oceanographic Commission (IOC)/World Meteorological Organization (WMO) sponsored meeting in February to discuss "El Nino" ocean current phenomena, as well as sea level studies in relation to ocean and climate.

The third session of the Joint IOC/WMO Working Committee for the Integrated Global Ocean Services System (IGOSS) met in Paris in February to discuss observation platforms and techniques, operational procedure for the collection and exchange of data, new telecommunication techniques and methods, and satellite communications.

American marine scientists also attended the UNESCO/IOC-sponsored third session of the IOC Program Group for the Western Pacific (WESTPAC) in Queensland, for the study of ocean dynamics, climate, Continental Shelf oceanography, marine pollution research, preparation of bathymetric charts, and mineral resources in South Pacific offshore areas. Other related meetings were the October 12-



17 Tenerife IOC workshop on Regional Cooperation in Marine Science in the Central Eastern Atlantic and the 71st Statutory Meeting of the International Council for the Exploration of the Sea.

The General Conference of UNESCO reelected the United States to the 30-nation International Coordinating Council (ICC) for the Man and the Biosphere Program (MAB). The United States was also reelected to one of the four Vice Presidencies on the MAB Bureau. The MAB Bureau approved the U.S. nominations for recognition and establishment of four biosphere reserves in New Jersey, South Carolina, Florida, and California. UNESCO invited the U.S. MAB Committee to send delegations to the first International Congress of Biosphere Reserves held in Minsk; a conference on Biosphere Reserves and Other Protected Areas for Sustainable Development in the Smaller Caribbean Islands in St. John, Virgin Islands; and a conference on the Protection of the Caribbean Environment in Cartagena, which resulted in the development of the "Cartagena Convention." U.S. MAB was also invited by UNESCO and UNEP to assist in the preparation of reports for *Environment and Man in the Southern Andes*; promote the International Association of Ecology in conjunction with the International Union of Biological Sciences; and examine potential sites in Chile for background pollution monitoring efforts in conjunction with the Global Environmental Monitoring Program of UNEP. A new, 8-member U.S. MAB Committee was appointed during 1983 to design and pursue a long-range strategy to place U.S. MAB on a secure financial and program footing beyond September 1984.

The UNESCO General Information Program (PGI), established in 1976 to provide a focus for UNESCO's activities in scientific and technical information, documentation, libraries, and archives, sponsored a meeting of the Intergovernmental Council for the PGI in January. It resulted in promulgation of 15 statements and recommendations to strengthen problem-solving capabilities worldwide through the dissemination of knowledge. The PGI also sponsored a consultation on standardized software packages for information management and retrieval, a seminar of the African Standing Conference on Bibliographic Control, and an interagency meeting on international standardization in information handling. The program provided financial support for several training programs, including an international course on archives administration, a workshop on teaching of management in the information professions, and a training course on information retrieval and system design.

PGI publications during 1983 included the *International Inventory of Software Packages in the Information Field*, *Compatibility Issues Affecting Information Systems and Services*, *General Introduction to the Techniques of Information and Documentation Work*, and three significant publications on archives and records management.

In June 1983 the National Commission on Libraries and Information Science took over the Secretariat functions for the U.S. National Committee for the UNESCO/PGI and as advisor to the U.S. Department of State on matters relating to U.S. participation in this program.

## **Culture**

UNESCO's major program dealing with cultural identity, creativity, and cultural development was unanimously approved by the 22nd UNESCO General Conference. The UNESCO Secretariat had made an effort between the issuance of the Second Medium-Term Plan in 1982 and the preparation of the draft 1984-85 program budget to delete or soften much of the earlier objectionable language concerning cultural industries and the effects of the new technologies on fragile endogenous cultures. The result was a more balanced cultural program based on principles of international cooperation and exchange, encouragement of freedom of expression and creativity, and the nurturing of cultural identities. The program also incorporated many of the recommendations of the Second World Conference on Cultural Policies held in Mexico City in 1982. The United States successfully opposed a Secretariat proposal to prepare an international instrument on the protection of cultural heritage against natural hazards. The United States opposed in principle the proliferation of international instruments as vehicles for solving international problems. In this case, a UNESCO convention, concerning the protection of the World Cultural Heritage, already provided a satisfactory framework and a systematic procedure for preserving outstanding sites of international significance from threats of any kind.

Following U.S. ratification of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, the U.S. Congress enacted implementing legislation in January 1983 (Public Law 97-466). This legislation established the Cultural Property Advisory Committee under the aegis of the U.S. Information Agency (USIA), to review requests from other signatories to the Convention for assistance in protecting their archaeological and ethnological materials, identified as part of their cultural patrimony in danger of pillage. It will also recommend courses of action to the President on entering bilateral or multilateral agreements or on taking certain measures in an emergency. The Committee will have responsibility for ongoing review of international agreements and emergency controls in this area.

In 1983 four more nations ratified the International Convention for the Protection of the World Cultural and Natural Heritage,

bringing the total to 82. During the seventh meeting of the World Heritage Committee in Florence in December 1983, 29 properties were added to the World Heritage List, including two U.S. nominations—the Great Smoky Mountain National Park and the San Juan National Historical Site including La Fortaleza (Puerto Rico). The U.S. Department of the Interior completed public procedures for the selection and submission of nominations for 1984 of the Statue of Liberty and Yosemite National Park.

The U.S. Committee of the International Council on Monuments and Sites (a nongovernmental organization) continued to assist the Advisory Council on Historic Preservation in reviewing American applications for the various courses offered by the UNESCO-established International Center for the Study of Preservation and the Restoration of Cultural Property (ICCROM) in Rome. In 1983 a total of nine Americans were enrolled in ICCROM courses on stone seismology, architectural preservation, conservation of mural paintings, and scientific principles of preservation.

The USIA administers the agreement for facilitating the international circulation of visual and auditory materials of an educational, cultural, and scientific nature, adopted by UNESCO at its Third General Conference in Beirut in 1948. Under the authority of Public Law 89-634, USIA in 1983 issued 1,697 certificates establishing “the international education character” of approximately 53,000 items of U.S.-produced audiovisual materials. These certificates secure duty-free entry privileges for the audiovisual materials covered by them in about 60 countries.

## **Social Sciences**

The planned UNESCO social science program for 1984-85 was organized along three main lines. The first was to build up social science facilities, especially in Asia and Africa, within a system of international cooperation. The second was focused on strengthening the role of research as a more effective instrument of planning. In this connection, special emphasis was placed on expanding research on socioeconomic indicators of development. The third thrust was directed toward increased emphasis on the applied sciences as they relate to world problems of human rights and peace, development, population, and the environment.

The American social science community and UNESCO have had difficulty relating to each other over the past several years. This was due in large measure to the fragmented and small-scale nature of UNESCO's social science activities which made it difficult for American institutions to develop links with them. Repeated U.S. efforts to have UNESCO focus on a limited number of societal problems organized on an international, intergovernmental scale have not been successful.

At the 22nd General Conference, the United States took the position that UNESCO should (1) give priority to the basic development of the social sciences because this is where UNESCO has a comparative edge and because the training of researchers from the developing countries is essential to development; (2) give greater emphasis to building bridges between social scientists in universities and research institutes, on the one hand, and decisionmakers on the other; and (3) identify problems of concern to a large number of countries so that both public and private institutions can become more centrally involved in UNESCO's social science activities.

## Communications

Although its budget (\$12 million for 1984-85) represents only 3% of the total approved UNESCO budget, the communications sector remained one of the most active and controversial during 1983. The communications controversy and UNESCO's entrenched interest in the development of a New World Information and Communication Order (NWICO) were factors in the U.S. decision to withdraw from UNESCO.

UNESCO communication activities were monitored during the year by the Department of State pursuant to U.S. Public Law 97-241, passed in August 1982, which required that funding be withdrawn from UNESCO if it were engaged in antifree press activities. The February 1983 Department of State report to Congress, covering 1982, concluded that, while UNESCO continued to debate issues potentially dangerous to the free flow of information, it had not implemented any programs requiring withdrawal of funding. Another report covering 1983 was scheduled for February 1984.

Two major conferences of UN bodies were called during the year in addition to UNESCO's 22nd General Conference—a joint UN/UNESCO-sponsored roundtable of experts on a NWICO in Innsbruck in September 1983; and the fourth session of the Intergovernmental Council of the International Program for the Development of Communication (IPDC) in Tashkent in September 1983. Outside the UN system, representatives of major publishing and broadcasting organizations from 25 countries met for a second time at Talloires (the first meeting was held in 1981) to discuss obstacles to a free press and what could be done about them. Finally, Third World representatives and NWICO advocates hosted several meetings on communications in 1983, the most significant being a Media Conference of the Non-Aligned, known as NAMEDIA, held in New Delhi, in December, involving about 90 delegates from 45 countries.

The 6-month U.S. policy review of its relations with UNESCO and the resultant decision of the United States to withdraw from UNESCO dominated discussions on international communication

issues during the year. Many UNESCO member states supported moves toward a NWICO, but at the same time, expressed concern lest the free flow of information be impeded, and applauded the role of IPDC in offering practical communications assistance for the developing world.

Major gains were made at the fourth session of the IPDC's Intergovernmental Council in September 1983. Twenty-eight new regional and national projects, primarily submitted by the Third World, were approved. IPDC funded 19 projects up to a maximum of \$40,000 each, recommended 7 for priority-funding consideration at its fifth session (in 1984), and placed 2 in reserve. As of December 31, 1983, a total of \$4.9 million had been pledged to the Special Account. The United States did not contribute to the Special Account but committed \$1.4 million to support IPDC through a funds-in-trust or bilateral account. Previously approved projects progressed satisfactorily, particularly those involving the Pan African News Agency, the Latin American Network of National Information, the Asian News Network, and the Caribbean News Agency. Funding was provided for a feasibility study for a private sector newspaper in Botswana. A previously approved project for the production of kenaf, a paper substitute, another private sector project, was progressing well.

The United States continued as a member of the 35-nation Intergovernmental Council. In 1983 the United States was reelected to the 8-nation IPDC Executive Bureau under a split term with France. IPDC's fifth session was scheduled for Paris in May 1984. The United States was examining possible ways to participate in IPDC communications activities after its withdrawal from UNESCO at the end of 1984.

## **Copyright**

UNESCO copyright activities in 1983 of interest to the United States centered principally on the Intergovernmental Copyright Committee of the Universal Copyright Convention which met in Paris, November 30–December 2, and in Geneva, December 12–16 and on the subcommittees on "Television by Cable" of the Intergovernmental Committee of the Universal Copyright Convention, the Executive Committee of the Berne Union, and the Intergovernmental Committee of the Rome Convention.

The meetings of the Intergovernmental Copyright Committee had two aspects—consideration of changes in the rules for election of the Committee and the routine business of the Committee. The developing countries expressed an interest in amending the election rules to permit the election of an increased proportion of their representatives to the Committee. This would result in a shift of control to the developing countries. The United States and other developed coun-

tries were not willing to see such a shift of control and resisted election rule changes. The other business of the Committee involved a review of its activities since the 1981 meeting of the Intergovernmental Copyright Committee and establishing priorities for the Copyright Division's future program.

The substantive work of the Intergovernmental Copyright Committee concerned four areas of particular interest to the United States—rental rights for video and audio recordings, rights surrounding creation of works by salaried authors, cable television, and protection of computer software. In each of these areas the United States sought to influence the implementation of the program along lines consistent with U.S. interests as defined by the development of U.S. domestic legislation and policies.

The meeting on "Television by Cable" considered the establishment of an international consensus on the uses of program material by cable systems and the development of model laws. The United States participated in these discussions to encourage the adoption of provisions which would give the best possible protection to the interests of suppliers of program materials. No final conclusions were reached and the discussions will continue when national positions on the issues have developed to a greater extent.

At the 22nd UNESCO General Conference, the United States, speaking on the copyright section of the draft program and budget for 1984-85, stressed U.S. approval for the program activities relating to unauthorized reproduction (piracy) of copyrighted works and called for allocation of more resources for these activities. Comments were offered on the undesirable regulatory aspects of the UNESCO activities relating to the protection of folklore and on the priorities which should be accorded to other facets of the UNESCO copyright program.

## **U.S. NATIONAL COMMISSION FOR UNESCO**

The U.S. National Commission for UNESCO held its 46th and 47th meetings in February and December 1983 under the Chairmanship of Dr. James B. Holderman, President of the University of South Carolina. At the February meeting, Assistant Secretary Gregory J. Newell announced that the Administration had decided not to include funding for the Commission in the proposed fiscal year 1984 budget. The Congress subsequently decided to authorize (but did not appropriate) \$250,000 for the Commission for fiscal years 1984 and 1985. Mr. Newell suggested the Commission might want to explore private sector funding as an alternative to government support. An *ad hoc* group of the Commission, supported by the James F. Byrnes International Center of the University of South Carolina, accordingly drew up proposals for a more streamlined and private sector-

oriented Commission which, with minor revisions, were formally adopted by the Commission in December.

The Commission was also asked by the Department of State to assist in the policy review of U.S. participation in UNESCO, which culminated in the decision to withdraw at the end of 1984. After surveying a representative group of nongovernmental organizations, in addition to its 100 members, the Commission concluded that it shared many of the Administration's complaints about UNESCO's inadequate performance but that continued membership was desirable. The Commission recommended fighting for UNESCO reform from within. A resolution at the December meeting declared that "the Organization's effectiveness had been impaired by discordant debates on extraneous political issues and by the proliferation of contentious programs which have contributed to an unreasonable increase in its budget" but concluded nonetheless that "continued U.S. membership in UNESCO is in the national interest." The resolution was adopted by a vote of 41 to 8. Commissioners who were absent were subsequently polled, bringing the total vote to 57 to 17.

## **World Intellectual Property Organization**

The World Intellectual Property Organization (WIPO) was established by a convention signed at Stockholm in 1967 which entered into force on April 26, 1970. The United States is a party to the Convention. WIPO is the principal worldwide organization responsible for promoting the protection of intellectual property which comprises two elements: copyrights (mainly literary and artistic works) and industrial property (mainly patents on inventions, trademarks, and industrial designs). WIPO is also responsible for the administration of some 15 intergovernmental "Unions," each founded on a multilateral treaty. The two principal treaties are the 1883 Paris Convention for the Protection of Industrial Property, which has 92 parties, and the 1886 Berne Convention for the Protection of Literary and Artistic Works, which has 74 parties. The United States is a party to the former Convention but not the latter.

Membership in WIPO is open to any member state of the Paris or Berne Unions, or of the United Nations or its specialized agencies, or which is invited to become a member by the WIPO General Assembly.

### **ADMINISTRATIVE ORGANIZATION**

The Paris and Berne Conventions had provided for an international bureau to serve as Secretariat for each respective Union. These were united in 1893, eventually under the name of the United International Bureaux for the Protection of Intellectual Property

(BIRPI). Although BIRPI still has a legal existence for states that are members of one of the Unions but not of WIPO, in practice it has been supplanted by the International Bureau established by the Stockholm Convention to be the Secretariat of WIPO. WIPO became a specialized agency of the United Nations in 1974.

The International Bureau operates under the direction of WIPO member states through a General Assembly and a Conference which meets biennially. The principal administrative organ of the Paris and Berne Unions is the Assembly of each Union, consisting of all the member states. The Paris and Berne Unions elect Executive Committees from among their member states and joint membership of these two committees constitutes WIPO's Coordination Committee which meets annually and is entrusted with the normal tasks of such a governing body, especially the implementation of the biennial program and budget of WIPO. As a member of the Paris Union Executive Committee, the United States continued as a member of the WIPO Coordination Committee through 1983. In 1983 the United States was also a member of the following governing bodies or other organs of WIPO: the General Assembly, the Budget Committee, the Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights, the Permanent Committee on Patent Information, and the Permanent Committee for Development Cooperation related to Industrial Property.

The 1984-85 budget of WIPO was adopted by the governing bodies in September. The amount of the gross assessed budget is 42,106,000 Swiss francs. Although the United States and other members welcomed the absence of any real program growth in the proposed budget, the United States voted against it because the nominal growth rate of 19.4% over the previous biennium was considered to be too high. The United States is assessed approximately 4.5% of the total budget.

One of two basic objectives of WIPO is to promote the protection of intellectual property on a worldwide basis. In support of this objective, WIPO encourages the conclusion of new international treaties and the harmonization of national laws; it gives legal-technical assistance to developing countries; it assembles and disseminates information on intellectual property; it maintains international registration services in the fields of trademarks, industrial designs, and appellations of origin; and it performs the administrative tasks for an international patent filing arrangement.

The second basic objective of WIPO is to ensure administrative cooperation among the Unions. Centralizing the administration of the various Unions in the International Bureau helps ensure economy both for the member states and for the private sector concerned with intellectual property.



## **TECHNICAL ACTIVITIES**

The Permanent Committee for Patent Information (PCPI), established in 1977, coordinated all technical activities which previously were being undertaken by separate bodies in regard to the revision of the International Patent Classification under the Strausberg Agreement, the activities of the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT), certain technical activities under the Patent Cooperation Treaty, and various other existing or planned technical activities related to patent information.

During 1983 the United States continued to participate in the preparation for the publication of the fourth edition of the International Patent Classification, and in measures adopted to ensure the smooth working of the Patent Cooperation Committee under its procedures.

## **ASSISTANCE TO DEVELOPING COUNTRIES**

Activities of WIPO in the field of development cooperation with respect to developing countries continued in 1983 under the direction of two committees composed of developed and developing countries, the WIPO Permanent Committee for Development Cooperation Related to Industrial Property and the WIPO Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights. The United States participated in both of these committees and supported most of the activities which were numerous and varied.

During 1983 WIPO continued to provide traineeships to officials from developing countries in the fields of industrial property and copyright. The U.S. Patent and Trademark Office participated by providing training to a number of developing country nationals in the industrial property field.

## **REVISION OF THE PARIS CONVENTION**

The United States continued its active participation in the revision of the Paris Convention for the Protection of Industrial Property, the most important multilateral treaty in this field. The first session of the Diplomatic Conference was held in February-March 1980 in Geneva. The Conference became bogged down in attempting to resolve the question of the voting majority for adoption of a revised text of the Paris Convention. Following an almost month-long discussion, voting rules were adopted over the objection of the United States in the concluding days of the Conference.

The developing countries, supported by the Socialist countries, had announced they wanted a two-thirds majority for adoption of the

revised text of the Paris Convention. The compromise finally adopted, with the United States the only dissenter, called for the final text to be adopted by consensus, that is, without objection; but, if no consensus were reached, a two-thirds majority would be sufficient, provided no more than 12 members voted against. The United States protested the adoption of this rule by less than a unanimous vote and formally reserved its legal right to challenge the validity of any substantive action under the Rules of Procedure, particularly the adoption of a revised text, by less than a consensus.

In the opening of the second session of the Diplomatic Conference, held in Nairobi in September–October 1981, the United States again noted its opposition to the adoption by less than a unanimous vote, of a voting rule providing for less than a unanimous vote to adopt a revised text which evolved.

Almost all of the second session was spent attempting to resolve the issues regarding sanctions for not working a patented invention in a given country. The Group of 77 wanted to have greater discretion in the nature of the sanctions developing countries could apply and they wanted developing countries to be able to apply the sanctions sooner. The industrialized countries preferred limiting the sanctions which were available and giving inventors more time to work their inventions before sanctions could be applied. In addition, some of these industrialized countries felt that any relaxation in the nature of sanctions or in time limits should be available to any country and not only developing countries. However, the majority felt that any relaxation in existing requirements should be available only to developing countries. At the conclusion of the 4-week session a revised text on the sanction matter alone was informally agreed to with only the United States objecting. The U.S. objection was directed primarily against the confiscatory nature of two sanctions which a developing country could apply for situations involving the nonworking of a patented invention. Further discussion on this matter, as well as on other matters which were only summarily discussed in the second session, was deferred to the third session, which was held in fall 1982.

The third session was held for 4 weeks in October and 1 week in November 1982. By general agreement the contentious issue of sanctions for failure to work a patent was not on the agenda. The third session concentrated in its first 4 weeks on trademark issues having to do with the use of geographical names to identify products. In view of strong European positions on these issues, it was not possible to reach final agreements on them. During this last week of the third session, continued discussions on ways of resolving the problem of sanctions for nonworking of patents were held with the expectation that they would be continued in a fourth session of the Conference scheduled for early 1984.

## **PATENT COOPERATION TREATY**

A total of 33 countries had ratified or adhered to the Patent Cooperation Treaty (PCT) by the end of 1983.

Under the PCT, U.S. citizens and residents may file an international patent application with the U.S. Patent and Trademark Office in Washington. The effect of the international application is the same as if national applications had been concurrently filed with national Patent Offices (including the European Patent Office) of those countries party to the PCT which the applicant designates. The international application is then subjected to a search of a prior art by the U.S. Patent and Trademark Office, and the applicant then decides, on the basis of the international search report, whether it is worthwhile to pursue application in the various countries designated. National procedures in such countries are delayed until 20 months after the priority date, unless the applicant asks for an earlier start.

An international application may be a first application or it may be a subsequent application invoking the priority of an application previously filed with the national office of a country party to the Paris Convention or with the European Patent Office. Where protection is sought in any country party to both the PCT and the European Patent Convention, the applicant may generally seek protection under the national law of that country or under the European Patent Convention.

## **PROTECTION OF THE OLYMPIC SYMBOL**

In a 2-day Diplomatic Conference in September 1981, a Nairobi Treaty on the Protection of the Olympic Symbol was agreed to and signed on behalf of 21 countries. The United States, in the final vote on the instrument, which required a two-thirds vote for approval, voted against adoption primarily because the treaty erodes the ability of the U.S. Olympic Committee to retain licensing revenues for use of the U.S. Olympic teams. This agreement, which had been adhered to by 13 countries by the end of 1983, entered into force on September 25, 1982.

## **World Health Organization**

The World Health Organization (WHO) in 1983 advanced progress toward implementation of its strategy to reach "health for all by the year 2000." The annual World Health Assembly reelected WHO's Director General, approved a budget for 1984-85 of \$520.1 million, encouraged expanded national efforts in primary health care, and urged increased action to improve infant and young child feeding.

The Assembly also adopted (over U.S. objections) a resolution calling for continuing WHO studies and reports on nuclear war. In the course of 1983, Vanuatu, the Solomon Islands, and St. Vincent and the Grenadines were added as new WHO members, bringing the total WHO membership to 161, with one associate member (Namibia).

The United States maintained its role as WHO's most influential member. Its efforts served to support and augment WHO's international health initiatives, keep WHO focused on its assigned technical area of responsibility, and minimize extraneous political issues in governing bodies. The adopted budget met the U.S. objective of zero program growth; the number of U.S. nationals employed by WHO increased, and segments of the U.S. private sector became increasingly and constructively involved with WHO program activity.

The Honorable Margaret Heckler, Secretary of Health and Human Services, led the U.S. Delegation to the 36th World Health Assembly, held in Geneva on May 2-18, 1983. Secretary Heckler addressed the Assembly on U.S. support for the goal of "health for all" and also delivered a speech to the committee considering the WHO program and budget on U.S. budget policy regarding WHO. She also utilized the occasion to meet with WHO's Director General, Dr. Halfdan Mahler of Denmark, as well as with ministers of health from a number of nations.

During 1983 the United States sent a delegation to the 3-week January meeting of the WHO's 30-member Executive Board, and to the November meeting of the Board's 9-member Program Committee. Dr. Edward N. Brandt, Jr., Assistant Secretary for Health of the Department of Health and Human Services, is the U.S. member of the Board.

U.S. delegates also participated in the June meeting of the 9-member Executive Committee of the Pan American Health Organization (PAHO), which serves as WHO's regional committee for the Americas, and the September meeting of PAHO's 37-member Directing Council. The United States also sent a delegation to the September meeting of the WHO Regional Committee for the Western Pacific, held in Manila, and an observer to the September meeting of the WHO Regional Committee for Europe, held in Madrid. Dr. Gregory T. O'Connor, Director of International Affairs for the National Cancer Institute, headed the U.S. Delegation to the regular annual meeting of the Governing Council of WHO's International Agency for Research on Cancer (IARC), in Lyon, and presided over the meeting.

## **HEALTH ISSUES**

WHO regional committees and member states continued work in 1983 on defining appropriate mechanisms to monitor and evaluate

progress toward the "health for all" goal. Many member states indicated in speeches to the Assembly that they were undertaking the reshaping of national priorities and health infrastructure that were deemed necessary to the primary health care emphasis of WHO. Nevertheless, Director General Mahler on several occasions challenged national governments to make more rapid progress. There is no doubt, he told the Program Committee in November, that "countries are going to have to experiment with new ideas and approaches, especially those aimed at improving coverage for underserved or disadvantaged population groups, increasing community involvement, utilizing more appropriate and cost-effective technologies, and promoting effective intersectoral action in health." Dr. Brandt supported the Director General's concerns and urged that each individual member state of WHO take responsibility for the task of moving itself toward the "health for all" goal. Dr. Brandt also supported the Director General's intentions to give budgetary priority to countries that are committed to the "health for all" goal and that have the necessary political will and courage to admit deficiencies and make the required adjustments.

While supporting the goal of "health for all," the World Health Assembly gave separate attention to the role of nursing/midwifery personnel in the achievement of that goal, to progress on the programs of the International Drinking Water Supply and Sanitation Decade, and to specific problem areas such as tuberculosis, cardiovascular diseases, African human trypanosomiasis, oral health, and alcohol abuse. In one resolution, the Assembly set forth its "firm conviction that alcohol-related problems rank among the world's major health concerns and constitute a serious hazard for human welfare." At the meeting of the Program Committee, Dr. Brandt urged the Director General to give increased attention to the importance of smoking as the largest cause of cardiovascular disease and other health problems. Dr. Mahler responded that the prevention of health problems related to smoking was a very high priority of WHO. In other action during the year, the U.S. Agency for International Development continued its collaboration with WHO concerning development of a vaccine against malaria and strengthened coordination with WHO in other key areas.

## **Infant Feeding**

On the subject of infant and young child nutrition, the Assembly spent almost an entire day discussing national actions taken in relation to the International Code of Breastmilk Substitutes adopted by the Assembly in 1981. Although a 1981 resolution had recommended that the Assembly in 1983 consider revisions of the code in order to make it "more effective," Director General Mahler said he

thought it premature to undertake any revisions, and none were proposed by any member state. In September 1983 the United States provided WHO with a detailed report on U.S. practices in both the public and private sectors to improve infant nutrition. For the third consecutive year, the Executive Board decided (over U.S. objections) not to grant formal nongovernmental organization consultative status to the International Council of Infant Formula Industries (ICIFI); the Council subsequently decided not to reapply for this status.

## **Pharmaceuticals**

In the pharmaceuticals area, companies were praised by some delegates to the Assembly for cooperation with WHO's Action Program on Essential Drugs, which was designed to get basic drugs to the neediest populations at lowest possible costs. There was also some criticism of marketing practices in the pharmaceutical area, but no call for a new WHO code. A representative of the International Federation of Pharmaceutical Manufacturers Associations (IFPMA) told the Assembly the IFPMA had pursued complaints about violations of its own code (although none had proved well founded) and promised to investigate all others brought to its attention. A senior WHO officer told the Assembly that the credibility of the entire "health for all" process depended on faster action on the "essential drugs" issue and urged increased collaboration among all interested parties.

## **Smallpox**

On December 9, 1983, the Government of South Africa announced that it had destroyed its holdings of live smallpox virus, and the event was publicized by WHO. The only known remaining holdings of the virus were at two WHO collaborating centers—the U.S. Department of Health and Human Services (DHHS) Centers for Disease Control, in Atlanta, and the Russian Institute of Virus Preparations, in Moscow; both maintain the virus for comparative studies with related viruses, with WHO monitoring safety requirements. Since WHO had declared the eradication of smallpox in 1980, many health experts felt it unnecessary, and possibly a health hazard, for the virus to be maintained in multiple locations. In the mid-1970's, when nearly 80 laboratories were holding stocks of live smallpox virus, WHO had urged reduction of these stocks. The South African facility was the last institution outside the two approved collaborating centers to maintain the virus, and this had been criticized by African members at the 1983 Assembly.

## ADMINISTRATIVE AND BUDGETARY ISSUES

Director General Mahler was reelected for a third 5-year term; there was no other candidate for the post, and the Executive Board's nomination was unanimous. Dr. C. Everett Koop, Surgeon General of the U.S. Public Health Service, spoke in support of the nomination, praising Dr. Mahler's efficient and effective operation of WHO over the past 10 years. Dr. Koop said that "Dr. Mahler has gained the respect and esteem of all nations, rich and poor, north and south, developed and developing. A man of high principle and with a high regard for human life, Dr. Mahler has earned the privilege to guide this Organization as it moves closer to achieving the goal of 'health for all.' "

In another election in September, the Western Pacific Regional Committee unanimously nominated Dr. Hiroshi Nakajima (Japan) to a second 5-year term as regional director, based in Manila.

The adoption of the 1984-85 budget consumed the major share of time of both the Executive Board and the Assembly. The effective working budget of \$520.1 million was the largest of the UN-system specialized agencies, second only to that of the United Nations itself. The United States pays 25% of the budget. After various adjustments this amounted to a U.S. contribution of \$61,145,990 in each year of the biennium.

The new budget represented a nominal increase, due to higher costs, of 10.9% over the budget of 1982-83; however, there was a decrease of 0.13% in program activity. Director General Mahler, who had designed the new budget to increase country program activity while decreasing expenses at the global headquarters level, characterized the result as "budgetary standstill but program acceleration."

The U.S. Delegation supported the proposed budget in the final vote, which was 122 (U.S.) to 0, with 6 Eastern European states abstaining. Prior to this vote, the United States had argued that WHO should utilize all of the "casual income" (primarily interest earnings and exchange rate gains) that had accrued up through the end of 1982 to help finance the regular budget and thereby offset the burden on member states. After lengthy debate, the U.S. motion to increase the amount utilized, from \$50 million to \$54.5 million, was adopted by a vote of 43 (U.S.) to 34, with 9 abstentions. As a result, the U.S. assessment, following adjustments for taxes on U.S. staff members, increased only 2.9% from 1982-83 to 1984-85.

In leading the debate on the budget in both the Executive Board and the Assembly, the U.S. Delegates sought economies that would lead to smaller assessment increases for member states.

Secretary Heckler applauded WHO for pursuing a policy of "no net program growth" in the WHO budget. She told the Budget Commit-

tee that international organizations also "should undertake efforts to absorb a significant amount of their cost increases when member states were having economic difficulties of their own."

In finally voting to support the budget, the U.S. Delegate, Neil A. Boyer, said that the United States appreciated the "zero program growth" approach that WHO had taken toward the budget, WHO's ability to provide such a large sum of casual income to offset assessments, and its willingness to respond to the concerns of member states. Mr. Boyer said the big picture that emerged from 11 days of debate on the budget was that WHO was a very impressive organization doing highly useful work to complement the efforts of health officials in national governments. He said that the United States was hopeful that other agencies in the UN system would be as realistic in designing their program proposals as WHO had been. Following the vote, Director General Mahler said he was pleased at the "remarkable unanimity" on the budget, which he considered a declaration of confidence in WHO.

On the issue of structural defects relating to the eighth-floor cafeteria and restaurant at WHO Headquarters, the Assembly considered new cost analyses and decided to authorize construction of a new ground-level facility. In 1982 the Assembly had authorized expenditures of \$2.6 million to repair the current site on the eighth floor. With no additional appropriation being required, construction began in late 1983 on a new building to house the dining facilities. The Assembly's decision also provided for correction of the structural defects in the eighth floor and then closing the eighth floor until future needs justified its use.

Although the Assembly in the past had decided that meetings in even-numbered years could be shortened to 2 weeks, it felt that in odd-numbered years, when the biennial program and budget were under review, a longer Assembly was needed. Through expeditious work and because controversial issues were kept to a minimum, the 1983 Assembly was in fact completed on Monday of the third week. As a result, a number of delegations, including that of the United States, urged that in pending studies of this issue, the Executive Board set a firm limitation of 2 weeks on all assemblies (as opposed to the recent custom of 3-week sessions). The Board was expected to discuss the issue further in 1984.

## **POLITICAL ISSUES**

In anticipation of potentially troublesome political issues on the Assembly agenda, Director General Mahler issued the following warning in his speech of appreciation following his reelection:

"If we allow ourselves to be lured astray into fields beyond our constitutional competence, I am afraid we will find ourselves in these very minefields that we



have been trying so hard to avoid in the interest first and foremost of the health of the deprived peoples living in the Third World. None of us, I am sure, would want to blow up our Organization. Nor would we want to lose the tremendous prestige we have gained as an Organization of 160 Member States, able to cooperate with one another for the health of people everywhere without distinction of race, religion, political belief, social or economic development—indeed, what our very Constitution demands from us.”

This intervention appeared to play a major role in reducing the number and gravity of political issues considered by the Assembly in 1983.

## **Nuclear War Report**

The major political issue of the 1983 Assembly was the debate over an experts report on “the effects of nuclear war on health and health services.” The report had concluded that it was impossible to prepare health services to deal in any systematic way with a catastrophe resulting from nuclear warfare, and that “nuclear weapons constitute the greatest immediate threat to the health and welfare of mankind.”

The original request for the study had been included in a Soviet-sponsored resolution adopted in 1981 on a divided vote of 46 to 23 (U.S.), with 11 abstentions. The report led to the introduction of a new resolution by India and Cuba calling for endorsement of the conclusions of the experts report and requesting WHO to continue the work of collecting, analyzing, and regularly publishing accounts of studies on the effects of nuclear war on health and health services.

Dr. Koop told the Assembly the United States felt WHO had no role to play in international efforts to prevent nuclear war, and that such efforts diverted valuable WHO resources from more productive, health-related activities. He said the report appeared to confirm “what we all knew when we voted on the 1981 resolution, namely, that nuclear war would be horrible.” He said the expert committee was undoubtedly correct in stating that the best manner of dealing with the specter of nuclear war is “primary prevention.” However, Dr. Koop said, the question of how to deal with the prevention of nuclear conflict is undoubtedly a political question, one that is best dealt with by political officials and by political bodies constituted specifically for the purpose. He added that WHO had been constituted “to deal with specific questions of health, with finding new and better approaches to disease, to malnutrition, to the improvement of human well-being. . . . We delude ourselves if we believe that this Assembly and this Secretariat and this Organization as a whole can have any serious impact on ‘primary prevention’ of nuclear conflict.”

Negotiation over the new resolution presented by India and Cuba carried on through most of the Assembly. Western delegations in

particular sought amendments which would limit a further role for WHO in this field. However, no compromise was possible. After the Assembly formally rejected four Western amendments, the resolution calling for further WHO action was approved in committee by a vote of 97 to 12 (U.S.), with 9 abstentions, and adopted in plenary by a vote of 102 to 12 (U.S.), with 8 abstentions. In explanation of vote, the U.S. Delegation said that although the United States felt that WHO was an inappropriate agency to pursue this issue, the negative vote should not be interpreted to mean there was no concern in the United States about the effects of nuclear war. The U.S. Delegation had been willing to accept a substantial part of the resolution, and it regretted that it had not been possible to reach a consensus that had seemed within the grasp of the Assembly.

### **Action Regarding Israel**

The Assembly also undertook its traditional review of "health conditions in the occupied territories." There was no effort at the 1983 Assembly to deny credentials to the Israeli Delegation or to suspend Israel's voting rights or program services, as had been attempted in the past. However, 43 countries joined in cosponsoring a strongly worded resolution condemning Israel *inter alia*, for launching a "ferocious war" against Lebanon. Israel rejected the accusations; it contended in response that health conditions in the occupied territories were far better than in the surrounding Arab states, and invited its neighbors to visit the territories to learn and share experiences.

In the context of the Israeli issues, the delegates of Arab states drew attention to a mysterious illness affecting school-aged girls on the West Bank. In a 2-week period at the end of March 1983, there had been 943 cases of an acute, nonfatal illness characterized by headache, dizziness, blurred vision, abdominal pain, and breathing difficulty. Arab states charged the Government of Israel with responsibility for "poisoning" in these cases.

The U.S. Delegation succeeded in blocking an effort by Arab states to add a new agenda item on this point, but the issue was debated under the "occupied territories" item. Dr. Donald Hopkins, Assistant Director for International Health of the U.S. Centers for Disease Control, presented to the Assembly the results of a study of the problem by CDC. Hopkins said a visiting team had concluded that the epidemic "was induced by anxiety, that it may have been triggered either by psychological factors or by subtoxic exposure to hydrogen sulfide, and that its subsequent spread was mediated by psychological factors." Hopkins described several recent similar events in the United States and said that "this is not an unusual phenomenon." The report and a similar one by WHO were greeted

with skepticism by Arab delegations. Israel in turn complained about "the poison in the air" at the Assembly and contended the debate was focusing on "a false issue."

Mr. Boyer said there were many elements of the Arab resolution that the United States opposed. He particularly questioned the new mandate and expenditures that would be required if WHO were to fulfill the resolution's requests that WHO "establish three medical centers in the occupied Arab territories, including Palestine, with funds allotted for this purpose and directly supervise health conditions in these territories." The Kuwaiti delegate said that the resolution only requested WHO "monitoring" of health conditions in the occupied territories, not direct operations. Director General Mahler said it was his understanding that WHO would act regarding the new medical centers only if extrabudgetary resources were made available. In the end, the resolution was approved in committee by a vote of 65 to 17 (U.S.), with 25 abstentions, and adopted in plenary by a vote of 81 to 16 (U.S.), with 28 abstentions.

### **Eastern Mediterranean Office**

There was no attempt by Arab states at the 1983 Assembly to move the regional office for the Eastern Mediterranean out of Alexandria, Egypt. Efforts to do this in the previous four assemblies had been unsuccessful. In view of the apparent improvement of relations between Egypt and the other Arab states, corridor discussions on the issue were muted. When the agenda item on the issue arose, there were no speakers. The Assembly adopted by a consensus a resolution that simply asked the Director General to continue implementation of the 1982 resolution, which had in turn asked only that he take whatever steps he deemed necessary to ensure the smooth operation of health programs in the region. In October 1983, after a 4-year hiatus, the Eastern Mediterranean Regional Committee held a meeting in Amman. Indications were that the dispute over location of the regional office was subsiding.

A related issue was the desire of some Arab states, as an alternative to moving the Alexandria office, to create a "sub-office" outside Egypt to supplement the work of the Alexandria Headquarters. At the end of 1983, it was learned that WHO, acting under the 1982 resolution, had established a sub-office in Amman with a staff of two professionals; however, it was understood that this new office would in no way diminish the responsibilities of the Headquarters in Alexandria.

### **African Issues**

The assembly also adopted several customary resolutions regarding health issues in southern Africa. Sponsors again refused to

compromise on language that the United States and others felt was unduly politicized. A resolution accusing South Africa of using military attacks to destabilize governments of frontline states was approved in committee by a vote of 91 to 1 (U.S.), with 6 abstentions, and adopted in plenary by a vote of 94 to 5 (U.S.), with 3 abstentions. A resolution contending that SWAPO was the "sole legal representative" of the Namibian people and calling for aid to national liberation movements was approved in committee by a vote of 82 to 2 (U.S.), with 14 abstentions, and adopted in plenary by a vote of 96 to 2 (U.S.), with 15 abstentions.

## **ASSEMBLY OVERVIEW**

In summarizing the 1983 Assembly, U.S. officials told the press that "we are pleased both with the seriousness of the discussions on health issues this year, and with the fact that this Assembly was less taken up with political confrontation than in past years." Mr. Boyer explained that it had been U.S. policy for many years to try to keep politically charged language and resolutions out of the World Health Assemblies so that delegates could focus on those issues genuinely related to health. "The World Health Organization is a technical agency and not a forum for resolving political problems in the Middle East or those concerning nuclear war," he said.

## **PAN AMERICAN HEALTH ORGANIZATION**

The 29th meeting of the 37-member Directing Council of the Pan American Health Organization (PAHO) was held in Washington from September 26 to October 3, 1983. In its chief action, the Council unanimously approved an effective working budget of \$103,959,000 for 1984-85. The new budget had nominal growth of 15.1%, consisting of cost increases of 14.4% and program growth of 0.7%. Over a 3-month period, U.S. officials had negotiated with the new PAHO Director, Dr. Carlyle Guerra de Macedo (Brazil), to get revisions in the proposed budget. Ultimate changes resulted in savings of more than \$1.8 million in the U.S. assessment (which is 61.29% of the PAHO regular budget). This included a cut of the proposed program growth from 1.1% to 0.7%. Due to the responsiveness of the PAHO Secretariat and membership to U.S. concerns, the U.S. Delegation supported the budget, while counseling continued efforts to achieve more efficient operations and minimal budget increases. The U.S. assessment for 1984 and 1985 was set for \$33,087,276 in each year.

The new director received Directing Council approval for several organizational revisions which he hoped would free staff and resources for greater attention to health problems at the country level. These included eliminating the layer of six sub-regional "area

offices" and the closing of the Latin American Center for Educational Technology in Health (CLATES) in Brazil. PAHO also entered into new cooperative agreements with the Inter-American Development Bank, the Inter-American Institute for Cooperation in Agriculture, and UNICEF. During 1983, Director Macedo also appointed two U.S. citizens to senior posts in PAHO: Dr. David Banta was named PAHO Deputy Director, and Mr. Thomas Tracy was named Chief of Administration.

In elections held during the Directing Council meeting, Canada, Dominica, and Costa Rica were elected to fill three vacancies on the 9-member PAHO Executive Committee. The represented countries also nominated Dr. Guillermo Soberon Acevedo, Secretary of Health and Welfare of Mexico, to serve as president of the 37th World Health Assembly in 1984.

### **INTERNATIONAL AGENCY FOR RESEARCH ON CANCER**

The annual 2-day meeting of the Governing Council of IARC was held in Lyon, France, on April 27-28. The 12-member Council adopted a 1984-85 budget of \$19,247,000. The budget included program growth of 7.4% (financed entirely by Canada), cost increases of 21.5%, and an adjustment for recurring expenditures of 3.2%, all offset by exchange rate savings of 24.2%, for a net nominal increase of 7.9% over the budget of 1982-83. Because of the more beneficial exchange rate and the use of \$3.5 million in miscellaneous income to help finance the budget, the biennial assessments on member countries amounted to a 14.7% decrease. The U.S. assessment for 1984 was set for \$809,000, a decrease of 21.3% from that of 1983; for 1985 it was set for \$896,783. The U.S. share of the budget is 10.8% in both years.

Despite the reduced assessments, the U.S. Delegation objected to a number of points in the proposed budget. There were wide differences of opinion among the members on whether the contribution of one new member (Canada) should be used for program growth and on the impact of substantial changes in the exchange rate. The IARC staff had originally proposed program growth of 9%, but the Council reduced this to 7.4%. The U.S. Delegation tried unsuccessfully to get a reduction of the cost increases in the budget and to have the budget calculated at an exchange rate close to that in effect at the time of the meeting (about 7.38 French francs to the dollar) rather than the 7.50 rate that had been used by the Secretariat. Both were resisted, and in the U.S. view the ultimate budget was overstated by \$1.1 million.

Throughout the meeting, the U.S. Delegation made clear its strong support for the research program conducted by IARC and for the substantive initiatives of the new Director, Dr. Lorenzo Tomatis

(Italy), in reshaping IARC's program of work. However, the delegation contended that the planned activity could be carried out with less money through more realistic financial calculations. The ultimate vote on the budget was 8 to 3 (U.S.), with 1 abstention.

## **World Meteorological Organization**

The major development for the World Meteorological Organization (WMO) in 1983 was the Ninth Quadrennial Congress, held in Geneva from May 2 to 27. The Congress is the supreme governing body of the Organization, which brings together the delegates of all member states once every 4 years to determine general policies for the fulfillment of the purposes of the Organization and to authorize the level of the budget necessary for their implementation.

The total membership of the WMO at the time of the Congress had reached a total of 157 (152 states and 5 territories maintaining their own meteorological services). Delegations from 121 countries attended the Congress. The Congress' deliberations concerning the next quadrennial's program/budget were deeply affected by the current world economic situation. Although financial restraints demanded careful consideration of the organization's priorities, the Congress agreed that it was essential that scientific and technological advances be utilized to the maximum in order to improve the quality and reliability of weather forecasts and climatic observations.

### **PROGRAM AND BUDGET FOR THE NINTH FINANCIAL PERIOD**

Introducing his proposed consolidated program budget for the period 1984-87, the Secretary General explained that it was as close as practicably possible to an overall no net growth program. In the course of all the discussions to establish the level of program activities for the next quadrennial, the Congress kept in mind that a maximum expenditure level of \$77,516,400 should not be exceeded for the Ninth Financial Period. Although a zero growth budget in real terms was finally adopted, the Congress stressed that this was not regarded as an indication of stagnation but as a mandate that the WMO would have to fulfill its purposes by reallocating its resources and postponing or eliminating activities of lower priority.

### **WORLD WEATHER WATCH**

The United States and other delegations agreed that the World Weather Watch (WWW) must continue to be the basic program of the WMO and that its activities are essential for the implementation of the other programs as well as those undertaken jointly with other

international bodies. The Congress agreed that support should be available for the implementation of necessary remedial action to improve WWW facilities in developing countries, thus enabling them to contribute to the collection and transmission of reliable meteorological and climatological data.

Although there had been considerable progress during the previous 4 years in many aspects of the WWW, the Congress had to recognize that there were still deficiencies which called for speedy remedial action. These considerations led the United States and delegations from major countries to present and adopt resolutions urging members to participate in worldwide efforts to make greater use of modern efficient technology. Other resolutions adopted by the Congress laid down guidelines for the pursuit of activities related to marine meteorology and aviation meteorology.

## **WORLD CLIMATE PROGRAM**

The World Climate Program (WCP), established in 1979 by the previous Congress in response to widespread concern about possible changes in the global climate and their consequent economic, social, and environmental effects, will be maintained with its four components: climate data, application, impact status, and research.

For the overall coordination of the WCP, the WMO relies on reports from the Advisory Committee for the World Climate Application and Data Programs; the joint scientific committee for the World Climate Research Program (WCRP) of the WMO and the International Council of Scientific Unions; UNEP's Scientific Advisory Committee for the World Climate Impact Program (WCIP); as well as the executive heads of other international organizations invited to participate in the WCP. The Congress decided that this organizational arrangement had worked in a satisfactory manner and decided to maintain it through the next financial period. The timely availability and accessibility of climate data will continue to be important in studies related to climate applications, impact, and research. The program also gives attention to other important subject areas such as urban meteorology, biometeorology, and the struggle against desertification. The World Climate Research Program undertakes activities which are directed toward determining to what extent climate can be predicted and the extent of the human influence on climate. The lead UN agency for the WCIP, which is concerned with the overall impact of climatic variability and change on various sectors of human activity, will continue to be the UN Environment Program in close cooperation with WMO.

## **HYDROLOGY AND WATER RESOURCES**

The Congress confirmed that the main emphasis of WMO activities in the area of hydrological forecasting will continue to be placed on

the Operational Hydrology Program, including the hydrological operational multipurpose sub-program (HOMS). As in the past, activities will be oriented toward the economic and social goals established by the 1977 UN Water Conference. The Congress noted that during the first phase of HOMS, 62 members had established HOMS National Reference Centers. After the second phase, the Congress recognized the need for long-term planning in the transfer of knowledge and programmed technology. The Second International Conference on Hydrology convened jointly by WMO and UNESCO in 1981 had succeeded in coordinating the programs of both organizations in this field. The Congress expressed the view that WMO should continue to cooperate with other organizations of the UN system and participate with them in joint projects of water-related activities.

## **RESEARCH AND DEVELOPMENT**

It was reaffirmed at the Congress that the Commission for Atmospheric Sciences had a very important role in promoting, coordinating, and publicizing members' research activities. The major goals of the Commission for the 1980's would be: (1) to promote individual members' research; (2) to contribute to the improvement of short and medium-range weather prediction; (3) to encourage the coordination of members in stepping up research in long-range forecasting; (4) to assume the lead role for the overview and coordination of research and application of research results based on data from the Global Weather Experiment; (5) to assist members in the further coordination of research and exchange of knowledge in tropical meteorology; and (6) to assist in defining the scientific basis for weather modification activities. The potential benefits in weather modification research were recognized, but it was agreed that at this stage emphasis should be directed only toward providing general information and guidance to members.

## **TECHNICAL COOPERATION**

The total value of technical cooperation activities in the period 1979-82 was \$76 million, from which 128 countries benefited in a variety of projects. The UN Development Program continued to be the major source of financing, representing 66.3% of the total, while the Voluntary Cooperation Program provided 25.4%, trust funds 15.8%, and the regular budget 2.5%.

It should be noted that the Voluntary Cooperation Program was established in 1967 at the urging of the United States in an attempt to enable developing countries to participate more fully in the activities of the WMO by providing them with equipment and training.



The United States and other major contributors to the Program urged other members to make added efforts to ensure that the relevance of meteorology and operational hydrology in economic development were fully appreciated in UNDP country programming. It was decided that technical cooperation activities carried out by WMO should continue along the same lines in the coming financial period. A total of 159 projects in 80 countries had been completed during the period 1979-82, and the Congress felt that the Program had played an essential role in the implementation of WWW.

## **EDUCATION AND TRAINING**

The Congress recognized that the Education and Training Program not only cuts across a wide range of activities of the organization, but also constitutes an important mechanism for the effective transfer of knowledge and program methodology to operational personnel in the national meteorological, hydrometeorological, and hydrological services.

The United States expressed the view that although the WMO Regional Meteorological Training Centers were functioning effectively in training a considerable number of students, the WMO Secretariat should monitor activities of these centers more closely and maintain closer links with them.

Training publications, including compendia of lecture notes in various fields, were being extensively used by national and regional training centers, but their value could be increased by translating them into all the official languages of the Organization. To assist the WMO Regional Meteorological Training Centers, a WMO training-book loan service is to be implemented on a trial basis during the Ninth Financial Period. Congress agreed that the organizational training courses, seminars, workshops, and symposiums should be continued, bearing in mind the need for training instructors and technicians.

## **THE FIRST WMO LONG-TERM PLAN**

The Congress approved the first part of a long-term plan for the future scientific and technical activities of the organization. A document circulated at the Congress outlined an overall policy and strategy for the period 1984-1993 which took into account important scientific developments in recent years and their application to the activities of the Organization. The United States played a key role in the preparation of this report which contained a broad outlook on policies and strategies and a review of current deficiencies as well as of new opportunities opened by technological developments and scientific achievements. Although this is not the first time that

WMO has had to look ahead in its programs, it is the first time that it has embarked upon planning the whole range of its scientific and technical programs for a longer period than the customary 4-year intercongressional period.

A second part of the long-term plan is being prepared and will provide more details. Plans will be outlined for the individual programs of WMO with an analysis of priorities, and certain milestones will be marked out in the achievement of their defined goals.

## **OTHER ITEMS**

Lively debates occurred at the Congress when it considered amending the Organization's Convention in order to enable the UN Council for Namibia to become a member of WMO. The amendments were proposed so that the Organization would be able to comply with resolutions of the UN General Assembly which requested all specialized agencies within the UN system to consider granting full membership to the UN Council for Namibia. The United States and many other countries opposed the proposed amendment on the ground that the Convention of a scientific organization should not be amended for political purposes. Unable to achieve a consensus decision, the Congress decided to request the Executive Council to arrange for a vote by correspondence on the adoption of the proposed amendment early in 1984.

The Congress unanimously reelected Dr. Roman L. Kintanar (Philippines) as President of WMO for the Ninth Financial Period. Professor J. A. Izrael (U.S.S.R.) was unanimously elected First Vice President. Mr. Zou Gingmeng (China) was unanimously elected the Second Vice President. Mr. J. P. Bruce (Canada), member of the WMO Executive Council, was unanimously elected Third Vice President.

The Congress appointed Professor G. O. P. Obasi (Nigeria) as the Secretary General of WMO to succeed Professor A. C. Wiin-Nielsen (Denmark). Professor Obasi, holds an honors degree in mathematics and physics from McGill University in Canada and a master's degree with distinction and a doctorate in meteorology from the Massachusetts Institute of Technology. He joined the staff of WMO in 1978 as Director of the Education and Training Department.

## **35TH SESSION OF THE EXECUTIVE COUNCIL**

The members of the WMO Executive Council, whose number increased from 29 to 36 by decision of the Congress, met during the week which followed the conclusion of the Ninth Congress. The Council's main tasks were to take certain actions called for by the

Congress and to decide on the Organization's budget and work program for 1984, the first of the Ninth Financial Period.

The United States and most Council members stressed that urgent attention should be given to strengthening marine meteorological and operational oceanographic services and to study large-scale ocean/atmosphere interaction. The Council examined and adopted the text of a statement entitled "Research and monitoring of atmospheric carbon dioxide," which had been prepared by the Commission for Atmospheric Sciences in consultation with the Joint Scientific Committee.

The Council reestablished its Panel of Experts on the WMO Voluntary Cooperation Program and updated its rules in the light of the decision of the Ninth Congress. Recognizing the need for a manpower development program and the continuation of training surveys, the Council maintained a Panel of Experts on Education and Training and agreed to a session of the Panel to be held during 1984.

The International Meteorological Organization prize, which is awarded annually for outstanding work in meteorology, operational hydrology, and international cooperation, was awarded to Professor Juan Jacinto Burgos, Professor Emeritus at the University of Buenos Aires, Argentina, and to Mr. Mohamed Fathi Taha, Counselor in Meteorology to the Egyptian Ministry of Civil Aviation.

The theme chosen by the Executive Council for World Meteorology Day in 1985 was "Meteorology and Public Safety."

The budget approved for 1984 amounted to \$18,750,000.

## **International Maritime Organization**

Since its inception in 1958 IMO has had its headquarters in London. Its main objective is to facilitate cooperation among governments on technical matters affecting international shipping as a means of achieving the highest practicable standards of maritime safety and efficiency of navigation. The Organization has a special responsibility for safety at sea and for the protection of the maritime environment through prevention of pollution of the sea caused by ships and other craft. IMO also deals with legal matters connected with international shipping, with the facilitation of international maritime traffic, and providing technical assistance in maritime matters to developing countries.

IMO accomplishes its work through various forums: the Assembly, consisting of the full membership; the Council, with a membership of 32 (beginning November 1984); the Maritime Safety Committee (MSC); the Marine Environment Protection Committee (MEPC); the Legal, Facilitation, and Technical Cooperation Committee; and various technical subcommittees of the MSC and the MEPC. Each

committee consists of the full membership and committees are reviewed by the Council and referred to the Assembly for final approval. Major conventions are elaborated and adopted by Plenipotentiary Conferences. Fiji and Guatemala joined IMO in 1983 bringing total membership to 124 full members and 1 associate member.

## **ASSEMBLY AND COUNCIL**

The United States participated in the 50th and 51st regular sessions of IMO's Council held June 11-15 and November 18 and the 12th extraordinary session which was held on November 4. The work of the Council was referred to the Assembly and was discussed in the 13th IMO Assembly, the United States was reelected by acclamation to the IMO Council, which from November 10, 1984, will consist of 32 members. This increase from a 24-member Council reflects the entry into force of the 1979 amendments to the IMO Convention and provides a larger, more representative Council. The United States actively encouraged nations to ratify the 1979 amendments prior to the Assembly so that the enlarged council could be elected. Although the eight additional members will not officially take their seats until November 1984, they will attend Council meetings in the interim. Mr. William O'Neil (Canada) was reelected Council Chairman.

A new formula for the calculation of contributions by member governments was adopted by the Assembly. This action, which required several years of debate and numerous working group meetings, represented the attainment of a major U.S. objective. Under the new formula the U.S. assessment will be less than 5% of the total budget. Considering the active role the United States plays in IMO and its success in having U.S. initiatives accepted, it was fortunate to have defeated repeated attempts to base the formula completely on the UN scale, which reflects a nation's ability to pay. The formula which was adopted places major emphasis on fleet tonnage.

The IMO budget (about \$11 million per year) and work program were adopted after considerable discussion on the need to emphasize the implementation of existing conventions and to minimize amendments to existing treaties, except under compelling circumstances. This increased emphasis on implementation is based on an IMO resolution which was cosponsored by the United States at the 12th Assembly. The United States reserved its position on the dollar/pound sterling exchange rate (\$1.54/pound) to be used to calculate the budget.

A Maritime Safety Committee proposal to hold a Conference on Harmonizations of Surveys and Certification for the 1974 Safety of Life at Sea (SOLAS) and 1966 Load Lines Conventions was postponed

until the next biennium. A resolution on the prevention of piracy was adopted. A proposed resolution on assistance and rescue of asylum seekers at sea was removed from the agenda after a barrage of objections claiming that the resolution was a political document.

IMO's Secretary General discussed the correction of the U.S. ratification of the 1978 protocol relating to the Convention for the Prevention of Pollution From Ships 1973 (MARPOL 73/78) to exclude the optional Annexes. Two resolutions were adopted relating to MARPOL 73/78—one on control procedures, which should standardize international enforcement; and another on procedures and arrangements for implementing discharge limitations of noxious liquid substances, which is scheduled to take effect in 1986.

The Secretary General presented a comprehensive report on the status of the IMO-sponsored World Maritime University at Malmo, Sweden, which was officially opened on July 4, 1983. A resolution was adopted which empowered him to take further actions necessary to strengthen the University.

## **MARINE ENVIRONMENT PROTECTION COMMITTEE**

MEPC met twice during 1983. At its 18th session, March 21–25, the primary goal was to finalize work necessary for the implementation of the 1973 International Convention for the Prevention of Pollution From Ships, as modified by the 1978 Protocol (MARPOL), which would enter into force on October 2, 1983. The most significant work centered around approving a number of MARPOL interpretations, such as, Control Procedures and Survey Requirements. The 19th session of MEPC met December 5–9. Items considered included (1) approval of MARPOL amendments for circulation to the parties, (2) development of a simplified MARPOL reporting system on oilspill incidents and fulfillment of Convention obligations, (3) adoption of Guidelines for International Oil Spill Contingency Plans, and (4) discussion concerning development of reception facilities and oil-discharge monitoring and control systems for tankers under MARPOL.

During 1983 a Coast Guard officer was assigned to the Marine Environment Division of the IMO Secretariat to become the IMO Caribbean Marine Pollution Adviser. The adviser will provide technical assistance in the Caribbean for development of national and sub-regional marine pollution contingency plans and will provide advice on pollution response situations.

The 20th session of MEPC was scheduled to be held September 3–7, 1984. It will be devoted primarily to consideration of MARPOL Annex I amendments; provision of reception facilities (requirements take effect October 1984); the MARPOL reporting system; and MARPOL optional Annexes, with a view toward possible changes

which might cause more countries to ratify and bring the Annexes into force.

## **MARITIME SAFETY COMMITTEE**

MSC held its 48th session June 6-7, 1983, in London. The United States was represented and U.S. objectives were generally met. This was the last in a series of unique MSC meetings. The Committee considered three major topics during the 2-week session. The first was the second set of amendments to SOLAS 1974. These amendments will substantially contribute to the safety of seafarers due to major advances in the Life Saving Appliances of the SOLAS Convention. Other chapters were also amended but the major emphasis was on the life-saving chapter. The second major topic was approval of the routine reports of the technical subcommittees. This proceeded at a rapid pace and most delegations felt that there had to be some mechanism to provide more thoughtful and deliberate review of the reports. This led into the third major topic of discussion, that of the work program of MSC subcommittees. The Assembly directed the Committee to examine closely the work programs of the technical subcommittees and to prepare a comprehensive work program and plan for the future. This discussion will take place during the 49th session April 12-16, 1984.

## **LEGAL COMMITTEE**

The Legal Committee held two sessions in 1983. The Committee devoted its efforts at its 50th and 51st sessions, March 7-11 and September 19-23, to the consideration and preparation of draft instruments to revise the 1969 Civil Liability Convention (CLC) and the 1971 Fund Convention (FUND). These conventions concern liability and compensation relating to tanker-source oil pollution. The questions examined by the Legal Committee included (1) the ships and oils to be covered by the revisions and their geographic scope; (2) the definition of pollution damage; (3) the levels of liability limitation and other matters relating to the shipowner's liability, including an expeditious means of updating those limitations levels; and (4) the mechanism by which the revised instruments will replace those which are currently in force. During the sessions the Committee had before it draft articles prepared by an informal working group which met in London prior to the Committee meetings.

In addition, at the 51st session plans were made for the organization of the Diplomatic Conference scheduled for April 30-May 26, 1984. This Conference, called the International Conference on Liability and Compensation for Damage in Connection With the Carriage of Certain Substances by Sea, will not only consider the

revisions of the CLC and Fund Conventions, but will also consider the proposed Convention on Liability and Compensation in Connection With the Carriage of Noxious and Hazardous Substances by Sea.

## **International Civil Aviation Organization**

Vanuatu and Saint Vincent and the Grenadines adhered to the "Chicago" Convention on International Civil Aviation in 1983, thus increasing the membership of ICAO to 152 states.

### **ICAO COUNCIL**

Since ICAO is the UN specialized agency responsible for ensuring the safety of international civil aviation, the Republic of Korea requested an extraordinary session of the ICAO Council immediately following the shooting down by Soviet military aircraft of the Korean Air Lines aircraft (KAL 007) off Sakhalin Island in the Sea of Japan on September 1. The extraordinary session of the Council (September 15-16) adopted, by a vote of 26 (U.S.) to 2, with 3 abstentions, a resolution, presented by the United States together with 10 other Council members, "deeply deploring the destruction of an aircraft in commercial international service resulting in the loss of 269 innocent lives." This resolution directed the ICAO Secretary General to institute an investigation to determine the facts and technical aspects concerning the flight and downing of the aircraft. All parties were urged to cooperate fully in the investigation. The ICAO Air Navigation Commission was directed to review urgently the provisions of the Convention, its Annexes, and other ICAO documents and consider possible amendments to prevent a recurrence of such a tragic incident. Two other Council decisions, initiated by France, called for an extraordinary session of the ICAO Assembly early in 1984 to examine and adopt an amendment to the Convention which would ban the use of force against civil aircraft and spell out a series of technical tasks to be undertaken by the Air Navigation Commission to improve the safety of civil aviation.

When the report of the factfinding team of six technical experts from the ICAO Secretariat was examined initially in December, the Council adopted a resolution, by a vote of 29 (U.S.) to 0, with 2 abstentions, exhorting all parties involved in the investigation to cooperate fully in furnishing to ICAO, without reservation, all information at their disposal as soon as possible. The ICAO investigation had included full field trips to Japan, the Republic of Korea, and the United States, but the U.S.S.R. did not allow an investigation by the team—only a short visit to Moscow by the ICAO Secretary General and the leader of the team. The Council's December resolution also referred the investigative report to the Air Naviga-

tion Commission for a technical review in the light of its ongoing study of appropriate Annexes and related documents and asked the Commission to report back to the Council as soon as possible.

The Council was to continue its consideration of the investigative report early in 1984. The report indicated that both the flight crew and the aircraft were properly certified and that all necessary navigation and avionics systems were operable when the flight left Anchorage, Alaska. Its departure time was found to be calculated correctly for an "on-time" arrival in Seoul, Republic of Korea, had the flight followed its planned and assigned route. However, soon after its departure, the flight began straying to the right of its assigned course so that ultimately it penetrated U.S.S.R. airspace and was intercepted by military aircraft. The report postulates that the flight crew had incorrectly set its navigation systems. Only fragmentary pieces of the wreckage were found, not including the flight data and cockpit voice recorders, which could have assisted the investigation. In his statement to the ICAO Council on December 12, the U.S. Representative, FAA Administrator J. Lynn Helms, stated that the report presented by the ICAO Secretary General clearly established that (1) there was no indication that the pilot of KAL 007 ever knew he was off course or that he was ever aware of any Soviet efforts to warn his aircraft; (2) the Soviet Union did not make adequate efforts to identify the aircraft; and (3) the aircraft was shot down as it was exiting Soviet airspace. Further, the report concluded that (1) there was no evidence that KAL 007 was on an intelligence mission; (2) there was no evidence that Korean Airlines intentionally short cut route R20 to achieve fuel or time savings; and (3) there was no method for U.S. and Japanese air traffic controllers independently to determine the aircraft's position.

Prior to the KAL 007 incident the Council was busy with preparation of the documentation for the triennial ordinary session of the ICAO Assembly. As authorized by the Convention, the Council also adopted amendments to the various Annexes. These included an amendment to Annex 3 (Meteorological Service to International Air Navigation) to add new provisions to meet operational requirements for observing and reporting low-level wind-shear, which had caused a bad aircraft accident in New Orleans. Other Annexes amended for applicability on November 24 were Annex 2 (Rules of the Air), Annex 11 (Air Traffic Services), and Annex 14 (Airports). Following the Assembly, the Council reelected as its President, Dr. Assad Kotaite (Lebanon), who had been serving in that capacity since 1975. With due regard for views expressed at the Assembly, the Council decided to form a special technical committee to develop a projection of air navigation requirements for international civil aviation for the next 25 years.



The Assembly was held at ICAO's Headquarters in Montreal from September 20 to October 7. By a vote of 65 (U.S.) to 10, with 26 abstentions, the Assembly adopted a resolution endorsing the resolutions and decisions of the Council regarding the KAL 007 incident. The United States was reelected to the ICAO Council of 33 states for the next 3 years. New members elected were Norway (replacing Denmark), El Salvador (replacing Guatemala), and Belgium (replacing Netherlands), which all have regional rotational schemes. Kenya and Tanzania were also elected to the new Council (replacing Cameroon and Uganda).

The Assembly approved with U.S. consensus an \$85.576 million assessed budget for the 1984-86 triennium. The Secretariat had voluntarily cut the budget from the \$86.5 million figure recommended by the Council. As the result of a U.S.S.R. proposal in line with the U.S. position, a resolution was adopted directing the Council to reexamine urgently the air navigation work program to establish priorities for the 1987-89 triennium to be presented to the 1986 Assembly. On the matter of unlawful interference with civil aviation, the Assembly adopted a resolution, cosponsored by the United States, directing the Secretary General to continue with utmost vigor to take followup action with states to accede to and implement the 1970 Hague Convention on antihijacking and the 1971 Montreal Convention on antisabotage. After several amendments supported by the United States, the Assembly adopted by consensus a U.S.S.R.-proposed resolution recommending that the Council consolidate the result of states' experiences in suppressing acts of unlawful interference in different regions of the world and prepare measures for strengthening the work. As proposed by the United States the Assembly adopted a resolution urging all contracting states to ratify Article 83 *bis* of the Chicago Convention regarding the lease, charter, and interchange of aircraft in international civil aviation. A resolution was also adopted urging ratification of the 1975 Montreal Protocols to the 1929 Warsaw Convention concerning airline liability.

The United States and several other states supported the adoption of a resolution initiated by the Caribbean countries to ensure that small developing countries receive adequate air services. This resolution called upon contracting states to accept the concept of community of interest within regional economic groupings and to allow an airline substantially owned and effectively controlled by one or more developing states belonging to such a grouping to exercise the route rights and other air transport rights of other developing states in that grouping.

## REGIONAL AIR NAVIGATION MEETINGS

The Second ICAO Asia/Pacific Regional Air Navigation Meeting was held in Singapore from January 11 to 29 and attended by the United States and 42 other countries and international organizations. This meeting was convened for the purpose of bringing up-to-date the Air Navigation Plan of essential air navigation facilities and services for the two regions. Since the previous meeting on this matter in Honolulu in 1973, air traffic in Asia and the Pacific area had shown a larger growth than that in any other part of the world.

The new regional plan, recommended by the meeting and later approved by the Air Navigation Commission and the Council, consisted of 120 regular airports for international scheduled air services, 22 additional airports for nonscheduled services, one airport for international general aviation only, and 54 alternate airports. The recommended revised air traffic services route structure consisted of 221 routes designed to accommodate international operation. The boundaries of certain Flight Information Regions, which provide air traffic and search and rescue services, were adjusted to match current conditions. There were approximately 20 conclusions or recommendations concerning meteorological services, including three relating to regional aspects of the new world area forecast system developed in ICAO. The meeting made 32 recommendations concerning aeronautical fixed and mobile communications services and frequency assignments, all of which were compatible with the U.S. position.

As the result of consultations held by the President of the ICAO Council with the heads of certain delegations attending the Asia/Pacific Regional Air Navigation Meeting, a new shortened air route was opened in August between Japan and China. This route between Fukue and Shanghai, over the high seas in the Taegu Flight Information Region, is 171 miles shorter than the previous route, resulting in savings of time and fuel.

ICAO held a limited Caribbean/South American Regional Air Navigation Meeting in Montreal from November 1 to 14 with the United States and 25 other countries and international organizations in attendance. This meeting updated only the communications and meteorological aspects of the two regions. This was the first regional air navigation meeting held at ICAO's Headquarters, and only 39% of the Caribbean states and 67% of South American states attended the meeting. Again, the recommendations for improving the air navigation plan were in line with the U.S. position.

In addition to the regional air navigation meetings, various ICAO panels and committees on specialized aviation subjects such as aircraft noise were held throughout the year.

## **International Telecommunication Union**

The officials elected at ITU's 1982 Nairobi Plenipotentiary Conference took office in 1983. They were Secretary General Richard E. Butler (Australia) and Deputy Secretary Jean Jipquep (Cameroon), along with the five members of the International Frequency Registration Board (IFRB)—W. H. Bellechambers (United Kingdom), M. Berrada (Morocco), G. C. Brooks (Canada), Peter Kurakov (U.S.S.R.), and Yoshitaka Kurihara (Japan).

Saint Vincent and the Grenadines became the 158th member of the ITU in 1983.

### **ADMINISTRATIVE COUNCIL**

The ITU Administrative Council held its 38th session in Geneva from May 2 to 20, 1983. This was the first meeting of the expanded 41-member Council elected at the Nairobi Plenipotentiary. Many of the issues on the agenda for this session had been referred by the Plenipotentiary.

In contrast to recent sessions of the Administrative Council prior to the 1982 Plenipotentiary, this meeting was devoid of the politicization and polarization of the earlier meetings. No divisive political issues marred the proceedings, although the Soviet Union failed in its bid to gain the Council's approval of a resolution that would "prohibit the use of outer space for unpeaceful purposes." The United States succeeded in obtaining the Council's authorization to circulate a background document outlining the harmful impact of jamming on high-frequency broadcasting for consideration at the first session of the High-Frequency World Administrative Radio Conference (WARC) that was to begin in January 1984.

The Administrative Council also implemented the Plenipotentiary's decision to fund from the regular budget an expanded program of technical cooperation and assistance. In 1984 about 4% of the budget will be spent for this activity. The Council also agreed to establish a small-scale presence in the four developing regions beginning in late 1983. In a related matter, the Administrative Council also agreed to establish the Independent International Commission for Worldwide Telecommunications Development. This 16-member Commission will review the "hardware" needs of the developing countries for access to modern communications facilities. Sir Donald Maitland (United Kingdom) was elected Chairman of the Commission.

A major responsibility of each Administrative Council session is to establish the annual budget within the spending limits set by the Plenipotentiary Conference. The Administrative Council approved a budget of 90.2 million Swiss francs which reflected a nominal growth

of 8.6% over 1983. Since the nominal growth and estimated program growth exceeded U.S. policy goals of zero net program growth and significant absorption of nondiscretionary cost increases, the United States voted against the final budget. The ITU, however, had begun to institute measures to restrain costs such as imposing a freeze on hiring new employees and implementing efficiencies to reduce conference costs that could affect future budgets favorably.

## **CONTRIBUTORY UNIT**

The ITU is one of the few international organizations that permits each member a free choice in the selection of its unit contribution to the regular budget. Members normally have 6 months after the most recent plenipotentiary to make their choice. By the June 30, 1983, deadline the ITU's 158 members had pledged a total of 392¼ units, down 8.7% from the total contributory units pledged for the preceding 1975-83 period. The United States pledged 30 units (at the same level as for the previous period), along with France, the Federal Republic of Germany, Japan, the United Kingdom, and the U.S.S.R. The 30-unit level represents approximately a 7% assessment.

In addition to member contributions, the ITU requires Recognized Private Operating Agencies (RPOAs) and Scientific Industrial Organizations (SIOs) to make financial contributions to the Union. Pledges from the private sector to the operating expenses of the International Radio Consultative Committee (CCIR) total 193½ units beginning in 1985. The value of the RPOAs/SIOs contributory unit is one-fifth that of a member. This is approximately 9% of the total contributions. U.S. firms have pledged a total of 36½ units, which is about 2% of the contribution to the budget.

## **RADIO CONFERENCES**

The ITU held two radio conferences during 1983 in which the United States participated. A World Administrative Radio Conference for the Mobile Services was held in Geneva from February 28 to March 18. Over 500 delegates representing 89 of the Union's members, UN specialized agencies (ICAO, IMO, WMO), and other international organizations, attended the Conference. Rear Admiral Frederick P. Schubert, U.S. Coast Guard, headed the 25-member U.S. Delegation composed of advisers drawn from both the government and private sectors.

The Mobile WARC was the first in a series of specialized world conferences to be held since the 1979 General WARC. Specialized conferences consider and revise the ITU Radio Regulations pertaining to a single aspect of radio communications, whereas general conferences have within their purview broad aspects or even the

entire Radio Regulations. The agenda for the Mobile WARC involved highly specialized technical and operational issues relating to the mobile radio services. Primary emphasis was given to international provisions for distress and safety communications within and among the several mobile services (i.e., aeronautical, maritime, and land mobile) and to other specific issues of an urgent nature.

The main accomplishment of the Conference was the adoption of the necessary measures to introduce the Future Global Maritime Distress and Safety System (FGMDSS) as developed by IMO for implementation in the 1990's. Other major decisions of the Mobile WARC included the establishment of a system of maritime identification digits, channelization of new high-frequency bands for maritime radiotelephony, the introduction of provisions for the aeronautical mobile satellite service, and the adoption of resolutions and recommendations to lay the groundwork for a broader conference on the mobile services in 1987. The results of the Mobile WARC, which are regarded as fully consistent with U.S. objectives and interests, will come into force for approving ITU members on January 15, 1985. The Department of State intends to recommend ratification to the President, subject to the advice and consent of the Senate, in the first half of 1984.

The second ITU conference in which the United States participated in 1983 was the Regional Administrative Radio Conference (RARC) for Planning and Broadcasting Satellite Service in the 12 GHz Band. This Conference involved only the ITU members of Region 2 (the Americas), since such planning for ITU Regions 1 and 3 (all except the Western Hemisphere) had been carried out at a WARC in 1977. Of the current 158 ITU members, 21 administrations from the Americas and 4 European administrations with territories in the Western Hemisphere participated in the Conference. Ambassador Abbott Washburn headed the 34-member U.S. Delegation which included a large contingent of private sector experts.

The agenda and work of the 1983 RARC consisted of three major areas: (1) technical parameters, (2) detailed frequency assignment and orbital position planning of both the down-link and feeder-link (Earth-to-space) bands, and (3) associated regulatory procedures. The first area—agreement on technical parameters to be used to carry out planning—involved a large number of technical system characteristics, such as satellite power level, home received antenna size, Earth and satellite antenna patterns, interference protection ratios, and channel bandwidth. Most of the technical parameters were widely accepted and easily agreed upon at the Conference. However, one of the most important values—the power flux density (pfd), i.e., the available power at the Earth's surface—was debated at great length and the adopted value was unacceptable to the United States since it would result in larger and more costly home receiving

antennas. The United States stated a reservation to the pfd figure, as did Mexico and Venezuela.

The second area—detailed planning—was the major purpose of the Conference. The United States submitted its requirements for 500 MHz transmission at each of eight geostationary orbit positions in the eclipse-protected portion arc serving North America, in order to satisfy the stated intentions of the U.S. private sector to provide direct-to-the-home television broadcasting services. Other countries of the Western Hemisphere submitted sizable requirements to meet their perceived needs. To carry out the planning process, sophisticated computer programs and support facilities were employed both by the Conference and by the U.S. Delegation. The RARC decisions in this area, which were acceptable to the United States, resulted in a detailed plan for up-links and down-links involving 48 orbital positions with up to 32 channels assigned to one or more Region 2 countries. The United States obtained eight orbit positions, five of which are in prime locations, that provide for up to 128 television channels for most parts of the continental United States.

The third and final area of Conference work was to establish the necessary regulatory procedures to govern use of the up-link and down-link bands in conjunction with the detailed plan. U.S. objectives were to achieve sufficient flexibility so that its future requirements could be met with a minimum need for coordination with other countries, to allow for implementation of interim systems with varying characteristics, and to permit for modifications to the technical and operational characteristics subsequent to adoption of the detailed plan. The Conference adopted a comprehensive and flexible set of procedures which were fully consistent with, and in some areas exceeded, U.S. objectives.

## **OTHER PERMANENT ORGANS**

The permanent technical organs of the ITU—the CCIR, the International Telegraph and Telephone Consultative Committee (CCITT), and the IFRB—maintained active schedules in 1983.

The CCIR continued its work of considering and developing technical and operating recommendations in the field of radio communications under the leadership of Director Richard S. Kirby, the only U.S. citizen serving as an elected ITU official. Approximately half of the CCIR study groups met in Geneva during the second half of 1983. These interim meetings mark the start of a new 4-year study cycle which will culminate at the 16th plenary Assembly to be held in 1986. The CCIR received well-deserved recognition in the United States during 1983 when Director Kirby accepted an Emmy Award for the organization's work in developing an international standard for digital television.

During 1983 the CCITT continued to carry out its 1981-84 work program established in 1980 at its seventh plenary Assembly. The CCITT study groups study technical, operating, and tariff questions covering all international telecommunications in order to develop international recommendations that will largely govern operations of the world's telecommunications networks. Of major interest to the United States, and its private telecommunications industry and user organizations, are the studies of Integrated Services Digital Networks (ISDN); unrestricted use of leased channel facilities; and technical and operating standards for many new services including videotex, teletex, and high speed facsimile. CCITT activities, influenced in a large part by the technology of the U.S. telecommunications industry, continued to place new demands on the workload of the CCITT study groups. The year 1984 will see the culmination of the 4 years of work at the final meetings of each of the CCITT study groups, along with the adoption of that work and the election of a new Director at the eighth CCITT plenary Assembly scheduled for October.

The essential function of the IFRB is the technical examination and registration of radiofrequency notifications, including those for space telecommunications systems, to ensure interference free operations throughout the world. The Board continued to process a rapidly increasing number of filings for both space and terrestrial systems which has resulted in a backlog of a year or more in some areas. Work was advancing on the definition and implementation of a major computer-based processing and examination capability which is required by the IFRB to handle the existing and anticipated workload. The Board was also actively engaged in preparations for and the implementation of decisions of several radio conferences dealing with the regulatory provisions of the ITU's Radio Regulations.

## **Universal Postal Union**

With no new members added in 1983, UPU membership remained at 166 countries.

The 40-member Executive Council is the UPU's administrative body and the Consultative Council for Postal Studies (CCPS) is its technical body. Both meet annually at the Union's Headquarters in Bern, Switzerland. The United States was elected to the Executive Council by the 1979 Rio de Janeiro UPU Congress for the 5-year term 1980-84 and was appointed Chairman of the Finance Committee. The United States was also elected by the Rio de Janeiro Congress to the CCPS as a member for the same 5-year period.

### **EXECUTIVE COUNCIL**

The Executive Council, under the Chairmanship of Brazil, held its annual meeting in Bern from April 28 to May 13, 1983. It approved a

1984 gross budget of 23,451,200 Swiss francs. This included the estimated additional expenses for the UPU Congress, which will convene in Hamburg from June 18 to July 27. The assessed budget for 1984 is 18,637,500 Swiss francs with the balance of the budget funds coming from anticipated administrative receipts and a withdrawal of 2,905,000 Swiss francs from the Reserve Fund. With the present classification of member countries totaling 1,065 units, the amount of the members' contribution unit was kept at the 1982 level, i.e., 17,500 Swiss francs. The United States, at 50 units, will pay 875,000 Swiss francs, or about 4.7% of the 1984 net UPU budget.

The principal source of financing postal technical assistance in the UPU is the UNDP. For 1983, these funds amounted to \$2,118,409. There is a UPU Voluntary Special Fund for postal technical assistance. In 1983, 41 countries pledged 349,948 Swiss francs to this voluntary fund.

At the end of 1983 the staff complement of UPU was 138 posts, of the following categories: 2 elected officials; 16 senior officials; 39 professional staff; 81 general service staff.

The Executive Council continued to make progress in the postal technical studies assigned to it by the 1979 Rio de Janeiro Congress. These studies, which can have a major impact on the costs and operational requirements for the exchange of international mails, will culminate in proposals and/or recommendations to the Hamburg Congress. Principal studies now in progress concern customer charges for special services (such as general delivery, insured, and registry service); settling of international postal accounts; charges for transit mail and for terminal dues on mail imbalances; basic rates for the mailing of letters, cards, and small packages; maximum rates to be paid airmail carriers; principles and methodology of calculating payments for the internal conveyance of inbound airmail; regulations governing the exchange of postal parcels; and international postal money orders. As the country with the world's highest mail volume and a major mail-export nation, the United States actively participated in the conduct of this work in all Council committees and is a member of three restricted working parties on (1) postal statistics, (2) transit charges, and (3) terminal dues.

## **CONSULTATIVE COUNCIL FOR POSTAL STUDIES**

The 1983 meeting of the Consultative Council for Postal Studies (CCPS) was held in Bern from October 10 to October 19. The primary objective of the CCPS is to keep abreast of new developments in postal technology and to facilitate the free exchange of information and experience.

The CCPS addresses the broad scope of postal development among the 166 UPU member countries. Its 5-year program includes studies



of means to create new services to meet the challenges of rapidly evolving modern communication techniques; to enable postal services to satisfy the needs of customers; to combat competition from private courier services; to assure quality control; and to develop marketing techniques. Other topics of study relate to postal mechanization in developing countries, staff training, and basic postal management principles. Studies are carried out within the framework of seven committees: (1) the future of the postal service; (2) postal operations; (3) postal mechanization, buildings, and motor transport; (4) financial services and accounting; (5) postal staff; (6) postal management; and (7) the international post.

The 1983 CCPS drew up a draft recommendation for the Hamburg Congress outlining a work program of 23 study subjects, with a reserve program of 12 study subjects, to be carried out during the 5-year period following the next Congress.

The United States contributed to the work of the CCPS studies and benefited from the experiences of other postal services in the practical applications of postal techniques and methodology.

## **International Labor Organization**

U.S. participation in the ILO in 1983 was the most successful in recent years. The Organization's annual conference turned aside Soviet efforts to undermine ILO activities in the human rights field. The spring session of the governing body voted overwhelmingly to establish a Commission of Inquiry to investigate suppression of trade union rights in Poland. By secret ballot the conference adopted the report of its Committee on the Application of Conventions and Recommendations. The Soviet Union and its allies had successfully blocked adoption of the report in 1982. The report criticized Czechoslovakia for job discrimination based on political beliefs and contained a blanket criticism of all the Eastern European countries for difficulties in applying the Organization's fundamental principle of freedom of association. Nicaragua, Turkey, and Chile were also the subjects of special paragraphs calling attention to their problems in implementing ratified conventions. The United States defeated the perennial anti-Israeli resolution at the June Conference.

In another important development earlier in the year, the incumbent Director General, Francis Blanchard (France) won reelection to a third 5-year term beginning February 27, 1984. The United States supported Mr. Blanchard's reelection.

Several important changes in the status of various ILO members occurred in 1983. The most significant was China's return to active membership during the June Conference. (From 1971, when the governing body recognized the Government of the People's Republic as the representative Government of China, until 1983 China did not

participate in the ILO, although neither did it withdraw from membership.) An important question associated with China's return to active participation, therefore, was whether other ILO members would agree to cancel its arrears of contributions, which totaled approximately \$36 million. A recorded vote on a resolution to this effect, which required a two-thirds majority for adoption, was 393 to 3, with 32 abstentions. The two U.S. Government delegates voted in favor of the resolution, the U.S. employer delegate voted against it, and the U.S. worker delegate was not present.

When China resumed participation it did so as one of the ILO's 10 states of chief industrial importance. The tripartite governing body includes 28 government representatives—10 hold nonelective seats as states of chief industrial importance, 18 are elected for 3-year terms by the remaining government delegates other than from the states of chief industrial importance. China's renewed participation required a readjustment in the membership of the states of chief industrial importance. A study commissioned by the governing body showed that, on the basis of statistical criteria, the 10 states of chief industrial importance were Brazil, China, France, Federal Republic of Germany, India, Italy, Japan, United Kingdom, the U.S.S.R., and the United States. This report, which was adopted by consensus, meant that Canada was no longer considered a member of chief industrial importance. Subsequently, the governing body adopted a decision that permitted Canada to continue to participate in the governing body without a vote until the June 1984 election, when it will be required to stand for election as a regular member.

In other actions affecting the status of members participation, Vietnam notified the ILO that it had decided to "cease temporarily to participate" because of certain (unspecified) dissatisfactions (possibly relating to its inability to pay its assessed contribution or that the ILO was looking into charges of forced labor of Vietnamese in the Soviet Union). Poland announced shortly after the decision to establish a Commission of Inquiry that it was suspending its participation in the ILO to protest what it claimed to be the organization's interference in its internal affairs.

The U.S. objective to increase the number of American citizens on the ILO's professional staff, where it is badly underrepresented, was advanced in March with the appointment of David Taylor to the position of Deputy Director General. One of three deputies to the Director General, Mr. Taylor is in charge of ILO administrative affairs.

## **INTERNATIONAL LABOR CONFERENCE**

The 69th session of the International Labor Conference convened in Geneva, June 1-22, 1983. Nearly 2,000 government, worker, and

employer delegates and advisers from most of the ILO's 150 member countries participated in the session.

The U.S. Government Delegation was chaired by Robert W. Searby, Deputy Under Secretary for International Affairs, U.S. Department of Labor. Mr. John A. Warnock, Special Assistant to the Secretary of State for International Labor Affairs, served as the other government delegate and chief political adviser. The U.S. employer delegation was led by Charles H. Smith, Jr., Chairman of the Board, SIFCO Industries, and Irving Brown, AFL-CIO, headed the U.S. worker delegation to the Conference.

On June 15 U.S. Secretary of Labor Raymond J. Donovan addressed the Conference plenary. While his address focused on the subject of child labor, the Secretary prefaced his remarks by speaking out strongly against efforts to undermine the ILO's established procedures for political purposes, reinforcing the position taken by the United States throughout the Conference.

## **HUMAN RIGHTS**

The year 1983 proved to be a high point in the history of the Committee on the Application of Conventions and Recommendations (CACR), the Conference body responsible for reporting on observance of ILO conventions and recommendations by states which have acceded to them. Despite an organized Soviet call for revision of the ILO's supervisory machinery and repeated attacks on the Committee's methods of work, the CACR nevertheless was able to produce a strong, balanced report. More important, when the report reached the Conference plenary it was adopted by an impressive majority, marking the first time a Soviet challenge to plenary adoption of the CACR report had been defeated.

An important issue in the committee's general discussion was a Soviet initiative calling for the overhaul of the ILO's supervisory machinery (to eliminate current practices which bring attention to Soviet violations). Most speakers, however, supported the supervisory machinery, including a significant number of Third World delegates. The United States argued strongly against the Soviet criticisms, noting that cases of progress, direct contacts, and advisory missions proved that the supervisory machinery was effective and pointed out that opponents of the present system were actually criticizing the existence of a single standard applicable to all countries. Because this issue was to be discussed in plenary, however, it did not take much of the CACR's time.

The Committee spent most of its sessions examining over 100 cases from about 70 countries. It was not in a position, however, to discuss Poland's problems in implementing Convention 87 because the governing body decision to establish a Commission of Inquiry had

precluded any other ILO discussion of Poland and freedom of association until the Commission's work was completed.

## **Chile**

The Chile case involved discrimination in employment on the basis of political opinion, which is prohibited by Convention 111. In particular, Chile has been criticized for politically motivated dismissals of public servants as well as legislation which permits such dismissals. Chile was not formally censured because of its explanation that a draft law on the public service was under preparation and to its request for a high-level ILO advisory mission.

## **Turkey**

The Committee expressed its concern at the situation existing in Turkey under martial law and its effect on the implementation of ILO Conventions concerning collective bargaining (No. 98) and discrimination in employment (No. 111). It refused a similar recommendation with regard to Convention 98.

## **Czechoslovakia**

For the fourth time since 1971 the Committee agreed to single out Czechoslovakia for not respecting Convention 111 concerning discrimination in employment. The Committee noted its continuing concern with respect to politically motivated dismissals and called upon the Government to report back to the Committee in 1984 with further information on its employment practices.

## **Nicaragua**

Nicaragua was identified for its problems in implementing the freedom of association convention. Complaints in this area have involved the suppression of employer groups as well as interference in trade union activities.

## **Soviet Union**

In contrast to 1982 the discussion of freedom of association among the Soviet Union and its allies was lengthy and detailed. It centered on whether Soviet workers, in a one-party state, have the right to establish trade unions of their own and on the role of the Communist Party in trade union affairs. The Soviets asserted that the Committee did not understand the "realities" of the Soviet system. The United States observed that the Soviet Union should reconsider its

ratification of Convention 87 in view of its apparent inability to reconcile its longstanding differences.

The Committee noted that there existed "fundamental differences of interpretation and application between the legislation and practice of many countries and those provisions of the Convention concerning the right of workers to establish organizations of their choice . . . particularly as regards the Socialist countries." As noted above, this was a strong blanket criticism of freedom of association in all the Eastern European countries.

Soviet attempts to water down the Committee's report prior to its adoption were largely unsuccessful and its report was adopted by the Committee without a vote. In plenary, however, the Soviets staged a carefully organized attack aimed at preventing adoption of the report through lack of a quorum.

At the close of debate the employer group chairman formally requested a secret vote and the balloting took place without further discussion. It resulted in a vote of 263 to 4, with 164 abstentions. Quorum at that time was 248; under the ILO's voting system abstentions do not count toward the quorum, therefore the report was adopted by a 19-vote margin.

### **The Polish Case**

Even though the Polish case was not considered at the June Conference, it had previously been kept under active review and debate by the governing body at its February and May sessions. In February the governing body's Committee on Freedom of Association issued another in a string of reports strongly critical of Poland's infringement of trade union rights guaranteed under Convention 87, Freedom of Association, which Poland ratified in 1956. The Committee concluded that, if Poland did not accept another on-the-spot visit by an ILO mission, the ILO would have no alternative but to establish a Commission of Inquiry, the Organization's highest quasi-judicial body. The vote in plenary on this action was 46 (U.S.) to 4, with 4 abstentions.

In view of Poland's failure to accept an ILO mission, the May session of the governing body adopted the Committee on Freedom of Association's recommendation that it establish a Commission of Inquiry to consider the complaints against Poland and to issue a report. The vote on this recommendation was 44 (U.S.) to 6, with 5 abstentions.

Following this decision, the governing body proceeded to constitute the Commission. The Director General nominated Nicolas Valticos (Greece), formerly the ILO's Assistant Director General for international labor standards; Andres Aguilar (Venezuela); and Jean-Francois Aubert (Switzerland) to serve on the Commission. The

Soviet Union, supported by Mexico, Argentina, and Cuba, called for a vote, which resulted in the approval of the nominees by a vote of 37 (U.S.) to 5, with 8 abstentions.

The Commission held its first organizational meeting in September. At that time it resolved, in accordance with the ILO constitution, to ask six Western countries, six Eastern European countries, and several nongovernmental organizations, including the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labor (WCL), to place at the Commission's disposal all information in their possession bearing on the complaint. The Western nations asked to supply information were the United States, the United Kingdom, France, the Federal Republic of Germany, Denmark, and Sweden. The United States and the other Western members, as well as the ICFTU and the WCL, complied with the Commission's request. The United States submitted its report in late November. The Eastern European members did not respond. The Commission is to meet again in early 1984 to consider the information and to hear witnesses.

## **RESOLUTIONS**

In a second victory for members seeking to preserve the ILO's principles and procedures, the Conference blocked an anti-Israeli resolution.

The Conference Resolutions Committee considers resolutions which are not connected with any specific item on the Conference agenda. In 1983 it considered 15 draft resolutions.

The Committee first was to decide which draft resolutions should receive priority attention. By secret ballot the Committee decided to consider draft resolutions in the following order: (1) concerning Palestinian workers (the Arab-sponsored resolution), (2) concerning young people and the ILO's contribution to the International Youth Year, (3) on freedom of association, (4) regarding productivity improvement, and (5) on the role of the ILO in attaining the social objectives of the new international economic order.

### **Arab Resolution**

In 1983 just as in 1982, the Arab resolution attacked "Israel's policy of settlements, expansion, and discrimination and its implications with regard to the situation of Arab workers in Palestine and the other occupied Arab territories." It went on to condemn Israel's policy of "racism," call on the ILO to assist Arab workers, assign a day of solidarity with them and the Palestinian people to be observed periodically and regularly at forthcoming sessions of the ILO Conference, and condemn Israel for failure to comply with the resolu-

tions on the same subject adopted by the Conference in 1974 and 1980.

The Arabs and their allies, through the careful selection of members of the Committee, attempted to ensure that their draft resolution would be assigned top priority and be reported out to the Conference plenary. Thus, the Arab resolution was adopted handily in Committee. The United States sought to defeat the Arab resolution in the Conference plenary by securing enough abstentions to prevent a quorum. To enable Third World delegates to avoid the pressure of a public vote, the worker group Chairman requested a secret ballot. The tactic was successful and the resolution was defeated for lack of a quorum by a margin of 11 votes. The results of the secret ballot were 225 to 8, with 186 abstentions. Quorum that day was 244.

### **Resolution Concerning Youth**

The second resolution, the only other one to be considered by the Resolutions Committee, was a resolution concerning "Young People and the ILO's Contribution to the International Youth Year." Overshadowed by the Arab resolution, it was disposed of quickly both in Committee and in plenary. When the resolution was successfully purged of some troublesome language on disarmament and "right to work," the United States was able to go along with its adoption in the Resolutions Committee as well as with its approval by acclamation in the Conference plenary.

### **APARTHEID**

As in 1982 the Conference Committee on Apartheid produced conclusions that went far beyond the ILO's competence and bypassed the Organization's established procedures. The 1983 conclusions were even more objectionable than those adopted in 1982, since they contained specific criticism, by name, of the United States and several other Western members, called for member countries to stop dealing with banks that lend to South Africa, requested details concerning the labor relations activities of investors in South Africa, and recommended ILO assistance to liberation movements and trade union pressure against selected major foreign investors in South Africa.

Although U.S. reservations and those of several other governments were recorded in the Committee's proceedings, the United States felt that it was necessary to demonstrate the seriousness of its concerns and underscore its objections to the conclusions. Thus, it called for a vote on the conclusions of the Committee. The results were, as expected, a lopsided vote in favor of the conclusions. The

U.S. Government delegate cast the only no vote. The U.S. employer delegate cast one of five abstentions. The United States did not call for a vote on the Committee's report and conclusions when they reached the plenary, limiting itself to a statement calling attention to its reservations and vote in Committee.

At 1983 governing body sessions the United States participated actively in the work of the governing body Committee on Discrimination, which has as its primary focus the question of apartheid in South Africa. This principally involves preparing a response to the ILO's annual questionnaire seeking information on steps taken to implement the 1981 "Updated Declaration Concerning the Policy of Apartheid in South Africa." The United States responded to those sections of the questionnaire it believed to be within the ILO's mandate. It also sought to emphasize its abhorrence of the system of apartheid and its commitment to multiracial democracy in South Africa; urging members to put aside political rhetoric in favor of realistic measures that will ultimately lead to the peaceful elimination of apartheid.

## FINANCIAL ISSUES

As early as the summer of 1982, the United States had been studying the ILO budget process and formulating its own proposals for program enhancement coupled with budget restraint in 1984-85. This U.S. initiative culminated in extensive discussions with the Director General and his staff, as well as with other government representatives in the ILO. As a result, considerable improvements in the program and budget were made between January 1983, when the Director General made public his proposals for 1984-85, and the final document adopted by the Conference.

The ILO's 1984-85 budget was presented to the governing body and initially considered at its February session. As the Director General's proposals emerged from the governing body they called for spending authority totaling \$261.3 million.

The United States spoke in opposition to the draft budget because it did not meet the Geneva Group's<sup>22</sup> criteria of zero real growth and significant absorption of nondiscretionary cost increases. However, because the Secretariat indicated that further reductions were possible before the final budget was adopted in June, the United States decided not to call for a vote at the February governing body session. At the June Conference, further reductions of over \$6.5 million were agreed to; but, because this did not eliminate significant real program growth, the United States did not support the amended budget of \$254.7 million. In recognition that some savings had been

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<sup>22</sup> The Geneva Group consists of Western-oriented donors contributing 1% or more to the budgets of the UN specialized agencies and the IAEA.



achieved, however, the U.S. Government delegate abstained on the budget vote, which was 390 to 28, with 13 (U.S.) abstentions. The U.S. worker and employer delegates voted for the budget.

## **TECHNICAL COMMITTEES**

The ILO's more technical work was carried on by four committees, two of which forwarded new standards to the Conference plenary. The Conference easily adopted a new convention and a recommendation from the Committee on Vocational Rehabilitation and a recommendation from the Social Security Committee. The entire U.S. Delegation voted for the Social Security recommendation, which was adopted by vote of 419 to 0, with 8 abstentions. The Vocational Rehabilitation and Employment Convention was adopted by a vote of 344 to 0, with 77 abstentions. The U.S. Government and worker delegates voted for the measure, the U.S. employer delegate abstained. The entire U.S. Delegation voted for the vocational rehabilitation and employment recommendation, which was adopted by a vote of 417 to 0, with 3 abstentions. The Conference also held a general discussion on the social aspects of industrialization and the first round of a 2-year debate aimed at producing an updated standard on employment policy.

## **COMMITTEE ON EMPLOYMENT**

The central issue in the Employment Committee was the notion of "right to work." The Soviets put heavy pressure on the Committee to include the term as an open-ended, undefined concept in its conclusions, thus, allowing the Soviets to use their own definition in applying the new standards. They interpret the right to work as meaning a guaranteed, approved, and obligatory job and income for all. The United States views this as a mask for their policies of forced and directed labor.

Thus, a key U.S. objective in the Employment Committee was to ensure that the right to work was appropriately defined to include a requirement for freedom of choice. The United States was successful in that the Committee recommended that the new standards should refer to the International Covenant on Economic, Social, and Cultural Rights which recognizes the right to work as "the right of every one to the opportunity to gain his living by work which he freely chooses or accepts."

In addition to the employment standard the Committee considered two draft resolutions referred to it by the Resolutions Committee. The draft which was eventually adopted by the full Committee and forwarded to the Conference plenary (an amalgamation of the two resolutions), while successfully purged of inappropriate references to

right to work and the employment consequences of disarmament, still contained aspects which the U.S. Government was not able to support. Chief among them were budgetary and financial implications which went beyond the activities allowed for in the 1984-85 program and budget. The resolution was adopted in a show of hands vote of 253 to 0, with 71 abstentions. (Quorum being 247, it passed by only a 6-vote margin.) The U.S. employer and Government delegates abstained and the U.S. worker delegate voted for the resolution.

## **COMMITTEE ON THE SOCIAL ASPECTS OF INDUSTRIALIZATION**

In considering the social aspects of industrialization (which include such issues as employment, income distribution, working conditions, and social protection of workers and their families), the Conference held an unusual 1-year general discussion as opposed to its normal 2-year discussion for the setting of standards. Rather than producing draft texts for a convention or recommendation on industrialization, the Committee recommended to the Conference a set of conclusions concerning the issue in general and, more specifically, on the ILO's role and future activities in the field. The United States sought to add focus to the discussion, to steer clear of North/South confrontations, and to ensure that any recommendations were of a general nature. All these objectives were attained.

## **International Atomic Energy Agency**

IAEA was created in 1957, following a call by President Eisenhower to the UN General Assembly proposing the creation of an international agency dedicated to the development of atomic energy for peaceful purposes. The basic objectives of IAEA are to promote the peaceful uses of nuclear energy and related nuclear technology under conditions designed to prevent the proliferation of nuclear weapons, including the application of international safeguards. The year 1983, while witnessing continued progress toward these objectives, also marked the resumption of active U.S. participation in the Agency and pointed toward a reduction in the extraneous politicization of the Agency which had provoked the 5-month U.S. reassessment and suspension of participation from October 1982 to February 1983.

The immediate cause of the suspension of U.S. participation, which included withholding payments to the Agency, was the rejection, by a narrow margin in a technically improper vote, of the credentials of the Israeli Delegation at the September 1982 IAEA General Conference. Following this action, the United States, along with 15 other states, withdrew from the Conference, and the U.S. Government established a senior interagency group to review its participation in

the Agency. By February 1983 this group, chaired by Ambassador Richard T. Kennedy, had completed the reassessment, and acting on the conclusions of the group, the President approved resumption of participation in IAEA. Following the February meeting of the Board of Governors, the Director General of IAEA wrote Secretary of State Shultz to notify the United States that Israel remained a fully participating member of the Agency.

In addition to its vital safeguards program, the Agency maintains a program devoted to a wide variety of nuclear science and technology activities, as well as a program of Technical Assistance and Cooperation for developing countries. The voluntarily funded technical assistance program provides assistance and training involving many applications of nuclear technology such as the use of radioisotopes in agriculture and medicine and safety and reactor operations training.

All Agency members are eligible to participate in the annual General Conference. The Board of Governors consists of 34 countries, 12 permanent members chosen for their advanced status in nuclear technology and 22 members elected for 2-year terms. On January 1, 1984, China officially became the 112th member of IAEA, upon deposit of its instrument of ratification of the IAEA Statute with the U.S. Government, which serves as the Depositary Government.

## **GENERAL CONFERENCE**

The 27th annual session of the IAEA General Conference took place October 10-14, 1983, in Vienna. Emil Keblusek (Czechoslovakia) was elected president of the session. The U.S. Delegation was headed for the first time by a Cabinet Officer, Secretary of the Department of Energy Mr. Donald P. Hodel. A wide range of significant issues was considered at the Conference, perhaps most significantly, approval by acclamation of China's membership. As the U.S. Representative to IAEA, Ambassador Kennedy, pointed out in his statement on this subject, the addition of China as a member of IAEA was important because the Chinese decision to join underscored the vitality of IAEA and the value states attached to its programs. Also, this historic step reflected the Agency's role as a truly universal international organization. Every government which conducted significant nuclear programs was now a member of the Agency.

The Conference was also faced with certain political issues, which, in light of the suspension of U.S. participation in 1982, carried particular significance. At the 1983 General Conference a move by Iran to reject Israel's credentials (similar to the event which resulted in U.S. withdrawal in 1982) was defeated resoundingly. In response to the Iranian challenge, Norway, on behalf of the Scandinavian

countries, moved that no action be taken on Iran's motion. The Norwegian procedural motion was approved by a vote of 54 (U.S.) to 24, with 7 abstentions. This may be an indication that most member states were no longer prepared to tolerate this kind of extraneous politicization.

On a related issue Iraq introduced a resolution dealing again with the 1981 Israeli attack on an IAEA-safeguarded research reactor near Baghdad. While the Iraqi resolution was highly objectionable to the United States, it nevertheless represented a degree of moderation compared with the kinds of actions contemplated in the earlier Iraqi-led effort in 1982 to suspend Israel from the Agency, since the 1983 version included no provisions or sanctions affecting Israel's basic rights of membership.

The Iraqi resolution was approved by a vote of 49 to 24 (U.S.), with 17 abstentions. Its significant provisions included a call on Israel to withdraw its "threat" to destroy nuclear facilities in Iraq and other countries, despite Israeli statements that it has no policy of attacking nuclear facilities. The resolution also called for IAEA to suspend (1) research contracts in Israel; (2) Agency purchases of Israeli equipment; and (3) the convening of any meetings in Israel, if Israel does not "withdraw" its "threat" by the time of the 1984 General Conference. The 1983 resolution further stated, as did the 1981 UN General Assembly resolution on the subject, that Iraq was entitled to redress for the destruction of its reactor facilities, and it also called for international agreement to prohibit military attacks on nuclear installations.

The United States was encouraged by the relatively large number of "no" votes and abstentions on the resolution, despite the fact that its passage indicated a continuing tendency to consider issues which, strictly speaking, are not within the competence of technical bodies such as IAEA.

The issue of South African participation in IAEA surfaced at the General Conference as well. A hortatory resolution calling upon member states to end all cooperation with South Africa was adopted by a vote of 59 to 6 (U.S.), with 19 abstentions. The resolution also called on South Africa to submit all its nuclear facilities to IAEA inspection. Both the Israeli and South African issues will be considered again at the 1984 General Conference.

An additional political issue was an Argentinian initiative calling for the prohibition of attacks on nuclear facilities. The United States and the United Kingdom opposed this resolution on the grounds that IAEA was not the proper forum for consideration of this issue. There are provisions in the Protocols to the Laws of War concerning attacks on nuclear facilities. Whether it is necessary to expand these provisions was an issue that the United States held would be more properly considered by the Committee on Disarmament in Geneva.

On administrative matters, the General Conference completed important business, and there was relatively little spillover from the political matters before the Conference. The 1984 IAEA budget of \$96.83 million was approved. Of this total \$32.56 million was to be budgeted for safeguards, in addition to voluntary assistance to safeguards of over \$5 million. Voluntary contributions to the technical assistance and cooperation fund were expected to reach \$22.5 million for the same period. Other major budget categories were the nuclear energy and safety program (\$16.24 million) and the research and isotopes program (\$13.13 million).

The United States introduced a resolution on the Convention on the Physical Protection of Nuclear Materials, expressing the hope that the Convention would obtain wide adherence and enter into force at the earliest opportunity. This resolution ultimately was adopted by consensus by the Conference despite reservations expressed by India.

A number of other administrative issues were also approved. In general, the tenor of the sessions was businesslike and largely harmonious.

## **GENERAL ASSEMBLY ACTION**

The general reduction in the level of political divisiveness in IAEA in 1983 was reflected in the General Assembly deliberations and action on the IAEA annual report. At the same time, other actions by the General Assembly served as a reminder that the politicization which characterized the UN system would continue to affect the work of IAEA.

In his statement to the 38th session of the General Assembly, IAEA Director General Hans J. Blix (Sweden) noted the resumption of participation in the Agency by the United States. He also noted the Waste Management Conference, hosted by the U.S. Department of Energy, in Seattle, Washington, in May 1983.

In the Director General's view, the most significant event in 1983, however, would likely prove to be the addition of China to the membership of IAEA. A number of delegations subsequently welcomed the Chinese decision to join the Agency. The Director General also highlighted political developments in IAEA during 1983, specifically the action by the General Conference calling for an explicit prohibition of attacks on peaceful nuclear facilities—which the United States opposed—as well as General Conference actions on Israel and South Africa. In doing so he pointed out that only the UN General Assembly had the necessary competence to deal with these political issues, not IAEA.

Ambassador William Sherman speaking for the United States on November 4, emphasized U.S. support for the broad range of IAEA

programs, welcomed China to IAEA, and noted the businesslike nature of the IAEA General Conference.

In contrast to 1982 the resolution on IAEA's annual report was adopted by consensus on November 4. (Resolution 38/8.)

Following the adoption of the resolution, Ambassador Sherman praised the cooperation of all delegations in working to achieve consensus on the IAEA report. He also noted that the Agency's safeguards program, vital as it was, could not be separated from its other, promotional programs. The statements by other delegations reflected restraint and moderation as well.

Despite this positive outcome on the IAEA report, a resolution originating in the First Committee raised new problems for IAEA. The resolution, on Israeli nuclear armaments, requested IAEA to suspend scientific cooperation with Israel. The United States and Israel voted against the resolution, which was adopted by a vote of 99 to 2 (U.S.), with 39 abstentions, while the specific paragraph calling for suspension of cooperation was adopted by a vote of 79 to 28 (U.S.), with 31 abstentions. (Resolution 38/69.) While IAEA is not bound by General Assembly resolutions, this language may provide a pretext for states hostile to Israel to press for IAEA compliance.

On balance, however, the session represented progress over 1982 in that there was consensus on the IAEA annual report. The extreme divisiveness of 1982, both at the General Conference and the General Assembly, was much less in evidence in 1983, which should augur well for IAEA continuing its important work in the future.

## **IAEA PROGRAMS**

### **Safeguards**

IAEA's program of safeguards is a system of procedures, including reports, records, and on-site inspections, by which IAEA can verify that specified materials and facilities remain in declared, peaceful uses, and hence are not being diverted from their declared, peaceful purposes. Application of safeguards against nuclear proliferation is one of the two principal and interdependent statutory objectives of the Agency: to promote the use of nuclear energy for the benefit of mankind while providing the maximum possible assurance against the diversion of nuclear material and equipment to nonpeaceful uses. From the point of view of world security, it is the most important of the Agency's functions, to which the Non-Proliferation Treaty bears testimony in its assignment to IAEA of the safeguards responsibilities embodied in that treaty.

During 1983 four new safeguards agreements were negotiated and approved by the Board of Governors.

In view of the importance of the safeguards program, and the growing need for inspections as the number of facilities covered by

safeguards around the world increases, the safeguards budget for 1984 provided for a further increase of 18 professional posts in the Safeguards Department. In 1983 there were 434 positions in the Safeguards Department, including 166 professional inspectors.

## **Technical Cooperation**

The Agency's Technical Assistance and Cooperation Program consists of the provision of equipment, training, and fellowships and the services of experts in the nuclear field. It is funded from voluntary contributions of member states. Almost half of the program involves assistance in the application of radioisotopes and radiation in agriculture, medicine, biology, hydrology, and industry. A quarter of the program provides support in the areas of nuclear power and safety, with the remainder going into nuclear physics and chemistry; prospecting, mining, and processing of nuclear materials; and general atomic energy development.

In 1983 approximately \$19 million was pledged by member states to IAEA's voluntary technical assistance and cooperation fund. The United States provided nearly a quarter of this total or \$4,685,855. The United States also made available \$1.8 million for support of 30 technical assistance projects in 21 developing countries parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).<sup>23</sup> The United States also provided \$2.15 million for cost-free IAEA fellowships in the United States, with preference given to fellows from developing countries parties to the NPT, and \$1 million for IAEA training courses in the United States. The United States considers the Agency's technical assistance and cooperation program to be a necessary component of the Agency's overall effectiveness.

## **BOARD OF GOVERNORS**

Eleven vacancies on the Board of Governors for 1983-84 were filled by the election of Chile and Cuba (Latin America); Austria and Italy (Western Europe); Hungary and Yugoslavia (Eastern Europe); Nigeria and Tunisia (Africa); Syria and Iraq (Middle East and South Asia); and the Philippines (Far East). These members will serve for 2 years through the 1985 General Conference. Other elected members of the Board were Brazil, Bulgaria, Denmark, Libya, Kenya, Mexico, Pakistan, Portugal, Thailand, Venezuela, and Zaire, which were elected by the General Conference in 1982. The remaining members of the Board were designated by the Board in June and include Argentina, Australia, Belgium, Canada, Egypt, France, the Federal

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<sup>23</sup> Bangladesh, Bolivia, Ecuador, Egypt, Greece, Malaysia, Mali, Mexico, Morocco, Panama, Peru, Philippines, Portugal, Republic of Korea, Romania, Sri Lanka, Thailand, Uruguay, Venezuela, Yugoslavia, and Zaire.

Republic of Germany, India, Japan, U.S.S.R., the United Kingdom, and the United States, all designated as the most advanced in the development of atomic energy on a worldwide or regional basis in accordance with the IAEA Statute.

At the Board meeting following the General Conference, Roberto Rosenzweig-Diaz (Mexico) was elected Board Chairman. Andre Ernemann (Belgium) and Ivan Pandev (Bulgaria) were elected Vice Chairmen.



## Trusteeship and Dependent Areas

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UN consideration of dependent area questions is carried out principally in three bodies: the Trusteeship Council, the General Assembly's Fourth Committee (Trust and Non-Self-Governing Territories), and the General Assembly's Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (known as the Special Committee on Decolonization or the Committee of 24).

Chapter XI of the UN Charter sets forth the responsibilities of states for "the administration of territories whose people have not yet attained a full measure of self-government." These "non-self-governing territories" are considered annually by the Committee of 24, which is charged with making suggestions and recommendations to the General Assembly regarding implementation of resolution 1514 of 1960, the "Declaration of the Granting of Independence to Colonial Countries and Peoples." In 1983 the membership of the Committee of 24 (actually 25 members) consisted of Afghanistan, Australia, Bulgaria, Chile, China, Congo, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Norway, Sierra Leone, Syria, Tanzania, Trinidad and Tobago, Tunisia, U.S.S.R., Venezuela, and Yugoslavia. The United States was a Committee member until 1971, when it and the United Kingdom resigned because of a basic disagreement with the manner in which the Committee was operating.

Although the number of non-self-governing territories has steadily declined over the years, there is still considerable interest by the United Nations in these areas it considers to be colonial. In 1983 the Special Committee on Decolonization continued to devote most of its attention to Namibia, but it considered at some length other territories, including American Samoa, Guam, and the U.S. Virgin Islands. The United States participates in the Committee's deliberations on these U.S. territories and annually transmits information on them in accordance with Article 73(e) of the Charter.

The Committee also examined conditions in the Trust Territory of the Pacific Islands and the question of the status of Puerto Rico, but

the United States does not consider either to be within the jurisdiction of the Committee and does not participate in the discussion of these areas. On August 24, 1983, in a followup to similar action in 1981 and 1982, the Committee adopted an objectionable resolution on Puerto Rico (sponsored by Cuba, Afghanistan, and Syria), calling for Puerto Rican independence. Unlike the resolution adopted in 1982, it did not, however, call for consideration of Puerto Rico by the General Assembly. There was no action in the General Assembly on Puerto Rico in 1983. The Committee also adopted several conclusions and recommendations concerning the Trust Territory of the Pacific Islands, with which the United States did not agree. Subsequently, an unsuccessful attempt was made to have them considered by the General Assembly's Fourth Committee.

The Special Committee on Decolonization annually considers some issues related to colonialism, such as the activities of foreign economic and other interests seen by the Committee as impeding the process of decolonization, military activities by colonial powers seen as impeding decolonization, and activities by specialized agencies and other UN bodies that might assist the process of decolonization. In the latter context, the United States has consistently opposed General Assembly resolutions calling for specialized agency cooperation with and assistance to "national liberation movements."

While fully committed to the right of all peoples to self-determination, the United States takes basic exception to a view that has come to predominate in the Committee and the General Assembly equating self-determination with independence. The United States supports the view that independence is only one possible outcome of an act of self-determination and that the essential requirement is that the status of a territory reflect the freely expressed wishes of its people. It is noteworthy in this regard that General Assembly resolutions 1541 of 1960 and 2625 of 1970, the so-called Declaration on Friendly Relations, enumerate three ways of implementing self-determination: by achieving the status of independence; through free association with an independent state; or by merger with an independent state. General Assembly resolution 2625 of 1970, which the United States supported, added to this list "any other political status freely determined by a people." The United States also believes that the timing and manner of an act of self-determination should be determined by the people of the territory and the administering authority, not by a UN body involved in overseeing the area, and that the question of whether military bases interfere with the right to self-determination can only be decided on a case-by-case basis, after examination of the particular circumstances of the territory in question.

Chapter XII of the UN Charter established an international trusteeship system and Chapter XIII established the Trusteeship

Council of the 11 UN trusteeships. The U.S.-administered Trust Territory of the Pacific Islands, which has been designated a strategic trust territory, is the sole remaining territory under the trusteeship system. In accordance with Article 83 of the Charter, the Security Council is responsible for all functions of the United Nations relating to strategic areas. The Charter also provides that the Security Council shall avail itself of the assistance of the Trusteeship Council to perform these functions relating to political, economic, social, and educational matters in strategic territories. The Trusteeship Council now consists of the United States, as Administrator of the Trust Territory of the Pacific Islands, and China, France, the U.S.S.R., and the United Kingdom as permanent members of the Security Council. (China has not participated in Council activities.)

## **TRUST TERRITORY OF THE PACIFIC ISLANDS**

The Trust Territory of the Pacific Islands consists of more than 2,100 islands spread out over an area of the northern Pacific equivalent in size to the continental United States. The islands are all small, and together their total land area is about 700 square miles (1,850 square kilometers), about one-half the size of Rhode Island. About 100 of the islands are inhabited, and total population is estimated to be 136,500. The Trust Territory consists of three distinct island groups: the Marianas (except Guam) in the northwest, the Carolines to the south running from west to center, and the Marshalls in the east.

Formerly administered by Japan under a League of Nations mandate, the islands came under U.S. control as a result of World War II. Following the founding of the United Nations and the establishment of the trusteeship system, the United States and the UN Security Council concluded an agreement on July 18, 1947, making the islands a strategic trust territory under U.S. administration. The Trust Territory has been administered by the U.S. Department of the Interior since 1951.

The Trust Territory has divided politically into four separate entities. In 1975 the people of the Northern Mariana Islands voted to separate from the rest of the Trust Territory and to join the United States in commonwealth status following termination of the Trusteeship Agreement. The Northern Mariana Islands already functions as a separate administrative unit, and has a popularly elected Governor and legislature. In 1978 the people of the districts of Truk, Yap, Ponape, and Kosrae, in the Carolines, voted in a constitutional referendum to establish the Federated States of Micronesia, and in 1979 formed Federal and state governments. The Marshall Islands also formed a constitutional government in 1979, and in 1981 the

people of Palau, of the Caroline group, established the Republic of Palau, each as a separate entity within the Trusteeship.

Since 1969 representatives of these island groups have been engaged in negotiations with the U.S. Government to determine their future political status. In 1983 the people of the Federated States of Micronesia, Palau, and the Marshall Islands, voting in Trusteeship Council-observed plebiscites, approved the Compact of Free Association with the United States under which they will largely be responsible for their own affairs, including foreign affairs, although the United States will retain full authority and responsibility for their defense and security. The constitutional governments of the Federated States of Micronesia and the Marshall Islands subsequently approved the Compact in accordance with their constitutional processes.

In Palau, the plebiscite on the Compact was accompanied by a referendum question which would have reconciled the provisions of a section of the Palau Constitution with certain defense and security provisions of the Compact. Reconciliation under these terms of the Palau Constitution required approval by not less than 75% of those voting, but this requirement was not met by the 52% margin of approval on this question. These results, and their interpretation by the Palau Supreme Court, helped dissuade the Government of Palau from approving the Compact in accordance with its constitutional processes. The U.S. and Palauan Governments are continuing discussions on this matter. The Compact, as it applies to the Federated States of Micronesia and to the Marshall Islands, is now being considered by the U.S. Congress.

## **Trusteeship Council Consideration**

The Trusteeship Council held its 50th regular session in New York from May 16 to June 10, 1983. Ambassador John Margetson of the United Kingdom and Mr. Paul Poudade of France were elected Council President and Vice President, respectively. Ambassador William C. Sherman of the U.S. Mission to the United Nations served as U.S. Representative to the Council. Special Representatives from the Trust Territory were: Janet McCoy, the High Commissioner; Pedro P. Tenorio, Governor of the Commonwealth of the Northern Mariana Islands; Alfonso Oiterong, Vice President and Minister of State for the Republic of Palau; Charles Domnick, Minister of Public Works for the Republic of the Marshall Islands; Lazarus E. Salii, Ambassador for Status Negotiations and Trade Relations of the Republic of Palau; and Asterio Takesy, Deputy Secretary of External Affairs for the Federated States of Micronesia. Ambassador Fred M. Zeder, II, the President's Personal Representative for Micronesian Status Negotiations, was the Senior Adviser.

On May 16 Ambassador Sherman presented the opening statement of the U.S. Delegation. He reported to the Council on the progress achieved toward the termination of the Trusteeship, noting that negotiations on the future political status of the components of the Trust Territory had been successfully concluded in 1982, with signature of the Compact of Free Association and its related agreements by the United States, the Republic of the Marshall Islands, the Republic of Palau, and the Federated States of Micronesia. He described the conduct of the plebiscite on the Compact held in February in Palau under the observation of a mission from the Council, and he announced plans for the plebiscites in the Federated States of Micronesia and the Marshall Islands. Passing to other developments in the Trust Territory, he outlined several major endeavors of the constitutional governments of Palau, the Federated States, and the Marshall Islands in the field of foreign affairs, which will help prepare the three governments for a greater degree of international responsibility. In conclusion, he expressed gratitude to the Council for its attention to the Trust Territory, reaffirmed U.S. commitment to promote the advancement of the people of Micronesia toward self-determination based on democratic institutions, and reiterated the U.S. intention to maintain that course in the final moments of the Trusteeship.

In her presentation to the Council, High Commissioner McCoy highlighted developments in 1982 in the Trust Territory, including action taken to control the cholera outbreak in Truk (in the Federated States) and efforts to improve transportation and communication. Each of the Micronesian delegates reported on conditions in his area. The delegate from the Federated States also invited the Council to observe the June 21 plebiscite on the Compact of Free Association.

During several days of discussions on the Annual Report on the Trust Territory of the Pacific Islands, submitted by the United States as administering authority, the Council heard a number of petitioners, including the High Chief Ibedul Yutako Gibbons, the traditional Palau leader. Following examination of the petitions (many of which dealt with the Palau plebiscite results), Ambassador Sherman made a statement reasserting U.S. commitment to carry out the mandate of the UN Charter and the Trusteeship Agreement, and the deep desire of the United States to see the Micronesians emerge from the Trusteeship as free and self-governing people. He carefully detailed the situation in Palau with regard to its approval of the Compact and emphasized that the United States would approach with an open mind any proposals to make it possible for the Government of Palau to implement the mandate for free association expressed by its electorate in the February plebiscite.

The Council examined the U.S. report over several days. At the end of this discussion, Ambassador Sherman observed in his closing

statement that the Council had often been sidetracked and its deliberations distorted by the concerns of some with military and defense considerations, which, he said, were not the primary concerns of the United States in Micronesia. He briefly discussed U.S. military interests in the Trust Territory, denied the United States had any plans to construct military facilities there, and recommended that the subject be left behind. He went on to review for the Council at some length the economic and political progress and growth which the Micronesians and Americans have in partnership generated in the Trust Territory.

On June 2 the Council adopted the report of the regular Visiting Mission by a vote of 3 (U.S.) to 0, with 1 abstention. (Resolution 2175 (L).) On the same day the Council also adopted the report of the Visiting Mission to Observe the Plebiscite in Palau by a vote of 3 (U.S.) to 1. (Resolution 2176 (L).)

The Council adopted its report to the Security Council in a resumed session on November 28, 1983. Among its conclusions and recommendations were several relating to the administration of the Trust Territory. The Council welcomed improvements in conditions in the Territory, such as the establishment of ground stations for satellite communications throughout the area. It also expressed concern on a range of items, including the leasing of land by the U.S. Government in the Northern Mariana Islands, the quality of health care available to the people of Bikini and Enewetok Islands and plans for their resettlement, the difficulties of the people living on the overpopulated island of Ebeye, and the settlement of war damage claims. On the political side, the Council welcomed the continuing devolution of administrative responsibility for the Trust Territory to the constitutional governments, the encouragement by the United States of their participation in regional and international organizations, and their maintenance of links with other governments on matters of common interest. It recognized that all four constitutional governments are now fully operational and operating according to their own freely adopted constitutions. And on the progress toward termination of the Trusteeship, the Council reaffirmed the right of the people of the Trust Territory to self-determination and expressed satisfaction that the United States had reaffirmed that the people of Micronesia will have the opportunity to choose their political status from a range of options, including independence. It endorsed the views of the Visiting Mission to Observe the Plebiscite in Palau that the political campaign had been conducted in complete freedom with no improper intervention by the United States and that the issues were generally understood, and that there were no voting irregularities. It reiterated the view that free association is an option not incompatible with the Trusteeship Agreement, provided that the people concerned have freely chosen it, and expressed the hope that

the Trusteeship Agreement could be speedily terminated as soon as the Micronesian people had determined their future political status.

## **Trusteeship Council Visiting Missions**

Pursuant to a resolution adopted by the Council at its 15th special session on December 20, 1982, the Council sent three Visiting Missions to observe the plebiscites held in 1983 in Palau, the Marshall Islands, and the Federated States of Micronesia. The Council invited Representatives of two members, the United Kingdom and France, as well as representatives of other Pacific nations, to participate in these Missions; Fiji and Papua New Guinea accepted the invitation and were represented on all three of the Missions. The Missions were accompanied by Girma Abebe, Trusteeship Council Secretary, and other UN Secretariat members and were escorted by officers of the Department of State and a Representative of the Trust Territory Government.

The Council endorsed the report of the Visiting Mission to Observe the Plebiscite in Palau, which had been held before the Council's regular session; reports of the Visiting Missions to the two other plebiscites were to be discussed at the Council's 51st regular session in 1984.

## **General Assembly Consideration**

The General Assembly's Special Committee on Decolonization considered the Trust Territory on October 13, 1983, and on that date voted (with four abstentions: Fiji, Australia, Norway, and Chile) to approve a chapter of its Annual Report concerning the Trust Territory. The chapter contained several conclusions and recommendations with which the United States did not agree. Moreover, the United States maintains that under the UN Charter the Special Committee's mandate does not extend to the Trust Territory, and therefore the United States did not participate in the Committee's discussions. The Committee subsequently reformulated its conclusions and recommendations in the form of a draft resolution to be submitted to the General Assembly's Fourth Committee for adoption as a General Assembly resolution. However, as in the previous year, after consultations with the Special Committee Chairman and other delegations, the Fourth Committee Chairman suggested on November 17, 1983, that the Committee postpone to a later (unspecified) date action on the draft resolution. His proposal drew no objection, with the result that Fourth Committee consideration of the resolution ended, and the General Assembly passed no specific resolution on the Trust Territory.

## U.S. TERRITORIES

### American Samoa

American Samoa is an unincorporated<sup>1</sup> and unorganized<sup>2</sup> U.S. territory located 2,300 miles southwest of Hawaii. It comprises seven islands in the South Pacific, with a total of 76 square miles and a population of about 30,000. The territory of American Samoa has been voluntarily associated with the United States since 1899. During the early 1900's, the United States acquired six of the islands through agreements with indigenous leaders. The seventh island became an integral part of the territory in 1925.

The UN Special Committee's Subcommittee on Small Territories considered American Samoa in seven meetings between June 7 and July 14, 1983. The full Special Committee adopted on August 12 the Subcommittee's report and decided without objection to submit a draft consensus resolution to the General Assembly. The draft reaffirmed the inalienable rights of the people of American Samoa to self-determination and independence and, *inter alia*, urged the United States to continue to facilitate close relations and cooperation between the people of the Territory and their regional neighbors.

### Guam

Guam, the southernmost island in the volcanic Mariana Islands chain in the Western Pacific, is an organized, unincorporated U.S. territory. Located 6,000 miles west of San Francisco, Guam measures about 30 miles long and 4-8 miles wide. Its population numbers about 100,000; military personnel account for some 20%. Guam was ceded to the United States by Spain in 1898 at the conclusion of the Spanish-American War.

The Special Committee's Subcommittee on Small Territories considered Guam at six meetings between June 30 and August 18, 1983. On September 14 the Rapporteur of the Subcommittee, in a statement to the Special Committee, introduced a report containing an account of its consideration of the territory. At the same meeting, the full Special Committee adopted the report of the Subcommittee and approved a draft consensus resolution to be submitted to the General Assembly.

The consensus resolution, *inter alia*, called on the United States to take all necessary steps to strengthen and diversify the economy of Guam; to accelerate the transfer of land to the people of Guam; to

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<sup>1</sup> An unincorporated territory is one in which the U.S. Constitution does not fully apply, except insofar as specified by the U.S. Congress.

<sup>2</sup> An unorganized territory is one without its own Organic Act, and therefore unable to amend its Constitution without the consent of the U.S. Government.



remove the constraints which limit its economic development; to safeguard the rights of the people of Guam to their natural resources; and to strengthen and promote the language and culture of the Chamorro people. On the issue of military bases and installations, the Committee urged the United States to continue to ensure that the bases not hinder the people of Guam from exercising their rights to self-determination and independence, and to comply with relevant UN resolutions.

## **U.S. Virgin Islands**

The U.S. Virgin Islands, located 1,000 miles southeast of Miami, are part of the curving chain of the Greater and Lesser Antilles separating the Caribbean Sea and the Atlantic Ocean. Of the 50 islands that constitute this organized, unincorporated territory, the three most prominent are St. Thomas, St. Croix, and St. John. The population of the U.S. Virgin Islands is about 100,000, and total land area amounts to some 130 square miles. The U.S. Virgin Islands were purchased from Denmark in 1917.

The Subcommittee on Small Territories considered the Virgin Islands in four meetings between August 10 and September 9, 1983. The Subcommittee report to the Special Committee noted that the Virgin Islands government had pursued efforts to diversify its economy and urged that the United States continue to cooperate in those efforts. It noted with satisfaction the recommendation of the Virgin Islands Status Commission that the Territory become an associate member of the Economic Commission for Latin America and called upon the United States to facilitate the process of application.<sup>3</sup>

Additionally, the report urged the United States to expedite the enactment of legislation addressing the problem of aliens in the Territory and further noted with satisfaction the efforts to revitalize health care programs, discourage juvenile delinquency, upgrade school facilities, and improve overall crime prevention.

The full Special Committee approved the Subcommittee's report on September 14 and decided, without objection, to submit its recommendations and conclusions in the form of a draft resolution to the General Assembly.

## **General Assembly Action**

American Samoa, Guam, and the U.S. Virgin Islands were considered, along with a number of other smaller territories, at 12

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<sup>3</sup> On October 3, 1983, the U.S. Government applied for admission of the U.S. Virgin Islands as an associate member of ECLA.

meetings of the 38th General Assembly's Fourth Committee between November 1 and 17 under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples."

On November 11, 1983, Ambassador Sherman addressed the Fourth Committee regarding these territories, pointing out that their close association with the United States was demonstrably the result of their free exercise of the right of self-determination, and that the people of the American Territories were well able to determine their present and future relationships with the United States. Ambassador Sherman further noted that, in the past year, the territories had made tremendous strides toward economic self-sufficiency and governmental self-determination, and reaffirmed continuing U.S. respect for those principles consistent with the UN Charter.

He pointed out that the United States had provided considerable assistance in improving governmental efficiency by reducing burdensome Federal regulations and by providing technical assistance in areas of transportation, medicine, communications, economic development, finance, and management.

On November 17 the Fourth Committee approved by consensus the proposed drafts of the Special Committee; the plenary Assembly subsequently adopted, without a vote, these draft resolutions on December 7. The resolutions were as follows: American Samoa, resolution 38/41; Guam, resolution 38/42; the U.S. Virgin Islands, resolution 38/48.

## **NAMIBIA**

### **Security Council**

During 1983 the Western Contact Group (Canada, France, Federal Republic of Germany, United Kingdom, and United States)<sup>4</sup> that since 1977 has acted as intermediary in an attempt to find a negotiated settlement to the Namibia conflict, continued to seek implementation of the UN Plan for Namibia, as approved in Security Council resolution 435 (1978). That Plan calls for a cease-fire followed by free and fair elections, supervised by a UN Transition Assistance Group (UNTAG), for a Namibian constituent assembly that would draft an independence constitution.

The Security Council convened 21 times in 1983 to consider the Namibia situation and adopted two resolutions. (Resolutions 532 (1983) and 539 (1983).) The first set of 12 meetings, from May 23

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<sup>4</sup> These nations were the Western members of the Security Council at the time the Contact Group was formed in 1977.

through June 1, was called at the request of Mauritius, Chairman of the African Group, and India, Coordinator of the Non-Aligned countries. This was the first time the Council had considered Namibia in over 2 years. The Permanent Representative of India, in the opening statement of the debate, said he had called for the Council meeting as a result of the March 1983 Non-Aligned summit, which "called upon the United Nations Security Council to meet as soon as possible in order to consider further action on the implementation of its Plan for Namibia's independence." He said the Non-Aligned countries agreed that Namibia was a UN responsibility, recognized the South West Africa People's Organization (SWAPO)<sup>5</sup> as the "sole and authentic representative of the Namibian people," condemned South Africa's illegal occupation of Namibia, and supported Security Council resolution 435 (1978)—without any linkage or parallelism between the independence of Namibia and the withdrawal of Cuban troops from Angola—as the "only basis for the peaceful settlement of the Namibian question." These positions were reiterated by numerous other speakers throughout the 7-day deliberation. A total of 86 speakers participated in the debate.

Ambassador Kirkpatrick addressed the Council on May 25. She said the United States, as a member of the Contact Group, had for several years been seeking peaceful ways to address and resolve the problems of southern Africa. She stressed the continuing commitment of the Contact Group to resolution 435 (1978). Noting the progress that had been made over the past 2 years toward implementation of that resolution, she pointed out that the parties to the negotiations had all accepted resolution 435 (1978) as the basis for Namibian independence, had committed themselves to a set of constitutional principles, and had reached understandings on the conduct of the elections. In conclusion, she regretted that factors outside the scope of the Contact Group mandate had not yet permitted implementation of the UN Plan but assured the Council the United States would continue to work for Namibia's independence.

On May 31 the Security Council unanimously adopted resolution 532 (1983). The resolution condemned South Africa's continued illegal occupation of Namibia, called on South Africa to cooperate with the Secretary General to expedite the implementation of resolution 435 (1978), and requested the Secretary General to undertake consultations with the parties and report to the Council by August 31. In an explanation of the positive U.S. vote, Ambassador Lichenstein stated: "We share the common objective of all members of the Council: the swiftest possible attainment of Namibian independence, and we believe this resolution will make a positive contribution to that end."

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<sup>5</sup> The national liberation movement of Namibia.

In response to resolution 532 (1983), the Secretary General undertook intensive consultations with the parties to the Namibia negotiations, including a trip to South Africa, Namibia, and Angola. On August 29 the Secretary General reported to the Council that there had been "substantial progress" and that "virtually all" outstanding issues in the negotiations had been resolved. The report concluded, "we have never been so close to finality on the modalities of implementing resolution 435 (1978). However, the position of South Africa regarding the withdrawal of Cuban troops from Angola as a precondition for the implementation of resolution 435 (1978) still makes it impossible to launch the UN Plan."

The Security Council convened again nine times between October 20 and October 28 on Namibia. The meetings were once again at the joint request of the Chairman of the African Group—this time Senegal—and India as the Coordinator of the Non-Aligned countries. A total of 58 speakers took part in the debate. The points put forward in the speeches were very similar to those expressed in the May debate, with most speakers expressing frustration that resolution 435 (1978) had not yet been implemented.

On October 24 Ambassador Kirkpatrick addressed the Security Council. She expressed the deep appreciation of the United States for the Secretary General's recent efforts and welcomed the very real progress he had made toward resolving remaining issues. She pointed out that "although the Secretary General's initiative in southern Africa measurably advanced the negotiations, his report to the Security Council also made clear that there does remain one issue standing in the way of implementation of resolution 435 (1978): South Africa's position regarding the withdrawal of Cuban troops from Angola . . . However, my Government remains firmly convinced that this obstacle can and should be resolved."

Following 7 days of debate, on October 28 the Council adopted resolution 539 (1983) by a vote of 14 to 0, with 1 (U.S.) abstention. The resolution condemned South Africa for its continued illegal occupation of Namibia, rejected "South Africa's insistence on linking the independence of Namibia to irrelevant and extraneous issues as incompatible with resolution 435 (1978)," and declared that "the independence of Namibia cannot be held hostage to the resolution of issues that are alien to Security Council resolution 435 (1978)." In explaining the U.S. abstention, Ambassador Lichenstein said the United States "wholly supports the spirit of the Security Council resolution just adopted." The United States had abstained, however, out of concern over references to past resolutions it did not support and, he explained, because of "the resolution's implicit allusions to possible future action under Chapter VII of the UN Charter. We regard such allusions as premature."

## General Assembly

The General Assembly considered Namibia at seven sessions from November 28 to December 1. Over 100 speakers participated in the debate, including representatives of the UN Council for Namibia, the Committee of 24, and SWAPO. All speakers agreed on the need to move Namibia promptly toward independence in accordance with the UN Plan set out in Security Council resolution 435 (1978).

On December 1 the Representative of the Federal Republic of Germany made a brief statement on behalf of the Western Five Contact Group:

The five members of the Contact Group, on whose behalf I am speaking, each made statements in the Security Council debate on Namibia which took place 3 weeks ago. Given the Contact Group's involvement in the formulation of the UN settlement proposal and the subsequent negotiations aimed at its implementation, it has been the custom of our five governments not to adopt a substantive position on the resolutions on Namibia placed before the General Assembly. For that reason and although we have reservations on certain aspects of the proposed resolutions, the five Contact Group members will abstain.

Resolutions on Namibia, all five of which had been originally drafted by the Council for Namibia, were put to a vote and adopted on December 1. There were no negative votes on any of the resolutions, although a number of states joined the Contact Group in abstaining on several of them.

The first resolution, introduced by Nigeria and entitled "Situation in Namibia Resulting From the Illegal Occupation of the Territory by South Africa," was adopted by 117 votes to 0, with 28 (U.S.) abstentions. The resolution, which included 62 operative paragraphs, *inter alia*, recalled previous declarations, reiterated that "the continuing illegal and colonial occupation of Namibia by South Africa . . . constituted an act of aggression against the Namibian people," and deeply deplored "the continued collaboration with South Africa of certain Western states, in particular the United States of America." The resolution also strongly condemned South Africa for obstructing the implementation of Security Council resolutions including resolution 435 (1978); declared that all activities of foreign economic interests in Namibia are illegal; strongly condemned the supposed collusion by the United States and Israel with South Africa in the nuclear field; and urged the Security Council to impose comprehensive sanctions on South Africa under Chapter VII of the UN Charter. (Resolution 38/36A.)

India introduced the second resolution, entitled "Implementation of Security Council Resolution 435 (1978)." The resolution was adopted by a vote of 121 to 0, with 26 (U.S.) abstentions. It reiterated that resolution 435 (1978) "is the only basis for the peaceful settlement of the question of Namibia" and demanded that South Africa comply fully and unconditionally with this and other Security

Council resolutions on Namibia. It further rejected and condemned what it called "persistent attempts by the United States and South Africa to establish any linkage or parallelism between the independence of Namibia and any extraneous and irrelevant issues, in particular the presence of Cuban forces in Angola," and again urged the Security Council to adopt Chapter VII sanctions against South Africa. (Resolution 38/36B.)

A third resolution, introduced by Yugoslavia, was entitled "Program of Work of the United Nations Council for Namibia." The resolution was adopted by a vote of 144 to 0, with 5 (U.S.) abstentions. The resolution approved the report of the UN Council for Namibia; requested all states to cooperate with the Council for Namibia; and decided the Council should represent Namibia as a full member in conferences and meetings organized by the United Nations. The resolution also set out a variety of tasks and programs for the Council to undertake, in particular organizing meetings and conferences. (Resolution 38/36C.)

Another resolution was entitled "Dissemination of Information and Mobilization of International Public Opinion in Support of Namibia." Introduced by Bulgaria, this resolution was adopted by a vote of 122 to 0, with 22 (U.S.) abstentions. It outlined a program to publicize and gain international support for the cause of Namibia; the program to include production and dissemination of various types of information and calling of conferences, in particular a symposium to be held in New York in 1984. The resolution also decided to expose "the collusion of the United States of America, certain other Western countries, and Israel with the South African racists." (Resolution 38/36D.)

A final resolution was introduced by Venezuela. Entitled "United Nations Fund for Namibia," it was adopted by a vote of 144 to 0, with 5 (U.S.) abstentions. The resolution stated that the UN Fund for Namibia, including the Trust Funds for the Nationhood Program for Namibia and the UN Institute for Namibia, should be the primary source of assistance to Namibians and decided to allocate as a temporary measure \$1 million to the Fund from the UN regular budget for 1984. It also contained a number of other clauses pertaining to assistance to Namibia through the United Nations and its specialized agencies. (Resolution 38/36E.)

At the conclusion of the debate the General Assembly, at the proposal of the Secretary General, decided to extend the appointment of Mr. Bradesh Chandra Mishra as UN Commissioner for Namibia for a 1-year term beginning on January 1, 1984.

## OTHER QUESTIONS

### Western Sahara

The conflict in Western Sahara dates to 1976, when Spain transferred administrative control of the territory to Morocco and Mauritania. From Algeria the POLISARIO<sup>6</sup> launched a guerrilla war against Mauritania and Morocco to obtain independence for the entire territory. Mauritania withdrew from the territory in 1979. Morocco subsequently extended its territorial claims to include one-third of the Sahara formerly claimed by Mauritania, and the guerrilla war between the POLISARIO and Morocco continued. The U.S. position has been to support a peaceful settlement acceptable to all parties under the auspices of the Organization of African Unity (OAU) and the United Nations.

In June 1981 progress toward a solution to the Western Sahara situation was made at the Nairobi OAU Summit Conference, when agreement was reached on the principle of a cease-fire and referendum. An Implementation Committee established by the Summit Conference met in Nairobi, August 24–26, to consider implementing the Conference's decision. The Implementation Committee made specific recommendations for establishment and maintenance of a cease-fire and conduct of a general and free referendum in Western Sahara.

The 19th OAU summit in Addis Ababa, June 6–12, 1983, again considered the Western Sahara question. A resolution was adopted which urged "the parties to the conflict, the Kingdom of Morocco and the POLISARIO, to undertake direct negotiations with a view to bringing about a cease-fire to create the necessary conditions for a peaceful and fair referendum."

On November 11 the Chairman of the Fourth Committee drew attention to a draft resolution, sponsored by 41 member countries, that included language from the resolution adopted at the 1983 OAU summit meeting in Addis Ababa, urging negotiations between Morocco and the POLISARIO. On November 17 the Committee Chairman stated that he had held consultations with a number of concerned delegations. On the basis of those consultations, he proposed a consensus text which consisted of the entire text of the original draft supplemented by an additional preambular paragraph which took account of the 18th OAU agreement on the principle of a cease-fire and referendum. When Morocco agreed to this text, the Committee approved the draft on the same day by consensus.

The Moroccan Representative said his country supported the resolution because it took account of all OAU decisions on the

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<sup>6</sup> Frente Popular para la Liberacion de Saguia el-Hamra y de Rio de Oro.

matter. Morocco, however, had reservations on the question of direct negotiations with the POLISARIO, which it had expressed at the OAU summit. Moreover, his Government believed that the Special Committee on Decolonization had no jurisdiction over the question of the Sahara conflict, since its competence had ended with the departure of the Spanish. He expressed his country's strong support for a referendum and promised Morocco would hold itself bound by the results. The Algerian Representative expressed disappointment at Morocco's reservation.

Ambassador Sherman, speaking for the United States, said his country had consistently supported all efforts to solve this problem, including the relevant OAU resolutions. However, the question of the form of negotiations should be left to the parties directly involved, and that question should not hold up the establishment of a cease-fire and the holding of a referendum.

The plenary Assembly adopted the Fourth Committee's resolution, without a vote, on December 7, 1983. (Resolution 38/40.)

## **Other Territories**

Under the agenda item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples," the Fourth Committee held 15 meetings between October 26–November 16 to consider the chapters of the report of the Special Committee on Decolonization relating to territories not covered by other agenda items. In addition to the resolutions on U.S. territories (discussed earlier), the Committee approved several chapters of that report. The items were approved in Committee without a vote, with the exception of that on St. Helena, and subsequently adopted in the same manner by the plenary Assembly on December 7.

On St. Helena, the Assembly on December 7 adopted by a vote of 114 to 2 (U.S. and U.K.), with 31 abstentions, a decision which expressed the hope that the administering power will continue to implement infrastructure and community development projects and to encourage local initiative and enterprise. The decision also referred to the presence of a military base on the dependency of Ascension and, in that regard, recalled all relevant UN resolutions on the subject of military installations in colonial and non-self-governing territories.

The British Representative, in explaining his Government's position on this question in the Fourth Committee debate on November 17, had pointed out that the reference to Ascension Island was out of place, inasmuch as St. Helena and Ascension were legally and historically distinct; 1,000 miles apart, they were linked only for administrative reasons. Moreover, Ascension did not fall under either Article 73 or resolution 1514 (XV), as there was not, and never



had been, an indigenous population. The military facilities there could hardly, therefore, be considered an obstacle to the self-determination of a people, since the only local population was a few migratory birds and some turtles. The United States joined the United Kingdom in voting against this decision for the same reason. (Decision 38/416.)

On Bermuda, the Assembly urged the British Government to expedite the process of "Bermudianization" in particular with regard to greater localization of the public service. (Resolution 38/43.)

On the British Virgin Islands, the Assembly noted with satisfaction the request of the territory, through the administering power, for associate membership in the Economic Commission for Latin America and requested the United Kingdom to facilitate British Virgin Islands participation in various organizations in the UN system in an appropriate capacity. (Resolution 38/44.)

On the Cayman Islands, the Assembly reiterated that it was the responsibility of the administering power (the United Kingdom) to create conditions enabling the people to exercise freely and without interference their right to self-determination and independence. (Resolution 38/45.)

On Monserrat, the Assembly noted the growth of manufacturing, construction, and tourist industries and urged the administering power (the United Kingdom) to intensify the development of other sectors of the economy; urged the continued localization of the civil service; and called on the organizations of the UN system, as well as donor governments and regional governments, to intensify their efforts to accelerate progress in the economic and social life of the territory. (Resolution 38/46.)

On the Turks and Caicos Islands, the Assembly called for greater diversification of the economy and called on the administering power (the United Kingdom) to assist in training qualified personnel in the skills essential to the development of various sectors of the society of the territory. (Resolution 38/47.)

On the Cocos (Keeling) Islands, a decision noted the positive and continuing commitment of the administering power (Australia) to the political, social, and economic advancement of the people of the territory and the direct discussions of the administering power with representatives of the Cocos (Keeling) community on the question of holding an act of self-determination to determine their future status. (Decision 38/412.)

On Tokelau, the Assembly expressed its view that the administering power (New Zealand) should continue to expand its program of budgetary support and development aid to the territory, as well as its program of political education to ensure the preservation of the identity and cultural heritage of the people of Tokelau. (Decision 38/413.)

On Pitcairn, the Assembly noted the British Representative's statement that his Government encouraged as much local initiative and enterprise as possible; it further noted the administering power's willingness to discuss any change of constitutional status with the people of the territory whenever they should so desire. (Decision 38/414.)

On Gibraltar, the Assembly urged the Governments of Spain and the United Kingdom to make possible the start of negotiations to reach a lasting solution to the problem of Gibraltar. (Decision 38/415.)

On Brunei, the Assembly extended its congratulations to the people of Brunei on their imminent accession to independence and welcomed the Brunei Government's intention to apply for UN membership. (Decision 38/417.)

On Anguilla, the Assembly decided to defer consideration until its 39th session. (Decision 38/418.)

## **General Resolutions on Colonialism**

As in previous years, the General Assembly adopted a number of resolutions dealing with various aspects of colonialism and racial discrimination. These resolutions were adopted under several different agenda items.

### **FOURTH COMMITTEE RESOLUTIONS**

At nine meetings, September 29–November 3, the Fourth Committee considered the agenda item "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other territories under colonial domination and efforts to eliminate colonialism, apartheid, and racial discrimination in southern Africa."

During discussion of the item on November 1, the U.S. Representative, Congressman Joel Pritchard, pointed out that the resolution demonstrated a lack of understanding of economic and development relationships. Additionally, he stated that the United States does not believe that the solution to the problem of apartheid will be found by turning away from the people of South Africa, and that the people and Government of the United States remain committed to assisting evolutionary change in South Africa through economic and commercial activity.

On September 29 the Rapporteur of the Special Committee on Decolonization drew attention to a draft resolution which, *inter alia*, affirmed the right to self-determination and independence; condemned nuclear collaboration by certain states with South Africa;

condemned all military activities in Namibia and other colonial territories; and called upon those oil-producing and oil-exporting countries which have not already done so to take effective measures against the oil companies which supply petroleum products to South Africa.

At the same meeting he reported on a draft decision contained in the Report of the Special Committee on Decolonization which, *inter alia*, condemned the continued military collaboration and support which "certain Western governments and other states" rendered to South Africa and also condemned continued nuclear collaboration with South Africa by some of these same unnamed states.

The draft resolution and decision were approved on November 3 by recorded votes of 101 to 6 (U.S.), with 16 abstentions, and 97 to 10 (U.S.), with 15 abstentions, respectively. The General Assembly in plenary session adopted on December 7 the draft resolution by a recorded vote of 129 to 7 (U.S.), with 16 abstentions. (Resolution 38/50.) At the same meeting it adopted the draft decision by a vote of 123 to 10 (U.S.), with 16 abstentions. (Decision 38/419.)

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations," the Fourth Committee approved November 17 by a vote of 101 to 4 (U.S.), with 28 abstentions, a draft resolution contained in the report of the Special Committee on Decolonization. The resolution was adopted by the plenary Assembly on December 7 by a recorded vote of 117 to 3 (U.S.), with 33 abstentions. (Resolution 38/51.)

The resolution concerning implementation of the Decolonization Declaration, *inter alia*, affirmed the legitimacy of the struggle of colonial peoples and their liberation movements and requested UN specialized agencies to provide all moral and material assistance to the newly independent and emerging states. On November 17 Ambassador Sherman, in explaining U.S. opposition, stated that the resolution, as drafted, would constitute illegal intervention in the internal affairs of the United States. In particular, he pointed out that paragraph 10 was specifically directed, by name, at U.S. public opinion.

Ambassador Sherman proposed two amendments aimed at deleting the specific language in two paragraphs which the United States considered repugnant and illegal under the UN Charter, which guarantees against intervention in the domestic affairs of member states. Those amendments were rejected in the Fourth Committee by recorded votes of 65 to 40 (U.S.), with 19 abstentions, and 63 to 39 (U.S.), with 18 abstentions.

As in previous years, the United States supported two resolutions concerning education and training for indigenous inhabitants of non-

self-governing territories. The first resolution, introduced by Norway on November 14 and sponsored by 47 states, addressed the "UN Educational and Training Program for Southern Africa" (UNETP-SA). The draft resolution, approved in the Fourth Committee without a vote on November 18, continued a program of scholarships for university students from South Africa and Namibia and appealed for additional financial support. On December 7 the resolution was adopted by consensus in the General Assembly. (Resolution 38/52.)

The second resolution, entitled "Offers by member states of study and training facilities for inhabitants of non-self-governing territories," expressed appreciation to those member states which had made scholarships available to the inhabitants of non-self-governing territories and invited them to continue to do so. The resolution was approved in the Fourth Committee on November 18 and in the plenary Assembly on December 7, both without votes having been taken. (Resolution 38/53.)

## PLENARY RESOLUTIONS

The General Assembly adopted several resolutions that were submitted directly to the plenary. Two of the resolutions were submitted under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." Another resolution was submitted under the heading "Cooperation Between the United Nations and the Organization of African Unity." The first two draft resolutions were adopted on December 7.

Speaking on December 6 before the votes, the U.S. Representative, Ambassador Sherman, said:

The omnibus resolution, on the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, is replete with extremist and inaccurate rhetoric and solutions to colonial problems. For example, it recognizes the legitimacy of peoples under "colonial domination" to use "all the necessary means at their disposal" to achieve self-determination. This comes perilously close to providing an endorsement for murder and terror. The next-to-last paragraph of the Preamble refers to the "illegal occupying regimes," in the plural, of colonial territories. Has this body now determined through this resolution that other colonial territories besides Namibia are administered by "illegal occupying regimes?" My Government is curious where these other "illegal occupying regimes" might be. We can find nothing in the record of the UN or in international law supporting this description of any territories besides Namibia. The resolution on Dissemination of Information on Decolonization, while generally avoiding the overheated rhetoric of other resolutions before us, still conjures up the image of a colonialist menace, whose "evils and dangers" require "the widest possible dissemination of information" to combat. We regard such activities, outside the Namibia matter, as a gross misuse of scarce UN resources.

The first resolution, sponsored by 21 countries, *iter aia*: (1) reaffirmed that the continuation of colonialism in all its forms is

incompatible with the UN Charter, the Universal Declaration of Human Rights, and poses a serious threat to international peace and security; (2) reaffirmed the recognition of the legitimacy of the struggle of peoples under colonial and alien domination to exercise their right to self-determination by all the necessary means at their disposal; (3) condemned all nuclear and other collaboration with South Africa; (4) called upon the colonial powers to withdraw immediately and unconditionally their military bases and installations from colonial territories and to refrain from establishing new ones; and (5) requested all states to withhold assistance "of any kind" from South Africa, until its people achieved self-determination and independence. The resolution was adopted by a recorded vote of 141 to 2 (U.K., U.S.), with 8 abstentions. (Resolution 38/54.)

The second resolution entitled "Dissemination of information on decolonization" was sponsored by 21 countries. The resolution was similar to resolutions of the past years dealing with the same subject. Among other things, it approved the report of the Special Committee on Decolonization relating to the dissemination of information on colonialism; requested the Secretary General to continue to take concrete measures, through all media at his disposal, to give widespread publicity to UN work on decolonization; and invited all states to cooperate with the Secretary General in the dissemination of decolonization information. The resolution was adopted by a recorded vote of 147 to 0, with 4 (U.S.) abstentions. (Resolution 38/55.)

On October 28 the General Assembly considered a resolution entitled "Cooperation between the United Nations and the Organization of African Unity." The resolution was sponsored by 50 African states, members of the Organization of African Unity (OAU). Among other things, the resolution approved the recommendations made by the meeting between the United Nations and the OAU in Addis Ababa in April 1983 and called upon the Secretary General to implement those decisions in the context of the cooperation program; called upon the international community to provide generous assistance to all African states suffering from economic problems, those affected by natural calamities, and to support African refugee programs; called on parts of the UN system to ensure the equitable representation of African personnel; and urged the specialized agencies and other organizations concerned within the UN system to continue and expand their cooperation with the OAU and, through it, their assistance to the liberation movements recognized by that organization. The resolution was adopted on the same day without a vote. (Resolution 38/5.)

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## Part 4

# Legal Developments

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Significant legal issues on both substantive and procedural matters frequently arise in connection with U.S. participation in a wide variety of UN activities and in nearly all international organizations. Many of these legal matters are discussed in other parts of this report in the context of the underlying issues or particular international organizations to which they relate, including review of the UN Charter; uses of outer space; international human rights; International Labor Organization, International Civil Aviation Organization, and UNESCO matters; UN administration and budget; and UN trusteeship issues. Part 4, therefore, deals separately with 1983 activities of an exclusively legal character, such as those of the International Court of Justice, the International Law Commission, the UN Commission on International Trade Law, the Sixth (Legal) Committee of the General Assembly, and special international conferences or committees that consider legal questions involving the drafting of certain treaties or the relations between the United States as the host country on the one hand and the United Nations and missions to the United Nations on the other. As indicated above, drafting exercises concerning international human rights instruments are discussed in Part 2 of this report.

## INTERNATIONAL COURT OF JUSTICE

The International Court of Justice is the principal judicial organ of the United Nations. The Court's main functions are to decide cases submitted to it by states and to give advisory opinions on legal questions at the request of intergovernmental bodies authorized pursuant to the Statute of the Court and the UN Charter.

The Court is composed of 15 judges, no two of whom may be nationals of the same state, elected by the UN General Assembly and the Security Council, voting independently, from a list of persons nominated by national groups of the Permanent Court of Arbitration. The electors are mandated to bear in mind the qualifications of the individual candidates and the need for the Court as a whole to represent the main forms of civilization and the principal legal systems of the world. Court members are elected for 9-year terms, with one-third of the total number of judges elected every 3 years.<sup>1</sup>

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<sup>1</sup> See appendix for membership.

The Court submitted to the 38th General Assembly a brief report on its activities from August 1, 1982 to July 31, 1983. The report contained information on the Court's composition, jurisdiction, judicial work, administration, and publications. The General Assembly took note of the report at its 82nd plenary meeting on December 5.

### **Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/United States of America)**

On November 25, 1981, Canada and the United States notified the Court of a Special Agreement which entered into force on November 20 by which they submitted to a Chamber of the Court a question concerning the delimitation of the maritime boundary dividing the Continental Shelf and fisheries zones of the two parties in the Gulf of Maine area. This is the first case in which parties have invoked the provisions of the Statute of the Court that allow for the formation of a Chamber to hear a specific case. After the parties had supplied answers to particular questions concerning the interpretation of the Statute of Rules of the Court, the Court on January 20, 1982, by 11 votes to 2, adopted an Order duly constituting a special chamber for the purpose requested. The Chamber was composed of Judges Gros, Ruda, Mosler, Ago, and Schwebel; as agreed, Judge Ruda was replaced in due course by Judge *ad hoc* Cohen, chosen by Canada in accordance with Article 31 of the Court's Statute. Canada and the United States filed their Memorials by September 27, 1982, in accordance with the Chamber's decision. Their Counter-Memorials were filed on June 28, 1983, and Replies were filed on December 12, 1983, thereby closing the written stage of the proceedings.

### **Continental Shelf (Libyan Arab Jamahiriya/Malta)**

On July 26, 1982, Libya and Malta notified to the Registrar a Special Agreement in force since March 20, 1982, which requested the Court to determine the principles and rules of international law applicable to the delimitation of the Continental Shelf area appertaining to the two parties and a practical method of applying such principles in the instant case.

Memorials were filed by the parties April 23, 1983, and Counter-Memorials submitted by the October 26 deadline. By application dated October 23, 1983, the Government of Italy, invoking Article 62 of the Statute, asked to be permitted to intervene in the case. Written observations on Italy's request were submitted by Libya and Malta on December 5. Neither government supported the application for intervention. Public hearings on the matter were scheduled to take place in late January 1984.

## INTERNATIONAL LAW COMMISSION

Pursuant to General Assembly Resolution 174(II) of November 21, 1947, the International Law Commission (ILC) was established in 1948 to promote the codification and progressive development of international law. The membership, which was increased from 25 to 34 during the 36th General Assembly, consists of legal experts serving in their individual capacities and elected by the General Assembly for 5-year terms. Stephen Conalley McCaffrey of the United States was elected on November 23, 1981, for a term which began on January 1, 1982.

The Commission studies topics it has determined are suitable for codification or that other UN bodies, usually the General Assembly, refer to it. Its normal procedure is to select one of its members to prepare a report and, after discussion, to draft articles. The Commission sends texts to governments for review, reconsiders them in light of government comments, and then adopts final texts which it forwards to the General Assembly. When the Assembly receives a set of draft articles, generally in the form of a proposed convention, it may convene a diplomatic conference to consider adoption of a convention, review the articles itself, note them, or remand them to the Commission for further study.

### Work of the Commission's 35th Session

Under the Chairmanship of Mr. Laurel B. Francis (Jamaica) the 35th session of the Commission convened in Geneva from May 4 to July 22, 1983, during which it considered seven topics. The Commission considered the topic of a "draft code of offenses against the peace and security of mankind" based, *inter alia*, on the report of the special rapporteur appointed by the Commission at its 34th session. On the topic of "jurisdictional immunities of states and their property," the Commission considered a report and three draft articles on exceptions to state immunity submitted by a special rapporteur appointed in 1978. With respect to the topic of "state responsibility," the Commission had before it the fourth report prepared by the special rapporteur for that topic, concerning an "outline" for certain portions of draft articles on the subject. The Commission continued its work in connection with the "status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier" and considered the first two parts of the third report of that topic's special rapporteur, containing nine draft articles. The Commission considered the first report of the special rapporteur appointed at the Commission's 34th session on the question of "the law of the nonnavigational uses of international waterways," consisting of some 39 articles on the subject. The



Commission followed up its completion at the 34th session of draft articles on "the law of treaties between states and international organizations or between international organizations" by resuming consideration of the topic on the basis of a preliminary report by that topic's special rapporteur. Lastly, the Commission addressed the topic of "international liability for injurious consequences arising out of acts not prohibited by international law" in light of the fourth report submitted by the special rapporteur for that topic. In addition to its consideration of these specific topics, the Commission also dealt with questions relating to its program and methods of work, its cooperation with other bodies, and certain other matters.

## **General Assembly Action**

The Sixth Committee of the 38th General Assembly considered the Commission's report at 18 meetings from November 4 to December 8. On November 11, the U.S. Representative in the Sixth Committee, Robert Rosenstock, said that the question of jurisdictional immunities was precisely the sort of topic the Commission should be dealing with, since it was one in which tangible results should be attainable within a reasonable time. The special rapporteur had rightly identified a restrictive view of sovereign immunity; in an increasingly independent world, where complex relations existed between government agencies and private entities, a restrictive view of state sovereignty should prevail.

On the subject of state responsibility, his delegation shared the regret that the Commission had been unable to make greater progress, and wondered whether the approach had been complicated by too much categorization. Finally, he said that although it was too early to comment on the final form of the Commission's work, it was not always wise to seek to put every topic into the form of a convention; a convention which departed radically from existing law would fail to attract the requisite ratification and would most likely be worthless. A lot could usefully be done to codify the law of state responsibility—a much more useful sphere for the Commission's efforts. Theoretical constructs and attempts to legislate new concepts would hamper the strengthening of the law on state responsibility.

Turning to more general matters, he commended the Commission for beginning seriously to examine its working methods. While he was not sure that any of the contemporary problems in the codification and progressive development of international law could be attributed to what might be less than ideal arrangements within the Commission, effective working methods could help to produce results in a timely fashion and in a manner which would allow states to comment effectively as the work progressed. In deference to the demonstrated expertise of the Commission, the Sixth Committee

should abandon lengthy resolutions which attempted to dictate priorities and should return to a short resolution commending the Commission for its work and urging it to bear in mind the views of governments and proceed with its tasks as it saw fit. His delegation believed that there was cause for concern and was open-minded regarding reforms to improve the situation. In conclusion, he said that the Commission's work, like that of UNCITRAL, was in part dependent on the quality of support it received from the members of the Secretariat. The great achievements of the past reflected in no small measure the excellence of the career international civil servants, of the Office of Legal Affairs in general, and the Codification Division in particular. Whatever strengthened their ability to carry out their research and other work for the Commission also enhanced the capacity of the United Nations to fulfill the goals of Article 13, paragraph 1(a)<sup>2</sup>, of the Charter.

On December 6, Iraq introduced a draft resolution on behalf of 60 cosponsors, including the United States. The draft concerned the Commission's report and *inter alia* recommended the Commission should continue its work on all the topics in its current program; reaffirmed its previous decisions concerning the increased role of the Codification Division of the Office of Legal Affairs of the Secretariat; and reaffirmed its wish that the Commission would continue to enhance its cooperation with intergovernmental legal bodies whose work is of interest for the progressive development of international law and its codification. The draft was approved by the Committee on the same day and by the plenary Assembly on December 19, in both instances by consensus. (Resolution 38/138.)

## INTERNATIONAL TRADE LAW

The United Nations Commission on International Trade Law (UNCITRAL), established by the General Assembly in 1966, continued to be a productive, highly professional body which contributes to the harmonization and unification of the law of international trade. The Commission is composed of 36 member states elected by the Assembly for a term of 6 years.<sup>3</sup>

### Work of the Commission's 16th Session

UNCITRAL's session, which took place from May 24 to June 3, 1983, in Vienna, considered, among others, the following topics:

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<sup>2</sup> Art. 13, paragraph 1(a), of the UN Charter states: "1. The General Assembly shall initiate studies and make recommendations for the purpose of: (a) promoting international cooperation in the political field and encouraging the progressive development of international law and its codification."

<sup>3</sup> Members in 1983 were Algeria, Australia, Austria, Brazil, Central African Republic, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Federal Republic of Germany, Guatemala, Hungary, India, Iraq, Italy, Japan, Kenya, Mexico, Nigeria, Peru, Philippines, Senegal, Sierra Leone, Singapore, Spain, Sweden, Tanzania, Trinidad and Tobago, Uganda, U.S.S.R., United Kingdom, United States, and Yugoslavia.

uniform rules on liquidated damages and penalty clauses; international payments—two draft conventions on international negotiable instruments; international commercial arbitration—a model law; and contracts for construction of industrial works—a legal guide. The U.S. Representatives were Peter H. Pfund, Assistant Legal Adviser for Private International Law, Department of State, and Professor E. Allan Farnsworth, Columbia Law School.

The Commission continued the review of draft uniform rules on liquidated damages and penalty clauses developed by its Working Group on International Contract Practices which it had begun at the 15th session in 1982. Again, no consensus could be achieved on the form that the rules should take—convention, model law, general conditions, or a convention in which the rules are set forth in an annex (which could accommodate both the convention and model law approaches). Nevertheless, the review of substantive provisions of the rules was completed, their names being changed to “Uniform Rules on Contract Clauses for an Agreed Sum Due Upon Failure of Performance.” The Commission finally considered that any decision on the final form of the draft rules should be one for the Sixth Committee of the General Assembly.

As the deadline for the submission of government comments on the draft conventions on international bills of exchange and international promissory notes, and on international checks, was not until September 30, 1983, the Commission left it up to the Secretariat, after receipt and examination of those comments, to determine the duration of discussion at the 17th session on how the Commission might proceed with the draft conventions. The Commission noted that the Secretariat’s progress report on work to lead to the preparation of a legal guide on electronic funds transfers and noted further that several draft chapters of the legal guide would be made available to the 17th session of the Commission for general observations.

The Commission had before it the report of its working group entrusted with the preparation of a draft model law on international commercial arbitration on its fourth and fifth meetings, noted progress in its work, and requested the working group expeditiously to proceed with its work. That work is expected to be completed in early 1984, with government comments to be sought by the end of 1984, and discussion of the draft model law by the full Commission at its 1985 session.

The Commission reviewed the report of its Working Group on the New International Economic Order (NIEO) on the deliberations of its fourth session on sample chapters of a draft legal guide on drawing up contracts for construction of industrial works. The Commission agreed with the working group on the need for the legal guide to be prepared expeditiously. While there is some hope that the guide will

be ready for consideration at the Commission's session in 1986, it seems more realistic to expect such consideration in 1987 in light of the complexity of the topic and the need for much original drafting by the Commission Secretariat.

The Commission noted the report of its Secretariat on recent developments in the field of international transport of goods, and in particular the work of the International Institute for the Unification of Private Law (UNIDROIT) on the liability of international terminal operators and that organization's preliminary draft convention on this topic. The draft convention seeks to unify the disparate legal rules governing the liability of international terminal operators to fill in gaps in the liability regime left by conventions in this area. The Governing Council of UNIDROIT had decided that if the Commission were to take up this topic and so request, UNIDROIT would transmit its draft to the Commission for the latter's consideration and that UNIDROIT would forego further work on the topic. The Commission did in fact decide to include this topic in its work program, to request UNIDROIT's transmission of its preliminary draft convention for Commission consideration, and to assign work on the preparation of uniform rules to a UNCITRAL Working Group. The Commission's Secretariat was asked to prepare a study of important issues arising from the UNIDROIT draft for consideration at its next session at which the composition of its working group on this topic would be decided.

## **GENERAL ASSEMBLY ACTION**

The Sixth Committee of the 38th General Assembly considered the report of UNCITRAL at eight meetings from September 29 to October 7 and on November 30. Similar to previous years, the U.S. Representative, Mr. Rosenstock, noted that the Commission's report reflected the painstaking work carried out by the Commission and the high quality of the contributions to that work made by the Commission's Secretariat.

On November 30 Austria introduced two draft resolutions in the Sixth Committee. The first, sponsored by 23 countries (later joined by 7 more), *inter alia*: (1) noted with appreciation the commencement by the Commission's NIEO Working Group on the drafting of the legal guide on drawing up contracts for the supply and construction of industrial works; (2) noted that the Commission had adopted Uniform Rules on Contract Clauses for an Agreed Sum Due Upon Failure of Performance; (3) noted with appreciation the progress made by the Commission's working group in the preparation of a draft model law on international commercial arbitration; (4) reaffirmed UNCITRAL's mandate as the core legal body within the UN system in the field of international trade law to coordinate legal

activities in this field and recommended that the Commission continue to maintain close cooperation with other international trade law organizations; (5) reaffirmed the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law; and (6) reaffirmed the importance of the growing role of the International Trade Law Branch of the UN's Office of Legal Affairs as the substantive Secretariat of UNCITRAL.

The second draft resolution, sponsored by 11 countries (later joined by 2 more), expressed the belief that uncertainties concerning the effect and validity of contract clauses obligating a party that fails to perform an obligation under an international trade contract to pay an agreed sum to the other party constitute an obstacle to the flow of international trade and that the harmonization of the applicable legal rules so far as to reduce or eliminate those uncertainties would be desirable. It noted that UNCITRAL had adopted the Uniform Rules mentioned above, recognized that these rules could be implemented by states in various ways, and recommended that states give serious consideration to the rules and, where appropriate, implement them in the form of either a model law or a convention.

Both draft resolutions were approved in Committee on November 30, the first by consensus, the second without a vote. The General Assembly on December 19 adopted these resolutions on the report of the 16th session of UNCITRAL and the Uniform Rules on Contract Clauses for an Agreed Sum Due Upon Failure of Performance. (Resolutions 38/134 and 38/135.)

## **DRAFT CODE OF OFFENSES AGAINST THE PEACE AND SECURITY OF MANKIND**

The General Assembly has been considering this item on and off since 1947 without definitive result. The original impetus for the exercise was an inclination, building on the Nuremberg and Tokyo trials, to draft highly detailed rules, violation of which would constitute criminal behavior. Initial efforts resulted in a draft by the International Law Commission which did not command sufficient support for final action to be taken. After a hiatus of 20 years, during which the Assembly dealt in other forms with much of the conduct in question, resulting in such instruments as the Genocide Convention and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance With the Charter of the United Nations, the Assembly resumed consideration of the item at its 33rd session in 1978.

In the course of the Assembly's consideration of the item in 1978, 1980, 1981, 1982, and 1983 and in written comments, the United States along with most of the Western European countries expressed

great doubt that any useful progress could be made, since, *inter alia*, the issues involved are inextricably linked to the mechanism of international criminal jurisdiction on which progress is most unlikely. Western countries also noted the extent to which much of the original material had in fact been dealt with elsewhere in the interim. Support for the item from some non-aligned countries and the Soviet Union has, however, been sufficient to keep it before the United Nations.

The Sixth Committee considered the item at seven meetings between November 15 and December 8. On December 8, a draft resolution was introduced by Egypt on behalf of 27 other countries which, *inter alia*, invited the International Law Commission to continue its work with a view to elaborating the Draft Code and decided to include an item in the 39th provisional agenda entitled "Draft Code of Offenses Against the Peace and Security of Mankind." The U.S. Representative, Robert Rosenstock, requested a separate vote on the latter paragraph on the ground that since the International Law Commission had decided to study the matter and had gone so far as to appoint a special rapporteur, it seemed highly improper to retain a separate item on the agenda of the General Assembly.

The paragraph was retained by a non-recorded vote of 89 to 2, with 26 abstentions, and the draft approved by a vote of 104 to 0, with 13 abstentions. Speaking after the vote, Mr. Rosenstock said that, in addition to its objections to the disputed paragraph, the United States was not of the view that the elaboration of a code of offenses was the most important work that was needed to be done to strengthen international peace and security and had serious doubts that further work would do anything but exacerbate differences.

The General Assembly adopted the resolution on December 19 by a vote of 128 to 0, with 13 (U.S.) abstentions. (Resolution 38/132.)

## **CONVENTION ON THE LAW OF TREATIES BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS OR BETWEEN INTERNATIONAL ORGANIZATIONS**

At its 34th session the International Law Commission completed its second and final reading of the entire 80 draft articles and annex thereto. Over 15 years ago, the Commission had decided to consider this topic as a subject separate from that of treaties between states. The Commission had taken into account the written comments and observations received from governments and international organizations, as well as views expressed in the debates in the General Assembly. In recommending that the General Assembly convene a conference to conclude a convention from these articles, the Commission recognized the exclusive competence of the Assembly to decide

the matter. Otherwise, in historically reviewing this topic, the Commission commented notably on the draft articles' relationship to the Vienna Convention on the Law of Treaties. The Convention had provided the general framework for these draft articles, which deal with the same questions as the Convention and consequently parallel, with appropriate adjustments, its provisions, while remaining totally independent of, and without referring back to, those provisions. These draft articles cover, *inter alia*, the capacity of international organizations to conclude treaties, including means of expressing consent, and the questions of reservations to and observance of such treaties. Finally, the Commission made observations related to principles concerning the extent to which it was possible to equate international organizations with states for the purposes of treaty law.

This subject was included on the agenda of the 38th General Assembly under a Sixth Committee item entitled "Convention on the Law of Treaties Between States and International Organizations or Between International Organizations" and was considered during portions of five meetings from November 1 to December 8.

During debate, Mr. Rosenstock noted that a number of complex questions, for example, participation of international organizations in the elaboration of the convention and in the convention itself, as well as the relationship between the draft articles and the Vienna Convention on the Law of Treaties, needed to be resolved before finalization of a convention. The Sixth Committee had already elaborated conventions on special missions, the protection of diplomats, and against the taking of hostages, and would be an appropriate forum to undertake this work. Mr. Rosenstock stressed that due regard should be given to financial implications which would be significantly greater if a conference were to be convened.

On December 8, a resolution, introduced by Iraq on behalf of 25 other member states, was adopted by consensus, which asked states and principal international organizations to submit written comments on the draft for circulation by the Secretary General, decided that the appropriate forum for final consideration of the draft articles would be a conference to be convened not earlier than 1985, and asked potential participants to undertake prior consultations. It was decided to include this item on the provisional agenda of the 39th session for further discussion of the questions of scheduling, venue, and participation in the conference. Commenting on the resolution in the Sixth Committee, the U.S. Representative reiterated his delegation's doubts concerning the wisdom of deciding to convene a conference of plenipotentiaries for the reasons expressed during debate and observed that the current resolution was only a recommendation addressed to the General Assembly and due account should be given to the financial implications prior to taking a

final decision. On December 19, the General Assembly adopted the resolution without a vote. (Resolution 38/139.)

## **NON-USE OF FORCE IN INTERNATIONAL RELATIONS**

In 1977 on the basis of a Soviet proposal, the 32nd General Assembly established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations with the mandate "to consider proposals and suggestions submitted by any state . . . with the goal of drafting a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate." On March 27, 1980, the United States sent a letter to the Secretary General informing him that it would not participate in the 1980 session of the Special Committee because the Soviet Union had insisted at the 34th General Assembly on the addition of language which we believed laid too much emphasis on the early completion of a world treaty on the non-use of force, thereby prejudicing the Special Committee's mandate. In March 1981 the United States renewed its participation in the Special Committee because the 35th General Assembly had modified the language governing the mandate of the Committee in such a way as to meet U.S. concerns.

### **Special Committee**

The Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations<sup>4</sup> held its sixth session in New York from January 31–February 25, 1983. The Committee devoted seven meetings to a general debate. The statements of the 26 members who spoke, including the United States, reflected the 3 distinct views that regularly emerged. One supported the Soviet proposal to draft a world treaty on the non-use of force. The second, espoused by non-aligned countries, supported a declaration of principles on the non-use of force. The third, backed by the Western group, opposed a treaty, suggested that the Committee study why states resort to force, and proposed that various peaceful settlement mechanisms be strengthened.

On February 7, the U.S. Representative, Robert Rosenstock, called attention to the failure of the Special Committee to agree to the meaning of its mandate. In discussing the Soviet proposal, he criticized the Soviets for professing peaceful intentions while strik-

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<sup>4</sup> The 35 members in 1983 were Argentina, Belgium, Benin, Brazil, Bulgaria, Chile, Cyprus, Egypt, Finland, France, Federal Republic of Germany, Greece, Guinea, Hungary, India, Iraq, Italy, Japan, Mongolia, Morocco, Nepal, Nicaragua, Panama, Peru, Poland, Romania, Senegal, Somalia, Spain, Togo, Turkey, Uganda, U.S.S.R., United Kingdom, and United States.



ing violently at Polish and Afghan sovereignty. He also rejected the Soviet call for disarmament and no first use as so much propaganda and the idea of a non-aggression pact between NATO and the states members of the Warsaw Pact as a stale and insincere proposal. Mr. Rosenstock endorsed the Western interpretation of the Special Committee's mandate which calls for strengthening of existing UN institutions aimed at suppressing the use of force.

On February 3 the Committee reestablished an open-ended working group in which the members could consider specific proposals. The working group held 13 meetings between February 8 and 18, 1983. On February 25, the Committee considered and approved the report of the working group and also adopted its own report. The Committee's report to the General Assembly contained no recommendations or conclusions.

## **General Assembly**

The Sixth Committee considered the report of the Special Committee at 10 meetings between October 11 and November 29.

On October 13, the U.S. Representative, Robert Rosenstock, noted that the United States opposed a world treaty not only because it was hypocritically motivated, but because it was also wasteful and pernicious. He reminded the Sixth Committee that new evidence of Soviet hypocrisy and worse had been demonstrated with the destruction of a Korean commercial airliner and chastised the Soviets for trying to mask their imperial designs and totalitarian regime with a propaganda initiative. While the United States was prepared to seek a meaningful foundation for future work on this issue, he suggested that concerned parties will have to continue to look elsewhere in the United Nations for a forum in which meaningful work is possible.

On November 29, Mongolia introduced a draft resolution which was ultimately sponsored by 32 states. This draft differed from the resolution adopted at the 37th General Assembly in that it directed the Special Committee to concentrate its work in the framework of its working group and requested the Special Committee to accept participation of observers of member states. At the same meeting the Sixth Committee approved the draft resolution by a recorded vote of 88 to 14 (U.S.), with 9 abstentions.

On December 19, the General Assembly in plenary session adopted by a recorded vote of 119 to 15 (U.S.), with 8 abstentions, the resolution recommended to it by the Sixth Committee. (Resolution 38/133.)

## **PROTECTION OF DIPLOMATS**

The item on "Consideration of effective measures to enhance the protection, security, and safety of diplomatic and consular missions

and representatives" had been included initially in the agenda of the General Assembly at the request of five Nordic countries, against a background of the Iranian/U.S. hostage situation and other information concerning violations of, or failure to observe, the relevant rules of international law providing for the protection of diplomatic and consular missions and representatives. The Nordic countries have continued to take the lead on the item. During the 38th session of the Assembly, the Sixth Committee considered the item at five meetings, October 7-11 and November 28.

On October 7 the U.S. Representative intervened to request that the Representative of the Soviet Union be requested to limit himself to the item before the Committee and in exercise of the U.S. right of reply to refute unfounded allegations of the Soviet Union in its general debate statement. Mr. Rosenstock categorically rejected charges that the United States failed to fulfill its international obligations concerning protection and security of diplomats and consular officials, citing specific remedial measures undertaken and instances of apprehension and prosecution of offenders by the United States. In the U.S. statement delivered on October 11, he emphasized that effective conduct of peaceful relations among states depends on protection, security, and safety of diplomats and international civil servants; expressed support for the reporting procedures of the relevant Assembly resolutions; and urged increased adherence, particularly, to the 1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, in order to broaden the international consensus on the relevant legal principles. He also noted that the problem was shared by states and international organizations and required a coordinated response by members of the international community for which the United Nations provides an ideally suited framework and urged continued development of consultative mechanisms to protect the affected missions and personnel.

On November 28 Norway introduced the draft resolution sponsored by 18 states which, *inter alia*, (1) strongly condemned acts of violence against diplomatic and consular missions and representatives as well as missions and representatives to international organizations and officials of such organizations; (2) recommended that states cooperate closely with regard to practical measures to enhance protection and exchange of information; (3) emphasized the importance of enhanced awareness throughout the world of the necessity of ensuring the protection, safety, and security of diplomatic and consular missions; (4) urged states to consider becoming parties to the relevant legal instruments; (5) provided generally for strengthening the violation reporting mechanism by requesting the Secretary General to remind states, as appropriate, of the procedure; and (6) decided to include the item in the provisional agenda of the 39th session of the General Assembly.

The resolution was approved in Committee on November 28, and in the plenary Assembly on December 19, in both instances by consensus. (Resolution 38/136.)

## INTERNATIONAL CONVENTION AGAINST MERCENARY ACTIVITIES

In resolution 35/48, the General Assembly established an *Ad Hoc* Committee on the Drafting of an International Convention Against the Recruitment, Use, Financing, and Training of Mercenaries. The *Ad Hoc* Committee was to be composed of 35 member states but currently consists of 34<sup>5</sup>. At its first session in 1981, the Committee discussed the various issues that must be resolved before an international convention against mercenary activities can be concluded.

During its 1982 session, the Committee had before it draft conventions prepared by Nigeria and France, comments from several member states, and a compilation of international agreements and national legislation relating to mercenary activities. In addition to discussing the draft articles of the Nigerian and French texts and related proposals from other member states, the Committee formed two working groups which utilized most of the time allocated to the Committee for its 1982 session. Working Group A dealt with issues of definition and the scope of the future convention, and Working Group B addressed all other issues relevant to it. Both Working Groups succeeded in clarifying, and thus simplifying, a number of issues, although some critical ones such as the definition of the term "mercenary" were not resolved.

From August 2 to 26, 1983, the Committee held its third session at Headquarters under the Chairmanship of Mr. Mohamed Sahnoun (Algeria). Committee approval was given for participation by observer delegations from Cuba, Egypt, Mozambique, Nicaragua, and Vietnam. The Committee decided to reconstitute the two working groups which had been formed at the previous session.

During the 38th session of the General Assembly, the Sixth Committee considered the report of the *Ad Hoc* Committee at 16 meetings between October 19 and December 2. Commenting on the Committee's work, the U.S. Representative noted that the 1983 session had been a positive one but cautioned that continued progress would be hampered if some persisted in seeking to establish "mercenaryism" as a status crime rather than pursuing the creation of a regime applicable to those who fell within the definition of

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<sup>5</sup> Algeria, Angola, Bahamas, Bangladesh, Barbados, Benin, Bulgaria, Canada, Democratic Yemen, Ethiopia, France, Federal Republic of Germany, German Democratic Republic, Guyana, India, Italy, Jamaica, Japan, Mongolia, Nigeria, Portugal, Seychelles, Spain, Suriname, Togo, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia, Zaire, and Zambia.

“mercenary” and committed certain specific actions. Progress in the Committee would undoubtedly be facilitated, he said, by the recognition that those who aided and abetted mercenaries or otherwise actively contributed to their activities should be regarded as accessories before or after the fact.

On December 1 the Nigerian Representative introduced a draft resolution, subsequently sponsored by 54 delegations, which, *inter alia*, decided that the *Ad Hoc* Committee: hold its fourth session in 1984; should continue to work on, with the goal of drafting at the earliest possible date, an international convention against the recruitment, use, financing, and training of mercenaries; and that the item be included on the provisional agenda of the 39th General Assembly. On December 19, the resolution was adopted without a vote in the plenary Assembly. (Resolution 38/137.)

## **REVIEW OF MULTILATERAL TREATY-MAKING PROCESS**

This item originally was included in the agenda of the 32nd General Assembly, at the request of Australia and six other countries, to assess the efficiency of the various methods of multilateral treaty-making. The 38th General Assembly allocated the item to the Sixth Committee which had before it the Secretary General's report and the report of the Working Group on the Review of the Multilateral Treaty-Making Process.

On October 27 the Sixth Committee reconvened an open-ended working group in accordance with General Assembly resolution 37/110. The working group, among other things, was to assess the methods of multilateral treaty-making used in the United Nations and in conferences convened under its auspices to determine whether the current methods of multilateral treaty-making are as efficient, economical, and effective as they could be to meet the needs of member states, and to make recommendations on the basis of that assessment. That group submitted its report on the subject to the Sixth Committee which considered the item on December 9. Australia introduced a draft decision, which, *inter alia*, (1) decided to reconvene the working group with the aim of completing its work at the 39th session of the General Assembly; (2) requested the Secretary General to circulate to member states the reports of the Working Group on the Review of the Multilateral Treaty-Making Process; and (3) included the item on the provisional agenda of the 39th General Assembly. On December 19 the General Assembly also adopted the decision without a vote. (Decision 38/425.)

## **SUCCESSION OF STATES IN RESPECT OF STATE PROPERTY, ARCHIVES, AND DEBTS**

The International Law Commission had completed, at its 33rd session in 1981, draft articles (39 in total) on this topic dealing

generally with the disposition of state property, archives, and debts in situations involving predecessor and successor states. Over the reservations of certain members, the Commission had recommended that the General Assembly convene an international conference of plenipotentiaries to study these draft articles and conclude a convention.

The UN Conference on Succession of States in Respect of State Property, Archives, and Debts was convened pursuant to General Assembly resolutions 36/113 of December 10, 1981, and 37/11 of November 15, 1982. The Conference met at the Neue Hofburg in Vienna from March 1 to April 8, 1983. The Convention was adopted on April 7 and opened for signature on April 8, 1983. In addition to the Convention, the Conference adopted the Final Act and certain resolutions, which are annexed to that Act.

## HOST COUNTRY RELATIONS

The General Assembly established the Committee on Relations With the Host Country<sup>6</sup> in 1971 to replace the informal Joint Committee on Host Country Relations. The work of the Committee includes security of missions and safety of personnel as well as tax problems and other issues relating to the Headquarters Agreement.<sup>7</sup>

During 1983 the Committee received a number of notes from member countries reporting acts of violence, demonstrations, and other events said to affect the security of missions and personnel.

An item considered by the Committee was a complaint from the Soviet Representative at the 95th meeting, held on March 28, 1983, that the application of section 205 of the Foreign Missions Act to missions to the United Nations had opened the possibility for the United States to treat missions in New York in a retaliatory or discriminatory way. The Soviet Representative also requested that a legal opinion be obtained from the UN Legal Counsel vis-a-vis the application of section 205 of the Foreign Missions Act to the Permanent Missions accredited to the United Nations. The U.S. Representative replied that only the provisions of section 205 of the Foreign Missions Act, pertaining exclusively to the acquisition of real estate by foreign missions, had been extended to UN missions by the Secretary of State and that a study from the UN Legal Counsel would bear this out.

The 96th meeting of the Committee was held on April 28, 1983, to consider a protest lodged by the mission of Cuba concerning the April

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<sup>6</sup> The Committee's membership in 1983 was as follows: Bulgaria, Canada, China, Costa Rica, Cyprus, France, Honduras, Iraq, Ivory Coast, Mali, Senegal, Spain, U.S.S.R., United Kingdom, and United States.

<sup>7</sup> Agreement between the United Nations and the United States regarding the Headquarters of the United Nations of October 31, 1947. (Resolution 169 II.)

18, 1983, expulsion of two Cuban diplomats. The Cuban observer also accused the United States of trying to muzzle the Cuban Government by resorting to hostile acts of aggression, including the harassment of Cuban personnel and the restrictions imposed on their movements, and that such acts had led to the murder of a member of the Cuban Mission in 1981. The U.S. Representative recalled that, from July 1982 to April 1983, a total of five members of the Cuban Mission had been expelled for engaging in acts of espionage and had, *inter alia*, violated the Trading With the Enemy Act in order to acquire secret classified information, and that the United States would continue to expel Cuban Mission personnel who engage in such activities. The U.S. Representative also recalled that the 1981 murder of a member of the Cuban Mission had been carried out by a terrorist organization and that the alleged perpetrators had been arrested and were under indictment in accordance with U.S. judicial procedure.

At the 97th meeting held on June 17, 1983, the UN Legal Counsel circulated his opinion regarding the application of section 205 of the Foreign Missions Act to missions to the United Nations. He concluded that the notification requirements of section 205 were not, in and of themselves, inconsistent with international law, and indicated that he would request assurances from the United States that the section would be evenly applied to missions to the United Nations in a manner consistent with U.S. obligations as host country to the United Nations.

On July 26, 1983, Mr. O Nam Chol, a member of the North Korean Observer Mission to the United Nations under indictment for sexual assault, surrendered to the Westchester County authorities. Mr. O was sentenced on July 28 and was released on the condition that he depart the United States as soon as possible and not return. He left that same evening.

In a letter dated September 4, the U.S.S.R. Permanent Representative wrote the Committee alleging that on that day a large hostile mob, which included U.S. journalists and television correspondents, broke down the gates of his residence in Glen Cove, New York, and threatened the lives and safety of the diplomats and children present on the grounds. He also opined that U.S. authorities did not take the necessary steps to prevent such actions. With respect to this incident, the United States reported that approximately 500 members of the Korean Association of New York were peacefully demonstrating against the Soviet downing of the Korean Airlines plane across the street from the main gate to the Glen Cove complex, when approximately 75 persons broke through the gate after overwhelming the police officers. At this time, additional police officers dispersed the crowd and restored order. The United States added that although no Soviet personnel were injured, five Glen Cove police officers were hospitalized for injuries sustained in the course of protecting the

Glen Cove premises. The United States categorically rejected the assertion by the Soviet Delegation that necessary protective measures were not taken to safeguard the Soviet complex.

At the 98th meeting held on September 19, 1983, the Soviet Representative called to the Committee's attention an alleged illegitimate action on the part of U.S. local authorities which prevented the travel and landing at either Kennedy or Newark Airport of Soviet Foreign Minister Gromyko, on the eve of the 38th session of the General Assembly. The Soviet spokesman was of the view that the United States was disrupting normal conditions of work for the representatives of his Government at the General Assembly and that such unlawful and hostile acts were intended to stir up anti-Soviet sentiment in the host country and should be condemned by the United Nations. The U.S. Representative emphasized that normal security conditions at both airports ceased to exist as a result of the strong U.S. public reaction to the Soviet Union's shooting down of a civilian airliner resulting in the loss of 269 innocent lives. The U.S. Representative reiterated that Mr. Gromyko's plane could have landed at the McGuire military airfield in New Jersey, where adequate security and connections to New York City were available.

Also considered by the Committee were several complaints by the Soviet and Bulgarian Missions concerning vandalism to diplomatic automobiles. The U.S. Representative emphasized that crime prevention and prosecution of the persons responsible for these activities were contingent upon cooperation with U.S. law enforcement authorities.

The General Assembly considered the report of the Committee on Host Country Relations in its Sixth Committee at two meetings, December 8 and 9. On December 9 Byelorussia, subsequently joined by eight other sponsors, introduced a draft resolution which, *inter alia*, recalled article 105 of the UN Charter, the UN Headquarters Agreement, and the Convention on Privileges and Immunities, noted with deep concern the continued acts violating the security and the safety of the personnel of missions, and urged that effective measures be taken to avoid such incidents. It strongly condemned acts of terrorism and requested the Secretary General to remain actively engaged in all aspects of host country relations and to continue to stress the importance of effective preventive measures to avoid terrorist acts. The resolution also requested that the Committee on Relations With the Host Country continue its work. The draft was approved in Committee on December 9 and adopted by the plenary Assembly in the same manner on December 19. (Resolution 38/140.)

## **PROTECTION OF PERSONS UNDER DETENTION OR IMPRISONMENT**

Among the draft instruments pending before the General Assembly, the United States accords high priority to the "Draft Body of

Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment." This draft text was prepared by the UN Subcommission on Prevention of Discrimination and Protection of Minorities and was forwarded to the General Assembly via the Commission on Human Rights and the Economic and Social Council. Prior to the 35th session of the General Assembly, the United States submitted detailed comments on the Draft Principles, in response to a request from the Secretary General. At the beginning of the 35th session, moreover, the United States took the lead in ensuring that the text would be considered in a formal working group of the Third Committee. The 35th session recommended the matter be transferred to the Sixth Committee.

The Sixth Committee formed working groups during the 36th, 37th, and 38th sessions, all under the Chairmanship of Mr. Luigi Ferrari Bravo of Italy. Despite the Chairman's best efforts, the working group's progress has been somewhat slow. At the 36th session, Principles 7 and 8 were adopted; at the 37th session, Principles 9 through 13; and at the 38th session, Principles 14 through 18. Specifically, at the 38th session, the working group adopted Principle 14 on notification of the family of the detained or imprisoned person upon his arrest or transfer to another place of custody; Principle 15 on the detained person's right to legal assistance; Principle 16 on communication between the detained person and his legal counsel; Principle 17 on communication by the detained or imprisoned person with the outside world; and, Principle 18 on keeping the detained or imprisoned person in a place of custody near his usual place of residence.

At the 70th meeting of the 38th session on December 8, 1983, the Sixth Committee considered this item and approved a draft decision introduced by Sweden without a vote. In decision 38/428, the General Assembly decided that an open-ended working group again be established in the Sixth Committee at the outset of the 39th session, with a view to expediting the completion of the Draft Principles. The General Assembly also requested the Secretary General to circulate the report of the 1983 working group.

## **PROTECTION AND WELFARE OF CHILDREN**

One of the draft instruments pending before the Sixth Committee during the 37th General Assembly was the "Draft Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children With Special Reference to Foster Placement and Adoption Nationally and Internationally." With significant U.S. involvement and support, the Draft Declaration was formulated and adopted in the Commission on Social Development and forwarded to ECOSOC in 1979. ECOSOC submitted the text to the General Assembly in 1979



and again in 1981. In 1981 the Draft Declaration was placed on the agenda of the Third Committee during the 36th session of the General Assembly. Despite the efforts of the Swedish and U.S. Delegations, no action was taken on the item by the General Assembly in 1981 except the adoption of resolution 36/167, which recommended that the Draft Declaration be referred to the Sixth Committee of the 37th session and that appropriate measures be taken to finalize the text at that session. The Sixth Committee took no substantive action on the Draft Declaration, and prospects for Sixth Committee action in the near future were not particularly good. Ultimately, the text may have to be sent back to the Third Committee.

Pursuant to resolution 37/115 the item was included on the agenda of the Sixth Committee during the 38th General Assembly. In the Sixth Committee, on December 9, the Representative of Sweden introduced a draft resolution, which was cosponsored by Colombia, Finland, Iceland, the Netherlands, Norway, Sweden, and Uruguay. The draft resolution stated the General Assembly's view that, *inter alia*, (1) adoption of the Draft Declaration would promote the well-being of children with special needs, (2) governments have the sovereign right to define their national and international policies regarding the protection and welfare of children, and (3) member states should submit comments on the most appropriate procedure for completing work on the Draft Declaration and the forum for future discussion. In addition, the General Assembly requested the Secretary General to report the views of member states to the 39th session of the General Assembly, which will then determine the most appropriate course of further action. The draft resolution was approved by the Sixth Committee on December 9 and adopted in plenary session on December 19, both actions without a vote. (Resolution 38/675.)

With certain relatively minor revisions, the United States could support the Draft Declaration in its present form. However, the primary obstacle faced by the Draft Declaration is that only a handful of delegations have shown any interest in it during sessions of the General Assembly, although several member states have submitted comments which appeared in the Secretary General's report.

## **DEVELOPMENT OF PRINCIPLES CONCERNING INTERNATIONAL ECONOMIC RELATIONS**

The Sixth Committee of the 38th General Assembly considered the item "Progressive development of the principles and norms of international law relating to the New International Economic Order (NIEO)" at eight meetings from October 27–November 28.

The Committee had before it the Secretary General's report, which submitted the lengthy study of the United Nations Institute for Training and Research, analyzing the list of principles and norms of international law relating to the NIEO. That study had been mandated by Assembly resolutions 35/166, 36/107, and 37/103 to which the United States had strenuously objected on the ground that the concept of a NIEO was in so preliminary a stage of evolution that the consideration of the progressive development of international legal principles concerning it was entirely premature.

On November 28, the Philippines introduced a draft resolution, sponsored by 14 states, which, *inter alia*, (1) requested that UNITAR complete the third and final phase of the analytical study for the General Assembly's 39th session; (2) requested UNITAR to prepare a summary and outline of the study; and (3) included the item, along with a report requested of the Secretary General on the UNITAR study, on the provisional agenda of the Assembly's 39th session.

The Committee approved the resolution by a vote of 79 to 1 (U.S.), with 30 abstentions. Speaking in explanation of vote before the vote, Mr. Rosenstock said there was not sufficient agreement, at either the political or the economic level, for usefully extracting legal principles. Such principles could be extracted neither from the resolutions adopted at the sixth special session of the General Assembly, with regard to which there had been considerable reservations, nor from resolution 3281 (XXIX), against which substantial votes had been cast. He added that an examination of the financial situation was even more perplexing. Originally it had been said that UNITAR could carry out the study without any financial implications. Sums had nevertheless been given to UNITAR from the regular budget, and in 1982 a statement of financial implications had been approved. Mr. Rosenstock noted that the sums already approved were now found to be inadequate and additional funds were needed. He cautioned other delegations to act with foresight with regard to this matter.

At its 56th meeting, the Fifth Committee approved additional appropriations to complete the study. Noting that the Committee had been assured that the additional appropriations approved by the 37th General Assembly would be the last needed to complete the study, the U.S. Representative, Edward E. Keller, requested a vote. The additional appropriations were approved by a vote of 50 to 14 (U.S.), with 14 abstentions. The resolution was adopted in the plenary session on December 19 by a vote of 110 to 1 (U.S.), with 30 abstentions. (Resolution 38/128.)

## **MOST-FAVORED-NATION CLAUSE**

A most-favored-nation (MFN) clause is a treaty provision which binds granting states to accord beneficiary states treatment on a

specific subject on terms no less favorable than the terms accorded to any other state on that subject.

In 1978 the International Law Commission completed work on a draft set of articles on the most-favored-nation clause and submitted it to the 33rd UN General Assembly. In so doing the Commission adopted a decision recommending to member states that the articles be considered with a view to the conclusion of a convention on the subject. Several of the articles were controversial, with the most controversial being those dealing with exceptions to the MFN clause. The 33rd General Assembly, in its resolution concerning the report of the ILC, included a separate section devoted to the MFN clause, invited comments from states on the Commission's work and on those provisions of the draft articles on which the Commission had not been able to take decisions, and placed the question of the MFN clause on the provisional agenda of the 35th session as a separate item. Pursuant to Sixth Committee consideration of the Secretary General's report containing government and intergovernmental organization comments and observations, the 35th General Assembly adopted resolution 35/161, which, *inter alia*, included the item in the provisional agenda of the 36th session.

Accordingly, at the 36th General Assembly, the Sixth Committee had before it the Secretary General's report containing comments and observations submitted by governments, organs of the United Nations, and intergovernmental organizations and an analytical compilation of those comments and observations. The U.S. comments, which had been reported to the 35th General Assembly, generally praised the draft articles. The United States also noted that the entire subject of the MFN clause was itself evolving; and therefore, rather than call for a plenipotentiary conference to adopt a convention, it favored adoption of the draft by means of a General Assembly resolution which might describe the articles as a code of conduct or a declaration.

It was decided to include this item in the agenda of the 38th session and at that time to consider as a matter of priority the substance of the draft articles. (Resolution 36/111.)

During the 38th General Assembly the Sixth Committee devoted portions of seven meetings, between October 8 and November 30, to consideration of the draft articles. Debate focused on future work in this area. In contrast to the Byelorussian proposal to establish a working group to elaborate a legally binding international instrument based on the draft articles, Western speakers said that the work of codification should be interrupted to allow a period of stabilization and noted that the draft articles should contain an exemption for free trade and customs unions.

On November 30, the Committee approved by consensus a draft resolution, introduced by the Chairman, which requested the Secre-

tary General to invite further comments and observations on the draft articles and the procedure for completing work on them to be reported to the 40th session of the General Assembly. This resolution was adopted in plenary session on December 19, without a vote. (Resolution 38/127.)

## **ASSISTANCE IN INTERNATIONAL LAW**

At the General Assembly's 38th session, consideration of the item, as it has been in the past, was allocated to the Sixth Committee. The Sixth Committee had before it the report of the Secretary General, which was introduced by the UN Legal Counsel on November 21.

The UN's program of assistance relating to international law was created in 1965 by the General Assembly in resolution 2099 (XX) and has been maintained through annual resolutions of the General Assembly until 1971 and biennial resolutions thereafter. The aforementioned report by the Secretary General is the latest in a series concerning implementation of the program and recommendations for the future. In particular the Secretary General reported on the UN's activities in the field of international law, such as provision of advisory services of experts, provision of publications, cooperation with other international organizations, the Geneva international law seminars, UNCITRAL, and the UNITAR fellowship program in international law. UNESCO activities also were reported.

Following consultations with the Advisory Committee on the Program of Assistance, the Secretary General submitted recommendations to continue the activities listed above and to provide for the administrative and financial implications of doing so.

On December 9 the Committee Chairman introduced a draft resolution on this item; the Committee approved the draft resolution by consensus at the same meeting. On December 19 the General Assembly adopted the text by consensus. (Resolution 38/129.)

The resolution, *inter alia*, authorized the Secretary General to carry out in 1984 and 1985 the activities specified in his report, expressed its appreciation to UNESCO and UNITAR for their activities in support of the Program of Assistance, noted with appreciation the contributions to the field of international law made by the Hague Academy of International Law, urged all governments to encourage inclusion of international law courses in programs of legal studies at institutions of higher learning, requested member states to make voluntary contributions for financing the Program of Assistance, and requested the Secretary General to report on implementation of the Program to the 40th session of the General Assembly.

## **INTERNATIONAL TERRORISM**

The item entitled "Measures to prevent international terrorism which endangers innocent human lives or jeopardizes fundamental

freedoms, and study of the underlying cause of those forms of terrorism and acts of violence which lie in misery, frustration, grievance, and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes" was again before the Assembly after a 1-year hiatus. The Sixth Committee considered the item at seven meetings between December 5 and 9.

Focus of Sixth Committee debate on this item was the October 9 bombing in Rangoon, which killed a number of Burmese citizens and visiting South Korean Government officials. The U.S. Representative observed that international terrorism "struck at the very concept of an international community" and that, although UN actions had probably contributed to keeping terrorism from assuming even greater epidemic proportions, the problem continued to plague the world. Referring to the Rangoon bombing, Mr. Rosenstock noted that what had at first appeared to be terrorist action by individuals or groups (the subject of this item) had turned out to be "a shocking instance of state action by North Korea."

On December 8 a draft resolution sponsored by Cuba, Czechoslovakia, Laos, and Mongolia was approved by consensus. The resolution, *inter alia*, deeply deplored all acts of international terrorism, urged states to cooperate in combating international terrorism, and to become parties to international conventions relating to the problem, and decided to include the item in the provisional agenda of its 40th session. The U.S. Representative said his delegation had joined in consensus even though it felt, on some points, the text was not explicit enough. He said all the rights and duties mentioned in the draft resolution should be interpreted in the light of the provisions of the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. On December 19 the General Assembly adopted the resolution without a vote. (Resolution 38/130.)

## Budget, Administration, and Institutional Management

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A major priority of the United States in 1983 was the pursuit of international organization budgets that reflected conservative fiscal policies. The U.S. goal was zero net program growth and significant absorption of nondiscretionary cost increases. This required careful review of programs, budgets, and administrative practices to assure that resources were, indeed, being allocated to activities of the greatest importance. Congressional concern with this same priority led to the adoption in the fall of the Lugar amendment to the 1984–85 Authorization of Appropriations Act. It provided that the U.S. funds for 1984 assessed payments to the United Nations, UNESCO, WHO, FAO, and ILO should not, in the aggregate, be in excess of the 1983 U.S. contributions to those organizations. While some U.S. efforts toward the achievement of this goal and some organizations' reactions to it have been discussed in earlier parts of this report, much of the focus was on topics and bodies described in this part.

The work of the General Assembly's Fifth Committee (Administrative and Budgetary) is related to the work of all other main UN committees. It deals with Organization-wide administrative problems, such as conference scheduling, personnel issues, and the coordination of activities among various UN organizations. Before the General Assembly votes on any resolution having financial implications, the Fifth Committee must provide information on how the resolution, if adopted, will affect the UN budget. In its most important role, the Fifth Committee makes recommendations to the General Assembly on the regular program budget and on assessed peacekeeping budgets.

Several special UN bodies—some consisting of experts serving in their personal capacities and some of an intergovernmental nature—assist in this work. In financial matters the best known of the expert committees are the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Committee on Contributions. The ACABQ examines the Secretary General's proposals and reports to the General Assembly on the UN budget and UN accounts; on the administrative budgets of the UN specialized agencies; and on other administrative, financial, and budgetary matters referred to it. The

Committee on Contributions advises the General Assembly on all questions relating to the apportionment of UN expenses among UN members. Other expert financial bodies are the Board of Auditors, the Investments Committee (which advises on the management of the Pension Fund), and the UN Joint Staff Pension Board.

The International Civil Service Commission (ICSC), composed of experts in the personnel field, makes recommendations to the General Assembly for the regulation and coordination of conditions of service within the United Nations, the specialized agencies, and other international organizations that participate in the UN common system of salaries, allowances, and other conditions of service. The Committee on Conferences is an intergovernmental, administrative body which seeks to develop a workable calendar of UN meetings and advises the Assembly on the most efficient use of conference resources and on current and future requirements.

A senior executive committee, an intergovernmental body, and an expert group have responsibilities ranging broadly across the work of the whole UN system of organizations. The Administrative Committee on Coordination (ACC)—composed of the UN Secretary General and the executive heads of the specialized agencies, the IAEA, and other major bodies and programs—meets regularly to supervise the implementation of the agreements between the United Nations and the specialized agencies and to coordinate the activities of the various organizations. The Committee for Program and Coordination (CPC), an intergovernmental body, serves as the main subsidiary organ of both ECOSOC and the General Assembly for planning, programing, and coordination. The Joint Inspection Unit (JIU), a group of experts who serve full time, is empowered to investigate and evaluate any matter bearing on the efficiency of services and the proper use of funds.

Finally, the General Assembly and the Secretary General, acting independently, have, over the years, established *ad hoc* committees that have sought to reorganize various aspects of the UN system in order to make it work more effectively toward the goals sought by member states. Most recently, during 1983 the Secretary General established an Advisory Group on Administrative Reform of the Secretariat, composed of top-level officials of the Secretariat.

Each of these bodies is concerned with some aspect of making the system work better. The highlights of their activities during 1983 are recounted in the sections that follow.

## **UN FINANCIAL MATTERS**

### **UN Financial Situation**

The short-term deficit of the United Nations increased in 1983. As of August 19 the estimated deficit (projected to December 31, 1983)

amounted to \$326.4 million. This amount represents an increase of \$19.8 million, or 6.5%, compared with the December 31, 1982, figure. Most of this deficit was caused by certain member states (e.g., the U.S.S.R.) that withhold all or part of their assessments for peacekeeping activities. Additionally, the three Soviet members (U.S.S.R., Byelorussian S.S.R., and Ukrainian S.S.R.), Bulgaria, and the German Democratic Republic submit their portion of the UN regular budget for technical assistance in nonconvertible national currencies. The United Nations accepts such payments only to the extent that it needs the specific currency.

At the 38th General Assembly the UN financial situation was considered by the Fifth Committee at six meetings from September 27 through December 19. The Fifth Committee deliberations produced no new ideas for coping with the financial crisis. The general view was that no solution to the mounting UN deficit could be found until all member states agreed to pay assessments in full. The U.S. Delegation did not speak on this item.

The draft resolution approved on December 19 by the Fifth Committee consisted of two parts. Part A—approved by a vote of 73 (U.S.) to 8, with no abstentions—decided to allocate one half of the net revenues of the sale of UN postage stamps on the conservation and protection of nature to UNEP for financing conservation projects and the other half to the UN special account (voluntary contributions and pledges) for reducing the deficit. Part B, approved without a vote, in essence agreed that the financial emergency should continue to be a subject of study and discussion.

On December 20 the General Assembly adopted part A of the resolution by a vote of 132 (U.S.) to 9, with no abstentions. Part B was adopted without a vote. (Resolution 38/228.)

## **UN Budget**

On December 20, 1983, by a recorded vote of 122 to 9, with 13 (U.S.) abstentions, the General Assembly approved the 1984–85 UN Expenditure Budget recommended by the Fifth Committee of \$1,587,158,800, an increase of \$117,519,300 or 7.9% over the final 1982–83 appropriations. (Resolution 38/236 A.) The increase of the 1984–85 appropriation over the 1982–83 budget was attributable primarily to inflation. Net program growth over the prior biennium was 0.9%. Major components of the 1984–85 UN budget are \$266,012,300 for Conference and Library Services, \$304,707,200 for Administration and Management, \$71,649,400 for the Department of Public Information, \$72,149,500 for the United Nations Industrial Development Organization, \$56,459,000 for the United Nations Conference on Trade and Development, and \$81,866,700 for Political and Security Council Affairs.



The 1984–85 UN budget was Perez de Cuellar's first, and it reflected careful management by the Secretary General and realism among member states. A Program Planning and Budgeting Board, composed of high-level Secretariat officials and chaired by the Secretary General or the Director General, reviewed the initial draft 1984–85 budget proposals and formulated the final request for presentation to the CPC, ACABQ, and the Fifth Committee of the General Assembly. The Secretary General also sought to maintain discipline within the Secretariat by issuing a directive prohibiting the staff from lobbying member states to restore budget cuts or add to his printed draft budget.

Although net program growth was less than 1% for the biennium and represented an improvement over recent years, it was still too high to allow the United States to vote in favor of the budget appropriations. In explaining the U.S. abstention on the initial appropriations for the 1984–85 biennium, the U.S. Representative, Edward Keller, indicated that the United States was pleased with the Secretary General's efforts to present a budget designed to maximize the level of program output through better use of available resources and with his effort to exercise significant restraint in his proposals. The United States was also encouraged, he said, by the Secretary General's commitment to administrative reform and noted the Secretary General's efforts to absorb some of the effects of inflation from 1983. Moreover, the United States was pleased with the efforts made by other delegations to hold down the level of budget growth.

On the same day the Assembly also approved—by a vote of 120 to 14 (U.S.), with 9 abstentions—a net supplemental appropriation decrease of \$3,322,200, which lowered the final expenditure budget for 1982–83 to \$1,469,639,500. (Resolution 38/226.) Despite the net decrease, the United States voted against the final appropriations for the 1982–83 biennium because the decrease was not sufficient to reduce the net program growth below 4.4% for the biennium. Moreover, the United States was opposed to the General Assembly's decision to use the savings accrued from the 1982–83 biennium to fund a loan to UNITAR of \$886,000 to cover its projected 1983 deficit and to provide an additional \$240,000 to UNDR0 for emergency disaster assistance grants. The United States expressed doubt about UNITAR's ability to repay the loan. The U.S. 1983 contribution to UNITAR of \$422,000 represented 30% of total contributions. The United States objected to making an additional contribution to an organization which had failed to operate within its available resources. The loan to UNITAR was approved by a vote of 59 to 14 (U.S.), with 8 abstentions. It was the U.S. position that these funds should have been returned to member states.

## Audit Reports

In 1983 the Fifth Committee of the 38th General Assembly considered the 1982 UN Board of Auditors reports on six voluntarily funded UN programs: the UN Development Program (UNDP), the UN Children's Fund (UNICEF), the UN Relief and Works Agency (UNRWA), the UN Institute for Training and Research (UNITAR), the UN High Commissioner for Refugees (UNHCR), and the UN Fund for Population Activities (UNFPA).

In a statement before the Fifth Committee on October 3, the U.S. Representative, Virginia Housholder, thanked the Board of Auditors for its clear and comprehensive reports which made a significant contribution to improving financial management in the voluntarily funded UN agencies.

While noting that the six agencies reviewed by the Board of Auditors had taken positive action in addressing the points made the year before, she expressed concern with the across-the-board criticism by the Board of cash management policies of these organizations.

With respect to UNDP, Mrs. Housholder endorsed the Board's comments regarding the still large accumulation of nonconvertible currencies and the impact of utilizing them in program selection and staff time. She indicated U.S. concern about delays in semiannual progress reporting, cost overruns, and the outcropping of unforeseen expenditures which reflect a lack of internal management control.

She expressed satisfaction that there was an increase in 1982 income to UNICEF over the 1981 level. Noting that the Greeting Card Division was an important source of revenue to UNICEF, she called attention to the need for the adoption of strengthened procurement procedures which would ensure UNICEF receipt of full value for its investment.

Mrs. Housholder cited a litany of problems reflecting mismanagement in her call for stronger control systems within UNITAR. These problems included poor recordkeeping on publication sales, lack of evaluation of consultants' work, tardiness in preparing financial statements, and nonauthorization of payments. Most distressing was the anticipated expenditure over income for 1983 of almost \$1 million.

She also noted that there seemed to be no clearly defined working relationship between UNDP and UNFPA, even though UNDP provided basic financial and administrative support for the latter. The United States concurred with the Board of Auditors that a formal operational support agreement between the two was necessary to allow both organizations to determine accurately their administrative support costs. A clear line of demarcation between projects that were population related and those that were not was

necessary in order to monitor the ability of each organization to deliver in its field of competence.

On October 5 the Chairman of the Fifth Committee introduced a draft resolution which accepted the financial reports and the audit opinions and which supported the observations and recommendations of the ACABQ. The draft was approved in Committee on October 10 and adopted in the plenary Assembly on November 25, in both instances by consensus. (Resolution 38/30.)

## **Financing of Assessed Peacekeeping Operations**

The 38th General Assembly adopted two resolutions relative to the financing of the UN peacekeeping forces. Both were recommended by the Fifth Committee to the plenary Assembly for adoption.

On December 2 the first resolution was adopted by a recorded vote of 109 (U.S.) to 3, with 14 abstentions. It appropriated \$17,186,496 for the operation of the United Nations Disengagement Observer Force (UNDOF) for the period June 1 through November 30, 1983, and \$17,489,500 for the period December 1, 1983 through May 31, 1984. The resolution also authorized the Secretary General to enter into commitments for UNDOF at a rate not to exceed \$2,914,916 per month from June 1 through November 30, 1984, should the Security Council decide to continue the Force beyond the 6 months authorized under its resolution 543 (1983) of November 29, 1983. (Resolution 38/35.)

On December 5 a second resolution was adopted by a recorded vote of 80 (U.S.) to 11, with 7 abstentions. It appropriated the following amounts for the United Nations Interim Force in Lebanon (UNIFIL): \$15,229,666 for the period December 19, 1982 through January 18, 1983; \$80,331,000 for the period January 19 through July 18, 1983; \$40,379,000 for the period July 19 through October 18, 1983; and \$23,482,000 for the period October 19 through December 18, 1983. In addition, the General Assembly appropriated \$46,964,000 for the period December 19, 1983 through April 18, 1984.

Contingent upon Security Council renewal of UNIFIL's mandate, the Secretary General was authorized to enter into commitments for the operation of UNIFIL from April 19, 1984 through December 18, 1984, in an amount not to exceed \$11,741,000 per month. (Resolution 38/38.)

The financing resolutions for UNIFIL and UNDOF reaffirmed the principle of the special responsibility of the permanent members of the Security Council to maintain international peace and security and implicitly endorsed the collective responsibility of the entire membership of the organization for meeting peacekeeping costs.

## Scales of Assessment

At its 37th session, the General Assembly decided that the Committee on Contributions<sup>1</sup> should submit to the General Assembly no later than at its 39th session a study on alternative methodologies to assess member states and a set of guidelines for the presentation of statistical data. The work of the Committee on Contributions was detailed in its report to the 38th General Assembly. That report formed the basis of the Fifth Committee's deliberation on scales of assessment.

The Committee considered the subject at 13 meetings from September 30 through November 14. Although 38 statements (representing the views of 51 member states) were delivered in the Fifth Committee, no clear consensus emerged in favor of one particular methodology. Inasmuch as the Fifth Committee was not required to choose between methodologies, the discussion on the scales of assessment was not contentious. The U.S. Representative, Edward Keller, praised the work of the Committee on Contributions. He noted that during the preceding 3 years there had been a continuous growth in the responsibilities of the Committee and it had been instrumental in identifying areas of weakness and initiating corrective action. He expressed the hope that the Fifth Committee would encourage the Committee on Contributions "to continue its good work unhindered."

On November 11, the Fifth Committee approved by consensus a noncontroversial resolution which had been introduced by Canada, and also on behalf of Morocco and Poland. The draft took note of the report of the Committee on Contributions and requested it to carry out its work taking into account the views expressed by member states during the 37th and 38th sessions of the General Assembly. This resolution was adopted without a vote by the General Assembly on November 25. (Resolution 38/33.)

The General Assembly fixes the rates of assessments for UN members on the basis of recommendations of the Committee on Contributions. Specialized agencies determine their own assessment rates, and in most cases these rates follow the UN scale.

The following represents the U.S. share of assessed budgets of the United Nations, the specialized agencies, and the IAEA for calendar years 1983 and 1984.

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<sup>1</sup> The Committee is an expert body appointed by the General Assembly for 3-year terms. Mr. Richard V. Hennes of the United States was a member during 1983.

	1983 Percent	1984 Percent
UN	25.00	25.00
FAO	25.00	25.00
ICAO	25.00	25.00
ILO	25.00	25.00
IMO	4.54	4.96
ITU	7.02	7.65
UNESCO	25.00	25.00
UPU	4.70	4.69
WHO	25.00	25.00
WIPO*	5.90	3.78
WMO	24.55	24.51
IAEA	25.91	25.85

\*Average U.S. assessment to the overall WIPO budget. The decrease in the U.S. assessment percentage is due to the expansion of activities in WIPO unions of which the United States is not a member.

## INSTITUTIONAL MATTERS

### Committee on Program and Coordination

The 21-member CPC<sup>2</sup> is the main subsidiary organ of both ECOSOC and the General Assembly for planning, programing, and coordination.

The CPC held the first part of its 23rd session in New York from May 9 to June 3, 1983. Due to the late submission of the draft budget by the Secretariat, a resumed session was necessary from August 29 to September 12. The major items on the CPC agenda were: (1) cross-organizational program analysis (COPA) of marine affairs; (2) draft official rules governing program planning, the program aspects of the budget, the monitoring of implementation, and the methods of evaluation; (3) strengthening of UN evaluation capacity; (4) evaluation of the UNDP/UNIDO manufactures activities; (5) establishment of an information systems unit of the Department of International Economic and Social Affairs (DIESA); (6) reformulated sections of the Medium-Term Plan for 1984-89; and (7) the draft UN program budget for 1984-85.

At its summer session ECOSOC endorsed the conclusions and recommendations of the first part of the CPC session. The General Assembly considered CPC's full report, in the context of its agenda item on program planning, between October 7 and December 12. The CPC recommendations were approved with few changes as part of an

<sup>2</sup> Members in 1983 were Argentina, Brazil, Cameroon, Chile, Ethiopia, France, Federal Republic of Germany, India, Japan, Morocco, Netherlands, Nigeria, Pakistan, Philippines, Romania, Senegal, Trinidad and Tobago, U.S.S.R., United Kingdom, United States, and Yugoslavia.

omnibus resolution on program planning that was approved on December 12 and adopted by the full Assembly on December 20, without a vote. (Resolution 38/227.)

## **CROSS-ORGANIZATIONAL PROGRAM ANALYSIS**

Members of the Committee believed that the COPA on marine affairs provided a comprehensive description of the work of the UN system in the field and as such was a useful information source, but that it did not adequately assess whether organizational mandates were still relevant or whether the system's coordination mechanisms were effective. The Committee also felt that the COPA's conclusions on cooperation and coordination within the system might be overly positive and that problems in this connection did exist. In particular, the relationship between UNCTAD and IMO in various areas, including maritime legislation, was cited. The activities of UNEP in this area were also thought to be developing beyond its mandate, and potential problems do exist, especially in relation to UNESCO's Intergovernmental Oceanographic Commission. The UN Secretariat affirmed, however, that the COPA's optimistic description of the UNCTAD-IMO relationship stemmed from the agencies' assurances that all problems had been resolved satisfactorily.

The Committee concluded that IMO and UNCTAD should increase their level of coordination in the field of maritime transport and that the agencies should report to the CPC in 1984 on their joint efforts. On U.S. initiative, the Committee also concluded that whenever intergovernmental bodies consider new legislative mandates on marine affairs, the servicing secretariat should advise member states about possible conflict with the mandates of other organizations. If overlapping mandates are approved, they should be implemented by the responsible secretariat on the basis of a careful review of existing programs in other organizations and with close cooperation with other relevant secretariat entities, keeping the appropriate intergovernmental bodies informed.

## **RULES FOR PROGRAM PLANNING**

The proposal to develop regulations and rules governing program planning, the program aspects of the budget, the monitoring of implementation, and the methods of evaluation was originally made by the JIU in 1981. The 36th General Assembly approved the proposal, and in 1982 it adopted regulations which had been reviewed and revised by CPC. (Resolution 37/234.)

In 1983 CPC considered the Secretary General's draft rules for implementing the regulations. The Committee also had before it a JIU study, "Second Report on the Elaboration of Regulations for the Planning, Programing and Evaluation Cycle of the United Nations."

The issues of debate were not new. In particular, the developing countries continued to oppose the effort to formalize practical priority setting by providing for redeployment of funds from activities identified as completed, obsolete, of marginal utility, or ineffective to those of higher priority.

CPC's report preserved most elements favored by the United States. Especially significant is the section on evaluation which in essence recommended that the Secretariat should draw extensively on the much more fully elaborated JIU recommendations on the subject. Another important recommendation, on which all delegations agreed, was that program managers should not have such great leeway (up to one-third of output) in deviating from the approved program budget.

No decision was taken on the rules during the 38th General Assembly. The Secretary General had requested that discussion of this item be postponed until 1984 in order to await his study of administrative reform (see p. 347).

## **STRENGTHENING OF THE UN EVALUATION CAPACITY**

CPC's consideration of strengthening UN evaluation units and systems was based on a report by the Secretary General. In general, the Committee was concerned that the report did not indicate any of the concrete strengthening of the UN evaluation system that had been called for by the General Assembly in 1981.

The discussion revolved around four main themes: (1) clarification and rationalization of the respective functions of the central evaluation unit and other regional and sectoral units, and definition of their complementary relationships; (2) the possibility of merging certain existing evaluation functions at the United Nations into one central unit; (3) the modalities for further developing existing evaluation capacity and related requests for additional resources; and (4) the timetable for intergovernmental review of indepth evaluation studies and reviews.

There was great interest by the CPC in the U.S. proposal to merge existing units at headquarters to create a stronger central unit. In its report the Committee recommended specific steps which should be taken into account in strengthening the evaluation capacity (e.g., monitoring the implementation of evaluation findings) and approved a list of nine responsibilities for a central unit, including the provision of training in evaluation techniques.

## **EVALUATION OF THE UNDP/UNIDO MANUFACTURES ACTIVITIES**

The Committee had scheduled the review of an evaluation of UNDP-financed technical cooperation activities of UNIDO in the

field of manufactures. The study, in progress for 3 years, had been carried out by a tripartite team of evaluation experts from the UN, UNIDO, and UNDP. The study design had been carefully developed, reviewed, and approved by the CPC in 1982. The eventual findings and recommendations of the evaluation team, however, led to objections from some UNDP and UNIDO officials. As a result, the Secretary General, instead of officially presenting the report to the CPC, submitted only a summary, together with preliminary comments by UNDP and UNIDO. He suggested that the report be given prior review by the UNDP Governing Council and the UNIDO Industrial Development Board, and said he would submit a comprehensive report in 1984.

Discussion of the manufactures evaluation in 1983 focused on two areas: (1) the member states' opinion of the evaluation study and (2) the Secretary General's recommendation to let UNDP and UNIDO review the evaluation study before providing the Committee with an assessment of the report.

The Committee concluded that: (1) the evaluation was based on a sound methodological framework; (2) the evaluation did not exceed the scope specified by the CPC; (3) the recommendations in general seemed reasonable and logically derived; and (4) the CPC, when it is the requesting body, should be the first intergovernmental body to which an evaluation report is submitted. The United States supported all of these views in its statement.

The Committee decided that under the circumstances it would accept the Secretary General's recommendation to transmit the evaluation report, together with the comments of the Committee at its present session, to the Governing Council of UNDP and the Permanent Committee of the Industrial Development Board of UNIDO for their careful consideration at their next sessions in June 1983 and November 1983, respectively. CPC would review the comments of those bodies, together with the report of the Secretary General, at its 24th session in 1984.

In June, the Governing Council of UNDP requested the UNDP Administrator to reexamine the report in detail with a positive attitude in order to identify those recommendations which: (1) are practical and appropriate and can be readily adapted; (2) require further consultations; (3) require changes in existing legislation and decision by the Governing Council; and (4) the Administrator considers impractical or inappropriate. The results of the reexamination would be considered at the organizational meeting of the Governing Council in February 1984.

When the UNIDO Permanent Committee reviewed the report in November, spokespersons for Western European and Other States (particularly the United States) and the Philippines gave long, detailed, technical, and generally supportive comments on the



recommendations. India and China, seconded by other developing countries, down-played the recommendations and defended UNIDO's performance in technical assistance as requiring only limited improvement. The UNIDO Executive Director supported the views of India and China. Due to the divergent points of view, the Permanent Committee reached no agreed conclusion on the report.

## **DIESA'S INFORMATION SYSTEMS UNIT**

The Committee briefly considered a report by the Secretary General on the work of the Information Systems Unit in DIESA, including potential and appropriate institutional arrangements that would enable it to serve as a focal point for the expansion, merging, and distribution of the development-related data bases of the regional commissions.

The Committee concluded that the Unit should continue to collect unpublished material of value, but that it should take care in merging data bases of the regional commissions to ensure that such a merger contributed to proper coordination, information dissemination, and strengthened information systems. Most importantly, the Committee recommended (U.S. proposal) that the Secretary General give consideration to transferring the Unit from DIESA to the Dag Hammarskjold Library in order to give it an appropriate institutional base for its activities.

## **REFORMULATION OF THE MEDIUM-TERM PLAN**

At the request of the 37th General Assembly, the Committee considered reformulations for two parts of the Medium-Term Plan for 1984-89. The first concerned a sub-program on "Women and Peace," which was approved after some changes to make it more consistent with resolutions adopted by the Assembly.

The second concerned "Marine Affairs," which was to be reformulated in light of the decisions of the Third UN Conference on the Law of the Sea. In this area, the Secretary General submitted a complete new "major program." A number of delegations (including the United States) questioned whether this was necessary, since only the reformulation of a few sub-programs had been requested. The Secretariat view, however, was that the importance of the subject in its own right made it impractical to continue incorporating the activities into the existing major program on natural resources. It was also noted that the presentation of activities in the framework of a major program did not necessarily have organizational implications. The Committee decided to allow a new major program on marine affairs.

The United States had more deeply rooted substantive problems with the new chapter. The first draft contained numerous references

to deep seabed mining and the transfer of technology. This made it almost completely unacceptable in light of the U.S. position on the Law of the Sea Treaty. Extensive informal negotiations were held, and ultimately the objectionable references and activities were restricted to one paragraph of the introduction to the major program and to one sub-program (deep seabed mining). The United States recorded formal reservations to these portions of the revised plan, and the Committee approved the plan as revised. The CPC changes were subsequently approved by the General Assembly. (Resolution 38/227.)

## **PROPOSED PROGRAM BUDGET FOR THE BIENNIUM 1984-85**

The CPC undertook the first full-scale intergovernmental review of the Secretary General's proposed program budget for 1984-85. Its findings were submitted to the General Assembly where they provided, along with the report of the ACABQ, a basic resource for the Fifth Committee's consideration of the budget. (See p. 334 for Assembly action.)

### **Joint Inspection Unit**

The Joint Inspection Unit (JIU)<sup>3</sup> consists of 11 Inspectors authorized to investigate matters regarding the efficiency and effectiveness of UN system operations. The Unit is directed to conduct evaluations focused on improving management and the methods to achieve greater coordination between organizations. The JIU statute is adhered to by 16 UN system organizations.

In 1983 the JIU circulated nine reports. The studies covered: system cooperation in assisting governments to develop an evaluation capacity; UNDP evaluation capacity; the field office operations of UNDP; conservation and management of African wildlife; regulations for the planning, programing and evaluation cycle of the UN; UN Sudano-Sahelian Office; UN Department of Technical Cooperation for Development; UN Department of International Economic and Social Affairs; and UNRWA.

Reports of particular interest to the United States were: "Report on UNRWA"; "United Nations System Cooperation in Developing Evaluation by Governments"; "Evaluation System of the United Nations Development Program"; "United Nations Department of Technical Cooperation for Development" (DTCD); and "United Nations Department of International Economic and Social Affairs" (DIESA).

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<sup>3</sup> Inspectors are appointed by the General Assembly to serve in a personal capacity for 5-year terms. Earl D. Sohm of the United States is an Inspector.

The United States supported the 1982 request for a JIU review of UNRWA with the objective of increasing donor confidence in the financial and administrative management of the organization. The JIU report recognized that UNRWA's financial constraints posed the greatest obstacle to fulfilling its mandate and sought to assist UNRWA in making the most effective and economical use of its limited financial resources. The report's stated intention was to help UNRWA improve its management which would "reinforce the confidence of member states in its effectiveness, improve its image and credibility, and facilitate regular and stable financing."

In reviewing UNRWA activities, the JIU first examined the results obtained by UNRWA through the execution of its three main programs—education, health, and relief services. The JIU concluded that the Agency, in cooperation with UNESCO and WHO, had developed an effective organization for humanitarian assistance in these areas. UNRWA's programs manage: primary and preparatory schools, a modest vocational training program, and a limited number of university scholarships; preventive, curative, and environmental medicine; distribution of basic rations; and maintenance, repair, and construction of shelters for special hardship cases. The Inspectors concluded that UNRWA's achievements were a clear example of what international cooperation can do in pursuit of a humanitarian goal.

Although the JIU was basically satisfied with UNRWA's operations, the Inspectors believed the Agency could do some things better. They cited basic problems such as the deplorable state of many UNRWA installations and buildings. The JIU also identified some problems in budget and finance, personnel, organization, and some issues related to UNRWA's mandate and institutional setting.

In general the United States was pleased with the report, but disagreed with some of the report's recommendations. In particular, the United States objected to a recommendation that the UN regular budget should assume responsibility for related indemnities payments in the event of mass staff separations from UNRWA.

The JIU report was discussed in the Special Political Committee during the General Assembly, but no action was taken on it.

Organizations have been slow to incorporate evaluation as an integral element of management in development cooperation. During the past few years, however, there has been a growing understanding of the value of evaluation in improving the quality and results of programs and projects. This has been accompanied by new international policy initiatives and increasing cooperative efforts to help develop evaluation by governments. The JIU report on UN system cooperation in developing evaluation by governments examined this process.

The report explained why many developing countries have not cooperated in the evaluation of country projects and why they have

resisted developing their own evaluation capacity. The report also described the activities undertaken by the UN agencies to assist governments in developing evaluation mechanisms. On the whole, the study provided a useful inventory of current actions, ideas, and materials on the subject of evaluation by governments.

The United States found the report's recommendations, which are directed primarily to governments, to be reasonable and practical. Although no action was taken by the General Assembly on the report, the United States believes that member states will be able to utilize the report's findings and recommendations in their development assistance programs.

The second JIU report on evaluation in 1983 assessed the UNDP evaluation system. The JIU described the ups and downs of past efforts to establish evaluation as a necessary function of UNDP operations, and called attention to repeated decisions by the Governing Council to strengthen various aspects of evaluation. In addition, the Inspectors emphasized the very important leadership role that UNDP should play within the UN family because of its tripartite partnership with governments and executing agencies. They laid particular stress on the role of governments and the benefits to host governments from taking an active part in the evaluation system.

According to the JIU, the UNDP tripartite evaluation system is still a very influential one in the UN system, but in recent years the overall UNDP evaluation process has not operated as productively and cohesively as it should, and new management arrangements are needed to strengthen it on an integrated basis. The report recommended that future terms of reference and guidance for the evaluation system should clearly establish its essential role in focusing management attention on results obtained in the light of objectives. In addition, a small central evaluation unit with appropriate functions and independence should be reestablished to lead, coordinate, support, and oversee a network of clear evaluation responsibilities and activities in UNDP field offices, governments and executing agencies, and UNDP regional bureaus and other units. The JIU conclusions were similar to the findings reached by an internal UNDP study on the organization's evaluation system.

The United States found all of the report's recommendations to be reasonable. The key recommendation was the reestablishment of a "small but highly qualified central evaluation unit staff."

At the 30th session of the UNDP Governing Council in June, the Council considered the JIU report and the Administrator's decision to establish a small central evaluation unit. The Governing Council "took note with satisfaction" of the Administrator's decision.

The reports on DIESA and DTCD studied the Departments' operations since their reconstitution as required by the 1977 restructuring resolution. (Resolution 32/197.) A key finding was that the

failure to issue formal terms of reference for either Department has inhibited their effective functioning. In an effort to correct this situation, the U.S. Representative, Thomas Flesher, introduced a draft decision on December 8 which endorsed the JIU report and called on the Secretary General to issue formal terms of reference for both Departments. This effort was thwarted at the last minute by the Group of 77 who objected on the grounds the resolution violated the Secretary General's request for a moratorium on organizational changes. (See also the section on Restructuring.)

## Restructuring

Member states have, for nearly a decade, been seeking ways to reorganize and strengthen the UN Secretariat and the working of the UN family of organizations. A landmark in this search was the adoption in 1977 of a comprehensive resolution (32/197)<sup>4</sup> designed to improve the structure and performance of the economic and social sectors of the UN system. This was followed in 1980 by the establishment of a 17-member Committee of Government Experts to Evaluate the Present Structure of the Secretariat in the Administrative, Finance, and Personnel Areas. (This committee completed its work in 1982.)

One or another aspect of restructuring has been considered each year since 1977, but the Assembly decided in 1982 that henceforth it would consider restructuring only triennially, beginning in 1984. Thus, there was little activity in 1983. However, ECOSOC refined further one aspect of its 1982 "revitalization" resolution by deciding to review, starting in 1985, sectors of the medium-term plans of UN organizations on a biennial basis, rather than every 6 years. It took this action, without objection, to emphasize the importance it attached to its role under the Charter in coordinating the economic and social activities of the UN system. (Resolution 1983/78.)

Meanwhile the Secretary General initiated his own reform project. In early August he established a high-level, in-house Advisory Group on Administrative Reform of the Secretariat<sup>5</sup> to identify issues and areas which needed modification or reform in order to make the

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<sup>4</sup> The conclusions and recommendations of resolution 32/197 were divided in 8 parts: I. General Assembly; II. ECOSOC; III. Other UN forums for negotiations, including UNCTAD and other UN organs and programs, the specialized agencies, IAEA, and *ad hoc* world conferences; IV. Structures for regional and interregional cooperation; V. Operational activities of the UN system; VI. Planning, programing, budgeting, and evaluation; VII. Interagency coordination; and VIII. Secretariat support services.

<sup>5</sup> Under Secretary General for Administration and Management (Chairman); Director General for Development and International Economic Cooperation; Under Secretary General for Political Affairs, Trusteeship, and Decolonization; Under Secretary General for Special Political Questions; Under Secretary General for Special Political Affairs; Under Secretary General for Conference Services; Executive Assistant to the Secretary General; and Director, Administrative Management Services (Secretary).

administration of the Secretariat more efficient and effective. (The Group was requested to submit its report to him by November 15 but did not complete its work before the end of the year.) The Secretary General further announced, in his annual report on the work of the Organization, that he intended "to give priority in the coming year to a searching examination and appraisal of the administration with a view to improvement."

Because of his reform initiative, the Secretary General appealed to the members of the Fifth Committee on October 7 "to declare a moratorium, for this session, on organizational changes, or on further detailed program, budget, and personnel regulations." This moratorium, in which member states acquiesced in deference to the Secretary General's position as chief administrative officer of the Organization, affected a number of recommendations of the CPC. It also inhibited consideration of two JIU reports—"Department of Technical Cooperation for Development" and "Department of International Economic and Social Affairs"—which were part of a series of reports on the implementation of resolution 32/197 that the JIU was carrying out at the request of the General Assembly. The Secretary General promised, however, that in preparing his report to the Assembly for its consideration of restructuring in 1984 he would "take into full account the reports of the JIU on individual departments or offices."

## **UN ADMINISTRATIVE MATTERS**

### **Committee on Conferences**

The Committee on Conferences<sup>6</sup> held five substantive meetings May 2–6 and a second series of five substantive meetings August 24–31 to consider recommendations concerning increasing efficiency in the delivery of conference resources, shortening of sessions and/or adopting a biennial meeting cycle for sessions of UN organs, controlling and limiting documentation, calculating and presenting conference-servicing costs, and proposing a calendar of conferences for 1984–85.

At the first series of substantive meetings, virtually all the discussions of the Committee were generated by the introduction of U.S. initiatives, most notably a proposal for an overall reduction in conference days by 10%. The U.S. Representative, Edward E. Keller, made a detailed statement to the Committee in support of such an overall reduction. He suggested that the Committee on Conferences request the Secretariat to prepare an alternative calendar (to

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<sup>6</sup> Members in 1983 were: Algeria, Austria, Chile, Cyprus, France, Federal Republic of Germany, Honduras, Hungary, Indonesia, Japan, Kenya, Mexico, New Zealand, Nigeria, Peru, Senegal, Sri Lanka, Tunisia, U.S.S.R., United Kingdom, United States, and Yugoslavia.

accompany the regular draft calendar of conferences for 1984-85) which would reflect an overall 10% reduction from the 1982-83 level and that these two versions be submitted to the second session of the Committee in August 1983.

The U.S. proposal was supported by the Federal Republic of Germany, the Soviet Union, and France but was vigorously opposed by the Committee Chairman (Kenya). The Chairman, speaking for Kenya, said the proposal would run into political opposition in the Fifth Committee and, therefore, should be squelched without further discussion. Other delegates speaking in opposition to the U.S. proposal were Nigeria, Sri Lanka, and Yugoslavia. Although the U.S. proposal was not adopted it remained on the table for consideration at the August session of the Committee.

Prior to the August session the United States made demarches in the capitals of those countries who had representatives on the Committee on Conferences to garner support for the 10% reduction initiative. The favorable results of the demarches were visible at the August session. There was no strong opposition to the U.S. proposal, and statements of support, with slight modifications, were given by New Zealand, France, and the United Kingdom. Most significant and helpful was the response from the Committee Chairman, who, as a compromise, proposed that, rather than an overall 10% reduction, a letter be sent to appropriate subsidiary bodies addressing the issue of unused conference services citing the intent of the Committee on Conferences to reduce by 50% the average number of unused conference days as determined over a 3-year historic average. However, before the reduction was made, the body in question would have the opportunity to justify why the resources should not be eliminated. This compromise proposal was adopted by the Committee.

The Committee on Conferences put forth in its report a five-part draft resolution for General Assembly approval. Part A recommended adoption of the calendar of conferences for 1984-85; part B called for the renewal of the mandate of the Committee on Conferences; part C codified the provisions of all existing resolutions and decisions of the General Assembly relating to the planning and venues of UN meetings as well as statements of established practice; part D addressed the underutilization of conference resources; and part E contained recommendations regarding the control and limitation of documentation.

The Fifth Committee discussed the draft resolution at three meetings between September 30 and October 12. In voicing support for the draft resolution the U.S. Representative, Mr. Keller, stated that "Conference resources should be viewed as a scarce commodity to be distributed cautiously. Simply because a body was allocated a certain amount of time in one year should not guarantee that body

the unquestionable right to the same the following year." After a number of suggestions for the modification of the draft resolution had been considered, the Vice Chairman of the Fifth Committee was assigned the task of conducting informal consultations on the subject.

The Fifth Committee resumed its consideration of the draft resolution on November 2. In presenting the resolution, the Chairman of the Fifth Committee stated that there were financial implications arising from part A of the resolution which included the regular sessions of ESCAP, ECA, and ECLA in 1984 being held away from their established headquarters. The Chairman then proposed that a decision be taken on the venues of the three commissions as indicated in the report of the Committee on Conferences and that the financial implications of the changes in venue would be considered after the ACABQ had reviewed the Secretary General's report on the matter.

Speaking prior to the vote on the Chairman's proposal, the U.S. Representative observed that General Assembly resolution 31/140, while providing for exception to the general rule that sessions should be held at the headquarters of the body concerned, stated that the host country should defray the additional costs of holding sessions away from headquarters. Since additional appropriations of \$637,400 would be required if the changes in venue were approved, he questioned whether such additional expenditures represented a proper use of resources. Nonetheless, the Chairman's proposal was approved by a vote of 65 to 18 (U.S.), with 14 abstentions.

Following this decision, the Fifth Committee then approved by consensus the draft resolution (parts A through F) as modified by the amendments agreed to through informal consultations. Part B was unchanged. Parts A, D, and E underwent minor revisions. The codification of provisions in part C was deleted and a new section, part F, was added. That section requested the Secretary General to provide the Committee on Conferences with summary data on conference resources, both internal and external, that would facilitate comparison of the demand for conference services with conference servicing capacity. The Fifth Committee draft resolution was adopted without a vote by the General Assembly on November 25. (Resolution 38/32.)

The United States achieved some success with the adoption of the resolution. U.S. initiatives to limit the reproduction of statements *in extenso* as separate documents and to study the feasibility of an abbreviated summary record were contained in part E of the resolution. More importantly, however, a positive step was taken toward reducing the overall number of conference days. As a result of resolution 38/32, the Committee on Conferences will consult with the officers of UN subsidiary organs, which have, over the past 3



years, utilized 90% or less of allotted conference resources with a view toward shortening the length of their sessions. Although the outcome cannot be predicted, it should result in a significant reduction in conference days, given the poor rate of conference-resource utilization of so many UN subsidiary bodies.

## **UN Official Travel Procedures**

A 1982 JIU report on UN official travel procedures identified a number of areas where significant cost savings could be realized if changes were made in UN methods for official travel. Based on this report, the United States cosponsored a resolution that year which proposed changes in organization and methods for UN official travel. There were two major components. The first required the United Nations to select a new commercial travel agent through widespread competitive bidding and preferably under an "in-plant" arrangement, i.e., where a travel agent establishes a branch office on the premises of an organization and pays a percentage of its total income from commissions made on air, rail, and ship tickets, hotel reservations, car rentals, and the like. The second called on the United Nations to negotiate with airlines for more favorable travel rates and to adopt policies which would result in lower travel costs. (Resolution 37/241.)

A Committee on Contracts to select a travel agent through widespread competitive bidding was established in 1983 by the Secretary General. Subsequently, a full-service contract with Don Travel Services was entered into for a period of 3 years, effective November 1, 1983, in which Don Travel Services agreed to pay an annual sum of \$350,000. Although this is a full-service contract (i.e., the agent rents office space on the Organization's premises and provides the Organization with service as needed), the contract provides an option for conversion to an in-plant arrangement if this is deemed desirable by the United Nations.

The Committee doubted the viability of in-plant arrangements, since a number of air carriers had announced their decision to cease the payment of commissions for tickets issued by travel agents at in-plant branches. The Committee felt that if the movement spread, the future of such operations would be in jeopardy. It therefore opted for a full-service contract.

The United States did not agree with this decision. Given the potential cost savings of an in-plant arrangement, it believed—and so stated in the Fifth Committee on November 22—that the contract should have been on an in-plant basis with a provision for altering the contract should the arrangement not prove viable.

With regard to the second component of the resolution, the United Nations has begun to make inquiries about negotiated airfares.

Given the complexity of such negotiations—e.g., air carrier policies, various countries' legal restrictions—the Secretary General did not have firm results to report to the 38th General Assembly.

In a related matter, the United States was critical of the revisions to the UN administrative instructions on the standards of travel for UN Secretariat Staff, in that the revisions provided a relaxing of the established travel policy for use of business class, rather than a tightening of first-class controls, as we would prefer. In plenary, a statement was made by the Barbadian delegate on behalf of Barbados, Norway, and the United States requesting the Secretary General to emphasize greater use of business-class accommodations, when appropriate and economical, as a substitute for first-class accommodations.

## **UN Accommodations**

Two actions taken by the 38th General Assembly concerned UN facilities.

### **UN BUILDING AT BANGKOK**

The Fifth Committee reviewed the Secretary General's report on the expansion of the conference facilities for ESCAP along with the ACABQ's recommendation on November 23. The ACABQ recommended approval of a \$774,200 appropriation. Of that amount, \$374,200 was for major maintenance, alterations, and improvements to the existing ESCAP facility and the remaining \$400,000 was for an architectural and engineering study concerning additional conference facilities at ESCAP. Fifth Committee discussion of this item focused on the funds for the architectural and engineering study. The U.S. Representative, Barry F. Gidley, expressed gratitude to Thailand for having made available land adjacent to the existing ESCAP building but voiced concern that the emphasis would be more on additional office space, as mentioned in the Secretary General's report, and not on conference rooms as reported in the ACABQ recommendation. Mr. Gidley also noted that it would have been useful if the Secretary General had promised to ensure that ESCAP sessions would all take place at Headquarters once the Commission's facility had been expanded. In the concluding remarks, Mr. Gidley stated that the expansion of the delegates lounge, dining, and parking facilities as presented in the Secretary General's report would entail prohibitive expense and, therefore, requested that the \$400,000 appropriation for the architectural study be put to a vote. The appropriation was then approved by a vote of 74 to 12 (U.S.), with 4 abstentions. The entire appropriation of \$774,200 was then approved by a vote of 81 to 1 (U.S.), with 11 abstentions.

This appropriation for ESCAP was included in an omnibus resolution concerning "Questions relating to the proposed program budget for the biennium 1984-85." The ESCAP section of the resolution was adopted by the General Assembly without a vote on December 20. (Resolution 38/234, section VII.)

## UN BUILDING AT ADDIS ABABA

The Fifth Committee reviewed the Secretary General's report on the adequacy of the conference facility of the ECA along with the ACABQ's recommendation on December 18. The Secretary General's report called for, *inter alia*, approval, in principle, of a construction project estimated at \$83.2 million. Based on the construction schedule and anticipated rate of inflation, the following pattern of appropriations was proposed:

1984-85	\$5.6 million
1986-87	\$41.1 million
1988-89	\$31.6 million
1990-91	\$4.9 million

However, because the Secretary General's report had been received late, the ACABQ recommended that consideration of the report be deferred until the 39th General Assembly. Additionally, the ACABQ recommended that \$320,700 be appropriated for minor alterations, improvements, and ongoing maintenance projects at ECA. The Fifth Committee adopted by consensus the recommendation of the ACABQ.

The appropriation for ECA was included in the omnibus resolution on "Questions relating to the proposed program budget for the biennium 1984-85" and was adopted without a vote by the General Assembly on December 20. (Resolution 38/234, section XXIII.)

## International Civil Service Commission

The 15-member International Civil Service Commission (ICSC)<sup>7</sup> met three times in 1983: its 17th session met in March in Vienna; its 18th session was held in New York in July; and a special session was held in late November, also in New York. The ICSC has one American member, Mr. Dayton W. Hull.

The ICSC's ninth annual report included significant recommendations touching on (1) post adjustment payments, (2) the education

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<sup>7</sup> The ICSC is responsible for making recommendations on salaries, allowances, other benefits, and conditions of service for Secretariat personnel to those organizations which participate in the UN common system of salaries and allowances. Its members are appointed in their personal capacity as individuals of recognized competence who have had substantial experience of executive responsibility in public administration or related fields, particularly in personnel management.

grant, (3) the nonresident's allowance, (4) health insurance, (5) the language incentive grant, and (6) retirement policy. The ICSC continued its work in monitoring the margin of remuneration between the UN common system and the U.S. Civil Service, including carrying out a study of the equivalency of senior rank positions in the two systems. Another major area of continuing work involved the application of the Master Standard of job classification to many new positions in the UN system.

The Fifth Committee of the 38th General Assembly considered the report of the ICSC at 12 meetings between November 4 and December 15. The major recommendations of the report were incorporated into an omnibus resolution, introduced by Canada on December 12 and sponsored by 8 other nations. The draft resolution was approved by the Fifth Committee on December 15 by a vote of 91 (U.S.) to 9, with 5 abstentions, and adopted by the General Assembly on December 20 by a recorded vote of 128 (U.S.) to 10, with 2 abstentions. (Resolution 38/232.)

## **POST ADJUSTMENT**

In early 1983 the ICSC Secretariat completed a group of post adjustment (cost-of-living) surveys, covering New York, Washington, Montreal, Paris, Rome, and Vienna. These studies, using new survey and calculation methodologies developed by the Advisory Committee on Post Adjustment Questions (ACPAQ), indicated that reductions in post adjustment payments were in order in several European duty stations of the UN system. Representatives of staff working at these duty stations challenged the findings, which were duly reviewed at a special resumed session of the ACPAQ and a subsequent special session of the ICSC, both held in November.

The ICSC asked for further study of the matter, but bound itself to resolve the matter not later than its 20th session in the summer of 1984. The U.S. member of the ICSC regretted the delay in implementing the new post adjustment levels indicated by the study but was able to generate support for the imposition of a 1984 deadline for resolving the issue.

## **EDUCATION GRANT**

The ICSC recommended and the General Assembly approved an increase in the maximum education grant from \$3,000 to \$4,500 and an accompanying change in the method of calculating the grant. Previously, education costs were covered by the grant on a declining percentage scale—75% of the first \$3,000 declining to 25% of costs over \$4,000. The new method covers a flat 75% of all education costs up to the \$4,500 maximum grant. The grant is generally applicable through the first 4 years of college.

The United States succeeded in restricting the education grant to expatriate professional staff and also was able to amend resolution 38/232 to include language calling for a restudy of the education grant, aimed at returning it to its original stated purpose of compensating staff only for the costs of returning children to their home country for education.

## **NON-RESIDENT'S ALLOWANCE**

The ICSC decided that the special allowance for non-resident general service staff should be phased out in European and North American duty stations, should be limited in duration to a 5-year period, and should be nonpensionable. The General Assembly took note of this decision. The United States supported this measure in ICSC deliberations.

## **HEALTH INSURANCE**

Rapidly increasing health insurance costs, particularly in New York, have been a major concern in the UN system of late. An ICSC study of the matter recommended that health insurance be addressed as a common system issue, calculated a weighted average of the ratio of organizational to employee contributions to premiums, and suggested that those organizations paying less than this average should revise their contribution percentage upward.

The General Assembly noted the ICSC report, decided as an interim measure to raise the UN's contribution from one-half to two-thirds of premium cost, on average, and called for studies of alternative ways of providing insurance coverage that would reduce cost growth for both the United Nations and staff. The latter measure grew out of U.S. initiatives and is intended to take into account U.S. practices, such as "low option" plans and health maintenance organizations. The resolution was adopted on December 20 by a recorded vote of 126 to 9, with 7 (U.S.) abstentions. The United States abstained because it believed that the employer's share of the cost should be no more than that in the comparator service, i.e., 60%. (Resolution 38/235.)

## **LANGUAGE INCENTIVE GRANT**

UN staff members receive a salary incentive for demonstrated skill in a second working language of the UN, in the form of accelerated increments in salary. Those who qualify may receive a within-grade increase at 10-month intervals instead of 12. The ICSC studied the grant and indicated in its report that the grant was not meeting its original purpose, and that monetary incentives might

well be replaced by a greater emphasis on language skills in recruitment and internal development of professional staff. The General Assembly deferred action on this matter and called for further studies, an outcome the United States did not favor.

## **RETIREMENT POLICY**

The ICSC Secretariat reported to the ICSC on this issue, and recommended a 4-year transition from the current age 60 mandatory retirement to an age of 62. However, the Commission split on this issue and was unable to reach consensus on any change in the current system, despite strong U.S. support for an increase in the age, on grounds of social policy and potential improvement of the actuarial position of the UN Pension Fund. The General Assembly likewise took no action to change the existing policy on mandatory age of retirement.

## **Personnel Questions**

The Fifth Committee of the 38th General Assembly considered several disparate matters under the item on personnel questions. As is the custom, this item includes all personnel matters not treated by the ICSC or the UN Joint Staff Pension Board. In 1983 major recurring topics of concern were UN policy and practice regarding the equitable allocation of posts subject to geographic distribution and the need to respect the privileges and immunities of UN system staff. A second topic was the review of compensation of Justices of the ICJ, the Chairman and Vice Chairman of the ICSC, and the Chairman of the ACABQ. The Committee also reviewed the contractual status of language teachers.

The Fifth Committee considered personnel questions at nine meetings between November 17 and December 19. On the latter date the Committee adopted by consensus a resolution sponsored by a working group on the topic, drawing on Barbadian and German Democratic Republic drafts, which restated the importance of equitable distribution of posts and reemphasized the importance of competence and integrity as the primary criteria of selection for such posts. On December 20 the General Assembly adopted the Fifth Committee resolution also by consensus. (Resolution 38/231.)

On the same date, the General Assembly adopted by consensus a draft resolution, which reiterated calls for all member states to respect the privileges and immunities of international civil servants and particularly called on those states detaining such staff to release them. (Resolution 38/230.)

## **EMOLUMENTS OF THE INTERNATIONAL COURT OF JUSTICE**

The Fifth Committee considered on four occasions between November 8 and December 16 a Secretariat report urging increases in

pension benefits and other allowances for the Justices of the ICJ. On December 16 the Committee adopted by a vote of 64 to 1 (U.S.), with 17 abstentions, recommended increases in survivor benefits and benefit floors. These recommendations were subsequently adopted by the General Assembly by a vote of 124 to 10 (U.S.), with 7 abstentions. (Resolution 38/239.) U.S. opposition was predicated on the view that ICJ pension benefits were adequate and in no need of being increased.

## **COMPENSATION OF NON-OFFICIALS**

The Fifth Committee considered a Secretariat report recommending the appropriation of \$241,400 to implement the 37th session decision to include the ACABQ Chairman and the ICSC Chairman and Vice Chairman in the UN Joint Staff Pension Fund. This request was considered, along with recommendations to extend the repatriation grant and education allowance to the same officials, at three sessions of the Committee between November 10 and December 16.

On December 16 the United States joined in the consensus acceptance of the increased costs authorized by the 37th session decision. The United States opposed the extension of the education and repatriation grants to these officials, arguing that their role as leaders of bodies that review the administration of such grants precluded their accepting such grants without conflict of interest. This view prevailed in the Fifth Committee, which took no action to extend the grants to the officials in question.

## **CONTRACTUAL STATUS OF LANGUAGE TEACHERS**

The Fifth Committee considered the topic four times between December 6 and December 15, deciding on the latter date to authorize an additional \$299,200 to grant permanent status to 28 language instructors based chiefly in Geneva. The approved costs represented additional funds for pension contributions, and the establishment of the teaching positions on a full time regular budget basis. The vote approving the measure was 46 to 16 (U.S.), with 24 abstentions. On December 20, by a recorded vote of 106 to 16 (U.S.), with 16 abstentions, the General Assembly approved the measures as part of an omnibus resolution on budget questions. (Resolution 38/234, section XIII.) The United States opposed the granting of permanent status on the grounds that there had been no demonstration of the need to convert part-time employees to full-time nor sufficient justification of the financial implications of the proposal.

## **UN Pension System**

The United Nations Joint Staff Pension Fund (UNJSPF) provides pension, disability, and survivors' benefits to over 50,000 participants

in the United Nations and 13 other organizations of the UN system. The Fund is managed by the UN Joint Staff Pension Board (UNJSPB), consisting of 21 representatives of organization secretariats, member states, and the Fund participants. The Fund has over \$3 billion in assets which are invested worldwide, including well over \$1 billion in the United States.

The UNJSPB met in July 1983 in London. Its one major decision was to recommend an increase in the contribution rate of participants and employing organizations, in order to reduce a projected actuarial deficit of the Fund. Until that time participants had contributed 7% of their pensionable remuneration to the Fund, matched by a 14% contribution by their employers. The Board recommended that contributions be gradually increased to 8% for participants and 16% for employers, via four separate increases of .25% for participants and .50% for employers. The four increases were recommended to take effect in 1984, 1986, 1988, and 1990. By raising the total contribution level from 21 to 24%, the Board felt that the actuarial deficit projected to arise in the first decade of the 21st century could be averted.

The Fifth Committee of the 38th General Assembly considered the report of the UNJSPB at six meetings between November 4 and December 16. On December 16 a draft resolution was presented to the Committee by its Vice Chairman, following consultations. The Fifth Committee approved the resolution by a vote of 78 (U.S.) to 9, with 2 abstentions. On December 20, the General Assembly adopted the resolution by a recorded vote of 127 (U.S.) to 10, with 2 abstentions. (Resolution 38/233.)

Discussion of the UNJSPB report centered on the Board's proposal for contribution increases. While there was widespread support for the principle of eliminating the projected actuarial deficit, several delegations felt that efforts to reduce or limit pension benefits should take precedence over contribution increases to maintain current benefit levels. The outcome reflected this diversity of opinion. The resolution adopted by the General Assembly approved a contribution increase of .25% for participants and .50% for employers, effective January 1, 1984. However, the Assembly did not commit itself to the three other phased increases sought by the Board.

Instead, the resolution called for a number of studies aimed at potential benefits reductions. These included consideration of an increase in the interest rates used to calculate lump sum commutations; a determination of the lump sum in net equivalent terms, subject to the reimbursement of any taxes thereon; a reexamination of the early retirement provisions; imposition of a ceiling on the highest level of pensions; review of the system followed in determining the initial pension and its subsequent adjustments; and reexamination of survivor benefits.



The United States introduced the request for a study of determination of lump sums on a net basis. If the study's recommendations lead to eventual General Assembly adoption of such a measure, there could be significant reductions in outlays, since current gross basis lump sum awards may overstate the amount of taxes actually owed. The United States also supported the other requests for studies, and the idea of limiting the General Assembly's endorsement of contributions increases to the 1984 request only.

In a separate matter, the General Assembly failed to act on the UNJSPB's recommendation that the mandatory age of retirement be raised from 60 to 62, despite U.S. support for this measure.

## **Employment of Americans**

The total number of professional employees serving in posts subject to geographic distribution in the United Nations and its special programs was 8,365 at the end of 1983. At the end of 1982 the number had been 8,356. The number of U.S. nationals was 1,172 (14.01%) in 1983. (In 1982 it had been 1,195 (14.30%).)

During 1983 the number of Americans in professional posts subject to geographic distribution in the UN Secretariat decreased from 489 to 482; the percentage of Americans in these posts also decreased from 16.31% to 15.85%. The total number of women professionals in posts subject to geographic distribution in the UN Secretariat in 1983 was 678, of whom 175 (25.81%) were American.

In the specialized agencies, the percentage of Americans increased slightly in ILO and FAO, significantly in WHO, remained the same in UPU, and declined in ICAO, IMO, WIPO, WMO, ITU, UNESCO, and IAEA. For the most part the changes were minimal, representing the gain or loss of less than one percentage point. However, the percentage of Americans in WHO did increase by 2%, from 11.48% in 1982 to 13.50% in 1983.

The number of short term experts/consultants employed by the United Nations and the specialized agencies in 1983 was 6,661. The number of U.S. nationals was 796 (11.95%).

In terms of Americans in senior posts, Joseph Wheeler was appointed Deputy Executive Director of UNEP and Bradford Morse was reappointed to a third 4-year term as Administrator of UNDP.

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## Appendix 1

# Address by President Reagan to the UN General Assembly's 38th Regular Session

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## Renewing the U.S. Commitment to Peace

*Statement before the 38th session of the UN General Assembly on September 26, 1983.*

Thank you for granting me the honor of speaking today, on this first day of general debate in the 38th session of the General Assembly. Once again I come before this body preoccupied with peace. Last year I stood in this chamber to address the Special Session on Disarmament. I have come today to renew my nation's commitment to peace. And I have come to discuss how we can keep faith with the dreams that created this organization.

The United Nations was founded in the aftermath of World War II to protect future generations from the scourge of war, to promote political self-determination and global prosperity, and to strengthen the bonds of civility among nations. The founders sought to replace a world at war with a world of civilized order. They hoped that a world of relentless conflict would give way to a new era, one where freedom from violence prevailed.

Whatever challenges the world was bound to face, the founders intended this

body to stand for certain values, even if they could not be enforced, and to condemn violence, even if it could not be stopped. This body was to speak with the voice of moral authority. That was to be its greatest power.

But the awful truth is that the use of violence for political gain has become more, not less, widespread in the last decade. Events of recent weeks have presented new, unwelcome evidence of brutal disregard for life and truth. They have offered unwanted testimony on how divided and dangerous our world is, how quick the recourse to violence.

What has happened to the dreams of the United Nations' founders? What has happened to the spirit which created the United Nations? The answer is clear: Governments got in the way of the dreams of the people. Dreams became issues of East versus West. Hopes became political rhetoric. Progress became a search for power and domination. Somewhere the truth was lost that people don't make wars, governments do.

And today in Asia, Africa, Latin America, the Middle East, and the North Pacific, the weapons of war shatter the security of the peoples who live there, endanger the peace of neighbors, and create ever more arenas

of confrontation between the great powers. During the past year alone, violent conflicts have occurred in the hills around Beirut, the deserts of Chad and the Western Sahara, in the mountains of El Salvador, the streets of Suriname, the cities and countryside of Afghanistan, the borders of Kampuchea, and the battlefields of Iran and Iraq.

We cannot count on the instinct for survival to protect us against war. Despite all the wasted lives and hopes that war produces, it has remained a regular, if horribly costly, means by which nations have sought to settle their disputes or advance their goals.

## **The Search for Meaningful Arms Control Agreements**

And the progress in weapons technology has far outstripped the progress toward peace. In modern times, a new, more terrifying element has entered into the calculations—nuclear weapons. A nuclear war cannot be won and must never be fought. I believe that if governments are determined to deter and prevent war, there will not be war. Nothing is more in keeping with the spirit of the UN Charter than arms control.

When I spoke before the Second Special Session on Disarmament, I affirmed the U.S. Government's commitment, and my personal commitment, to reduce nuclear arms and to negotiate in good faith toward that end.

Today, I reaffirm those commitments. The United States has already reduced the number of its nuclear weapons worldwide and, while replacement of older weapons is unavoidable, we wish to negotiate arms reductions and to achieve significant, equitable, verifiable arms control agreements. And let me add, we must ensure that world security is not undermined by the further spread of nuclear weapons. Nuclear non-proliferation must not be the forgotten element of the world's arms control agenda.

At the time of my last visit here, I expressed hope that a whole class of

weapons systems—the longer range INF (the intermediate-range nuclear forces) missiles—could be banned from the face of the Earth. I believe that to relieve the deep concern of peoples in both Europe and Asia, the time was ripe, for the first time in history, to resolve a security threat exclusively through arms control. I still believe the elimination of these weapons—the zero option—is the best, fairest, most practical solution to this problem. Unfortunately, the Soviet Union declined to accept the total elimination of this class of weapons.

When I was here last, I hoped that the critical strategic arms reduction talks (START) would focus, and urgently so, on those systems that carry the greatest risk of nuclear war—the fastflying, accurate intercontinental ballistic missiles which pose a first-strike potential. I also hoped the negotiations could reduce by one-half the number of strategic missiles on each side and reduce their warheads by one-third. Again, I was disappointed when the Soviets declined to consider such deep cuts and refused, as well, to concentrate on these most dangerous destabilizing weapons.

Despite the rebuffs, the United States has not abandoned and will not abandon the search for meaningful arms control agreements. Last June I proposed a new approach toward the START negotiations. We did not alter our objective of substantial reductions, but we recognized that there are a variety of ways to achieve this end. During the last round of Geneva talks, we presented a draft treaty which responded to a number of concerns raised by the Soviet Union. We will continue to build upon this initiative.

Similarly in our negotiations on intermediate-range nuclear forces, when the Soviet leaders adamantly refused to consider the total elimination of these weapons, the United States made a new offer. We proposed, as an interim solution, some equal number on both sides between zero and 572. We recommended the lowest possible level.

Once again, the Soviets refused an equitable solution and proposed instead

what might be called a "half-zero option"—zero for us and many hundreds of warheads for them. And that's where things stand today, but I still have not given up hope that the Soviet Union will enter into serious negotiations.

We are determined to spare no effort to achieve a sound, equitable, and verifiable agreement. And for this reason, I have given new instructions to Ambassador Nitze [head of the U.S. Delegation to the INF negotiations] in Geneva, telling him to put forward a package of steps designed to advance the negotiations as rapidly as possible. These initiatives build on the interim framework the United States advanced last March and address concerns that the Soviets have raised at the bargaining table in the past. Specifically:

**First**, the United States proposes a new initiative on global limits. If the Soviet Union agrees to reductions and limits on a global basis, the United States, for its part, will not offset the entire Soviet global missile deployment through U.S. deployments in Europe. We would, of course, retain the right to deploy missiles elsewhere.

**Second**, the United States is prepared to be more flexible on the content of the current talks. The United States will consider mutually acceptable ways to address the Soviet desire that an agreement should limit aircraft as well as missiles.

**Third**, the United States will address the mix of missiles that would result from reductions. In the context of reductions to equal levels, we are prepared to reduce the number of Pershing II ballistic missiles as well as ground-launched cruise missiles.

I have decided to put forward these important initiatives after full and extensive consultations with our allies, including personal correspondence I've had with the leaders of the NATO governments and Japan and frequent meetings of the NATO Special Consultative Group. I have also stayed in close touch with other concerned friends and

allies. The door to an agreement is open. It is time for the Soviet Union to walk through it.

I want to make an unequivocal pledge to those gathered today in this world arena. The United States seeks and will accept any equitable, verifiable agreement that stabilizes forces at lower levels than currently exist. We are ready to be flexible in our approach, indeed, willing to compromise. We cannot, however, especially in light of recent events, compromise on the necessity of effective verification.

Reactions to the Korean airliner tragedy are a timely reminder of just how different the Soviets' concept of truth and international cooperation is from that of the rest of the world. Evidence abounds that we cannot simply assume that agreements negotiated with the Soviet Union will be fulfilled. We negotiated the Helsinki Final Act, but the promised freedoms have not been provided and those in the Soviet Union who sought to monitor their fulfillment languish in prison. We negotiated a Biological Weapons Convention, but deadly yellow rain and other toxic agents fall on Hmong villages and Afghan encampments. We have negotiated arms agreements, but the high level of Soviet encoding hides the information needed for their verification. A newly discovered radar facility and a new ICBM [intercontinental ballistic missile] raise serious concerns about Soviet compliance with agreements already negotiated.

Peace cannot be served by pseudo arms control. We need reliable, reciprocal reductions. I call upon the Soviet Union today to reduce the tensions it has heaped on the world in the past few weeks and to show a firm commitment to peace by coming to the bargaining table with a new understanding of its obligations. I urge it to match our flexibility. If the Soviets sit down at the bargaining table seeking genuine arms reductions, there will be arms reductions. The governments of the West and their people will not be diverted by misinformation and threats. The time

has come for the Soviet Union to show proof that it wants arms control in reality, not just in rhetoric.

Meaningful arms control agreements between the United States and the Soviet Union would make our world less dangerous; so would a number of confidence-building steps we've already proposed to the Soviet Union.

## **Call for a True Non-Alignment of the United Nations**

Arms control requires a spirit beyond narrow national interests. This spirit is a basic pillar on which the United Nations was founded. We seek a return to this spirit. A fundamental step would be a true non-alignment of the United Nations. This would signal a return to the true values of the Charter, including the principle of universality. The members of the United Nations must be aligned on the side of justice rather than injustice, peace rather than aggression, human dignity rather than subjugation. Any other alignment is beneath the purpose of this great body and destructive of the harmony it seeks. What harms the Charter harms peace.

The founders of the United Nations expected that member nations would behave and vote as individuals, after they had weighed the merits of an issue—rather like a great, global town meeting. The emergence of blocs and the polarization of the United Nations undermine all that this Organization initially valued.

We must remember that the non-aligned movement was founded to counter the development of blocs and to promote detente between them. Its founders spoke of the right of smaller countries not to become involved in others' disagreements. Since then, membership in the non-aligned movement has grown dramatically, but not all the new members have shared the founders' commitment of genuine non-alignment. Indeed, client governments of the Soviet Union, which have long since lost their indepen-

dence, have flocked into the non-aligned movement and once inside have worked against its true purpose. Pseudo non-alignment is no better than pseudo arms control.

The United States rejects as false and misleading the view of the world as divided between the empires of the East and West. We reject it on factual grounds. The United States does not head any bloc of subservient nations, nor do we desire to. What is called the West is a free alliance of governments, most of which are democratic and all of which greatly value their independence. What is called the East is an empire directed from the center which is Moscow.

The United States, today, as in the past, is a champion of freedom and self-determination for all people. We welcome diversity; we support the right of all nations to define and pursue their national goals. We respect their decisions and their sovereignty, asking only that they respect the decisions and sovereignty of others. Just look at the world over the last 30 years, and then decide for yourself whether the United States or the Soviet Union has pursued an expansionist policy.

Today, the United States contributes to peace by supporting collective efforts by the international community. We give our unwavering support to the peacekeeping efforts of this body, as well as other multilateral peacekeeping efforts around the world. The United Nations has a proud history of promoting conciliation and helping keep the peace. Today, UN peacekeeping forces or observers are present in Cyprus and Kashmir, on the Golan Heights, and in Lebanon.

In addition to our encouragement of international diplomacy, the United States recognizes its responsibilities to use its own influence for peace. From the days when Theodore Roosevelt mediated the Russo-Japanese War in 1905, we have a long and honorable tradition of mediating or dampening conflicts and promoting peaceful solu-

tions. In Lebanon, we, along with France, Italy, and the United Kingdom, have worked for a cease-fire, for the withdrawal of all external forces, and for restoration of Lebanon's sovereignty and territorial integrity. In Chad, we have joined others in supporting the recognized government in the face of external aggression. In Central America, as in southern Africa, we are seeking to discourage reliance upon force and to construct a framework for peaceful negotiations. We support a policy to disengage the major powers from Third World conflict.

The UN Charter gives an important role to regional organizations in the search for peace. The U.S. efforts in the cause of peace are only one expression of a spirit that also animates others in the world community. The Organization of American States was a pioneer in regional security efforts. In Central America, the members of the Contadora group are striving to lay a foundation for peaceful resolution of that region's problems. In East Asia, the Asian countries have built a framework for peaceful political and economic cooperation that has greatly strengthened the prospects for lasting peace in their region. In Africa, organizations such as the Economic Community of West African States are being forged to provide practical structures in the struggle to realize Africa's potential.

From the beginning, our hope for the United Nations has been that it would reflect the international community at its best. The United Nations at its best can help us transcend fear and violence and can act as an enormous force for peace and prosperity. Working together, we can combat international lawlessness and promote human dignity.

## **The Need To Uphold the UN's Original Ideals**

If the governments represented in this chamber want peace as genuinely as their peoples do, we shall find it. We can

do so by reasserting the moral authority of the United Nations. In recent weeks, the moral outrage of the world seems to have reawakened.

Out of the billions of people who inhabit this planet, why, some might ask, should the death of several hundred shake the world so profoundly? Why should the death of a mother flying toward a reunion with her family or the death of a scholar heading toward new pursuits of knowledge matter so deeply? Why are nations who lost no citizens in the tragedy so angry?

The reason rests on our assumptions about civilized life and the search for peace. The confidence that allows a mother or a scholar to travel to Asia or Africa or Europe or anywhere else on this planet may be only a small victory in humanity's struggle for peace. Yet what is peace if not the sum of such small victories?

Each stride for peace and every small victory are important for the journey toward a larger and lasting peace. We have made progress. We have avoided another world war. We have seen an end to the traditional colonial era and the birth of 100 newly sovereign nations. Even though development remains a formidable challenge, we have witnessed remarkable economic growth among the industrialized and the developing nations. The United Nations and its affiliates have made important contributions to the quality of life on this planet, such as directly saving countless lives through its refugee and emergency relief programs. These broad achievements, however, have been overshadowed by the problems that weigh so heavily upon us. The problems are old, but it is not too late to commit ourselves to a new beginning, a beginning fresh with the ideals of the UN Charter.

Today, at the beginning of this 38th session, I solemnly pledge my nation to upholding the original ideals of the United Nations. Our goals are those that guide this very body. Our ends are the same as those of the United Nations'

founders, who sought to replace a world at war with one where the rule of law would prevail, where human rights were honored, where development would blossom, where conflict would give way to freedom from violence.

In 1956, President Dwight Eisenhower made an observation on weaponry and deterrence in a letter to a publisher. He wrote:

“When we get to the point, as we one day will, that both sides know that in any outbreak of general hostilities, regardless of the element of surprise, destruction will be both reciprocal and complete, possibly we will have sense enough to meet at the conference table with the understanding that the era of armaments has ended and the human race must conform its actions to this truth or die.”

He went on to say:

“. . . we have already come to the point where safety cannot be assumed by arms alone. . . their usefulness becomes concentrated more and more in their characteristics as deterrents than in instruments with which to obtain victory. . . .”

Distinguished ladies and gentlemen, as we persevere in the search for a more secure world, we must do everything we can to let diplomacy triumph. Diplomacy, the most honorable of professions, can bring the most blessed of gifts, the gift of peace. If we succeed, the world will find an excitement and accomplishment in peace beyond that which could ever be imagined through violence and war.

I want to leave you today with a message I have often spoken about to the citizens of my own country, especially in times when I have felt they were discouraged and unsure. I say it to you with as much hope and heart as I have said it to my own people. You have the right to dream great dreams. You have the right to seek a better world for your people. And all of us have the responsibility to work for that better world. And as caring, peaceful peoples, think what a powerful force for good we could be. Distinguished delegates, let us regain the dream the United Nations once dreamed.

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## Appendix 2

### Principal Organs of the United Nations

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#### General Assembly

The General Assembly is composed of all 158 members. They are:

Member	Date of Admission	Member	Date of Admission
Afghanistan	Nov. 19, 1946	Cameroon	Sept. 20, 1960
Albania	Dec. 14, 1955	Canada	Nov. 9, 1945
Algeria	Oct. 8, 1962	Cape Verde	Sept. 16, 1975
Angola	Dec. 1, 1976	Central African Republic	Sept. 20, 1960
Antigua and Barbuda	Nov. 11, 1981	Chad	Sept. 20, 1960
Argentina	Oct. 24, 1945	Chile	Oct. 24, 1945
Australia	Nov. 1, 1945	*China	Oct. 24, 1945
Austria	Dec. 14, 1955	Colombia	Nov. 5, 1945
Bahamas	Sept. 18, 1973	Comoros	Nov. 12, 1975
Bahrain	Sept. 21, 1971	Congo	Sept. 20, 1960
Bangladesh	Sept. 17, 1974	Costa Rica	Nov. 2, 1945
Barbados	Dec. 9, 1966	Cuba	Oct. 24, 1945
Belgium	Dec. 27, 1945	Cyprus	Sept. 20, 1960
Belize	Sept. 25, 1981	Czechoslovakia	Oct. 24, 1945
Benin	Sept. 20, 1960	Denmark	Oct. 24, 1945
Bhutan	Sept. 21, 1971	Djibouti	Sept. 20, 1977
Bolivia	Nov. 14, 1945	Dominica	Dec. 18, 1978
Botswana	Oct. 17, 1966	Dominican Republic	Oct. 24, 1945
Brazil	Oct. 24, 1945	Ecuador	Dec. 21, 1945
Bulgaria	Dec. 14, 1955	Egypt	Oct. 24, 1945
Burma	Apr. 19, 1948	El Salvador	Oct. 24, 1945
Burundi	Sept. 18, 1962	Equatorial Guinea	Nov. 12, 1968
Byelorussian S.S.R.	Oct. 24, 1945		

\* By resolution 2758(XXVI) of October 25, 1971, the General Assembly decided "to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations."



Member	Date of Admission	Member	Date of Admission
Ethiopia	Nov. 13, 1945	Nepal	Dec. 14, 1955
Fiji	Oct. 13, 1970	Netherlands	Dec. 10, 1945
Finland	Dec. 14, 1955	New Zealand	Oct. 24, 1945
France	Oct. 24, 1945	Nicaragua	Oct. 24, 1945
Gabon	Sept. 20, 1960	Niger	Sept. 20, 1960
Gambia	Sept. 21, 1965	Nigeria	Oct. 7, 1960
German Democratic Republic	Sept. 18, 1973	Norway	Nov. 27, 1945
Germany, Federal Republic of	Sept. 18, 1973	Oman	Oct. 7, 1971
Ghana	Mar. 8, 1957	Pakistan	Sept. 30, 1947
Greece	Oct. 25, 1945	Panama	Nov. 13, 1945
Grenada	Sept. 17, 1974	Papua New Guinea	Oct. 10, 1975
Guatemala	Nov. 21, 1945	Paraguay	Oct. 24, 1945
Guinea	Dec. 12, 1958	Peru	Oct. 31, 1945
Guinea-Bissau	Sept. 17, 1974	Philippines	Oct. 24, 1945
Guyana	Sept. 20, 1966	Poland	Oct. 24, 1945
Haiti	Oct. 24, 1945	Portugal	Dec. 14, 1955
Honduras	Dec. 17, 1945	Qatar	Sept. 21, 1971
Hungary	Dec. 14, 1955	Romania	Dec. 14, 1955
Iceland	Nov. 19, 1946	Rwanda	Sept. 18, 1962
India	Oct. 30, 1945	Saint Christopher and Nevis	Sept. 23, 1983
Indonesia	Sept. 28, 1950	Saint Lucia	Sept. 18, 1979
Iran	Oct. 24, 1945	Saint Vincent and the Grenadines	Sept. 16, 1980
Iraq	Dec. 21, 1945	Samoa	Dec. 15, 1976
Ireland	Dec. 14, 1955	Sao Tome and Principe	Sept. 16, 1975
Israel	May 11, 1949	Saudi Arabia	Oct. 24, 1945
Italy	Dec. 14, 1955	Senegal	Sept. 28, 1960
Ivory Coast	Sept. 20, 1960	Seychelles	Sept. 21, 1976
Jamaica	Sept. 18, 1962	Sierra Leone	Sept. 27, 1961
Japan	Dec. 18, 1956	Singapore	Sept. 21, 1965
Jordan	Dec. 14, 1955	Solomon Islands	Sept. 19, 1978
Kampuchea	Dec. 14, 1955	Somalia	Sept. 60, 1960
Kenya	Dec. 16, 1963	South Africa	Nov. 7, 1945
Kuwait	May 14, 1963	Spain	Dec. 14, 1955
Laos	Dec. 14, 1955	Sri Lanka	Dec. 14, 1955
Lebanon	Oct. 24, 1945	Sudan	Nov. 12, 1956
Lesotho	Oct. 17, 1966	Suriname	Dec. 4, 1975
Liberia	Nov. 2, 1945	Swaziland	Sept. 24, 1968
Libya	Dec. 14, 1955	Sweden	Nov. 19, 1946
Luxembourg	Oct. 24, 1945	Syria	Oct. 24, 1945
Madagascar	Sept. 20, 1960	Tanzania	Dec. 14, 1961
Malawi	Dec. 1, 1964	Thailand	Dec. 16, 1946
Malaysia	Sept. 17, 1957	Togo	Sept. 20, 1960
Maldives	Sept. 21, 1965	Trinidad and Tobago	Sept. 18, 1962
Mali	Sept. 28, 1960	Tunisia	Nov. 12, 1956
Malta	Dec. 1, 1964	Turkey	Oct. 24, 1945
Mauritania	Oct. 27, 1961	Uganda	Oct. 25, 1962
Mauritius	Apr. 24, 1968	Ukrainian S.S.R.	Oct. 24, 1945
Mexico	Nov. 7, 1945	U.S.S.R.	Oct. 24, 1945
Mongolia	Oct. 27, 1961	United Arab Emirates	Dec. 9, 1971
Morocco	Nov. 12, 1956		
Mozambique	Sept. 16, 1975		

<b>Member</b>	<b>Date of Admission</b>	<b>Member</b>	<b>Date of Admission</b>
United Kingdom	Oct. 24, 1945	Yemen (Aden)	Dec. 14, 1967
United States	Oct. 24, 1945	Yemen (Sanaa)	Sept. 30, 1947
Upper Volta	Sept. 20, 1960	Yugoslavia	Oct. 24, 1945
Uruguay	Dec. 18, 1945	Zaire	Sept. 20, 1960
Vanuatu	Sept. 15, 1981	Zambia	Dec. 1, 1964
Venezuela	Nov. 15, 1945	Zimbabwe	Aug. 25, 1980
Vietnam	Sept. 20, 1977		

The 37th regular session of the General Assembly, which had been suspended December 21, 1982, was resumed May 10, 1983, principally for the consideration of the agenda item on the question of Cyprus, and suspended again May 13. The session was resumed once more September 19 in order to formally close the session.

The 38th regular session of the General Assembly convened September 20 and was suspended December 20, 1983, to be resumed as appropriate for consideration of various items that remained on the agenda. The Assembly elected Jorge E. Illueca (Panama) as President and the Chairmen of the Delegations of Algeria, Belgium, Bhutan, Burundi, Canada, China, Czechoslovakia, France, Guyana, Lebanon, Liberia, Nepal, Pakistan, Sierra Leone, Singapore, Sudan, Swaziland, U.S.S.R., United Kingdom, United States, and Venezuela as the 21 Vice Presidents.

The Chairmen of the seven main committees, on which each member may be represented, were:

First (Political and Security)—Tom Eric Vraalsen (Norway)

Special Political—Ernesto Rodriguez Medina (Colombia)

Second (Economic and Financial)—Peter Dietze (German Democratic Republic)

Third (Social, Humanitarian, and Cultural)—Saroj Chavanaviraj (Thailand)

Fourth (Trust and Non-Self-Governing Territories)—Ali Treiki (Libya)

Fifth (Administrative and Budgetary)—Sumihiro Kuyama (Japan)

Sixth (Legal)—Lies Gastli (Tunisia)

The General Committee (steering committee) is composed of the President, the 21 Vice Presidents, and the Chairmen of the seven main committees.

## SECURITY COUNCIL

The Security Council is composed of 5 members designated in the Charter as permanent and 10 members elected by the General Assembly for 2-year terms ending December 31 of the year given in the heading:

Permanent Members: China, France, U.S.S.R., United Kingdom, United States.

1983: Guyana, Jordan, Poland, Togo, Zaire.

1984: Malta, Netherlands, Nicaragua, Pakistan, Zimbabwe.

On October 31 the Assembly elected Egypt, India, Peru, Ukrainian S.S.R., and Upper Volta for terms beginning January 1, 1984.

## TRUSTEESHIP COUNCIL

The Trusteeship Council is composed of the United States (as administrator of a territory) and the other four permanent members of the Security Council (China, France, U.S.S.R., United Kingdom).

The Trusteeship Council held its 50th session in New York, May 16–June 10, and a resumed session, also in New York, November 28, 1983.

## ECONOMIC AND SOCIAL COUNCIL

ECOSOC is composed of 54 members elected by the General Assembly for 3-year terms ending December 31 of the year given in the heading:

1983: Argentina, Bangladesh, Burundi, Byelorussian S.S.R., Cameroon, Canada, China, Denmark, Fiji, India, Kenya, Nicaragua, Norway, Peru, Poland, Sudan, U.S.S.R., United Kingdom.

1984: Austria, Benin, Brazil, Colombia, France, Federal Republic of Germany, Greece, Japan, Liberia, Mali, Pakistan, Portugal, Qatar, Romania, Saint Lucia, Swaziland, Tunisia, Venezuela.

1985: Algeria, Botswana, Bulgaria, Congo, Djibouti, Ecuador, German Democratic Republic, Lebanon, Luxembourg, Malaysia, Mexico, Netherlands, New Zealand, Saudi Arabia, Sierra Leone, Suriname, Thailand, United States.

On October 31, 1983, the Assembly reelected Argentina, Canada, China, Poland, U.S.S.R., and the United Kingdom and elected Finland, Indonesia, Papua New Guinea, Rwanda, Somalia, Sri Lanka, Sweden, Uganda, Yugoslavia, and Zaire for terms beginning on January 1, 1984. On November 21 the Assembly elected Costa Rica, also for a term beginning January 1. On December 20 the Assembly decided to defer the election of one member until a resumed session in 1984.

ECOSOC held its organizational session for 1983 (February 1-4) and its first regular session of 1983 (May 3-27) in New York. The second regular session of 1983 was held in Geneva (July 6-29).

## INTERNATIONAL COURT OF JUSTICE

The International Court of Justice consists of 15 members elected by the General Assembly and the Security Council for 9-year terms ending February 5 of the year given in parenthesis. The Judges, listed in their order of precedence, are:

Taslim Olawale Elias (Nigeria, 1985), President  
Jose Sette-Camara (Brazil, 1988), Vice President  
Manfred Lachs (Poland, 1985)  
Platon Dmitrievich Morozov (U.S.S.R., 1988)  
Nagendra Singh (India, 1991)  
Jose Maria Ruda (Argentina, 1991)  
Hermann Mosler (Federal Republic of Germany, 1985)  
Shigeru Oda (Japan, 1985)  
Roberto Ago (Italy, 1988)  
Abdallah Fikri El-Khani (Syria, 1985)  
Stephen M. Schwebel (United States, 1988)  
Robert Y. Jennings (United Kingdom, 1991)  
Guy Ladreit de Lacharriere (France, 1991)  
Keba Mbaye (Senegal, 1991)  
Mohammed Bedjaoui (Algeria, 1988)

## SECRETARIAT

The Secretariat consists of a Secretary General, who is the chief administrative officer of the Organization, and such staff as the Organization may require. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council; the staff is appointed by the Secretary General under regulations established by the General Assembly.

On December 15, 1981, the 36th General Assembly appointed Javier Perez de Cuellar (Peru) Secretary General for a 5-year term beginning January 1, 1982.

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## Appendix 3

### United States Missions

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#### U.S. MISSION TO THE UNITED NATIONS, NEW YORK

The United States is represented by a permanent mission at the Headquarters of the United Nations in New York. Under the direction of the U.S. Representative to the United Nations, the mission carries out the instructions of the President, as transmitted by the Secretary of State. It serves as the channel of communications between the U.S. Government and the UN organs, agencies, commissions, and 154 other member states maintaining permanent missions at the UN Headquarters; and with various non-member observer missions. It is also a base of operations for the U.S. delegation to the General Assembly and to other UN bodies when they meet in New York.

The chief of mission, who has the rank of Ambassador, is the U.S. Representative to the United Nations; he or she also represents the United States in the Security Council. He or she is assisted by other persons of appropriate title, rank, and status, who are appointed by the President.

The mission has a staff including specialists in political, economic, social, financial, budgetary, legal, military, public affairs, and administrative matters. In 1983 about 130 persons were assigned to the mission by the Department of State and other U.S. Departments and Agencies.

The staff assists the U.S. Representative in such activities as (1) planning the tactical pursuit of U.S. policy objectives in UN organs and bodies; (2) carrying out consultations, negotiation, and liaison with other delegations and the UN Secretariat; (3) preparing policy recommendations to the Department of State; (4) reporting to the Department of State on consultations and developments in the United Nations; (5) discharging U.S. responsibilities as "host government"—in particular those arising from the 1947 Headquarters Agreement between the United States and the United Nations (Public Law 357, 80th Cong.); the International Organizations Immunities Act of 1945, as amended; and the Convention on Privileges and Immunities of the United Nations, which deal, *inter alia*, with relations of the United Nations, its officials, and delegation members with Federal, State, and local authorities; (6) carrying out public affairs activities; and (7) planning and administering conference operations.

#### U.S. MISSION TO THE EUROPEAN OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA

The United States maintains a permanent mission in Geneva under the direction of a U.S. Representative, with the rank of Ambassador, who is accredited to the European Office of the United Nations and to the UN specialized agencies and other international organizations with headquarters in Geneva. The mission is responsible for the representation of U.S. interests at the UN European headquarters, in UN subsidiary bodies located in Geneva (such as UNCTAD, UNHCR, ECE, and the UN Disaster Relief Office); in the four specialized agencies which have

their headquarters in Geneva (WHO, WMO, ITU, and WIPO); and in other international bodies such as GATT, CD, and the Intergovernmental Committee for European Migration. The mission also maintains liaison, as appropriate, with resident delegations of other nations in Geneva, as well as with a large number of nongovernmental or voluntary organizations involved in humanitarian affairs, such as the International Committee of the Red Cross.

The mission maintains liaison on a continuing basis with the executive heads and members of secretariats of international bodies, reports on developments relating to them, monitors their programs and budgets, and makes policy and program recommendations to the Department of State.

The mission staff includes economic, political, financial, budgetary, scientific, agricultural, health, public affairs, humanitarian, and administrative advisers. In 1983 about 112 Americans, including personnel detailed by U.S. Government Departments other than the Department of State, were assigned to the staff and 53 local employees were hired full-time.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegations to these.

### **U.S. MISSION TO INTERNATIONAL ORGANIZATIONS IN VIENNA**

The United States maintains a permanent mission in Vienna under the direction of a U.S. Representative with the rank of Ambassador, who is accredited to the international organizations headquartered there. The Ambassador is the Deputy Permanent Representative to the IAEA. The mission is responsible for the at-site representation of U.S. interests in IAEA, UNIDO, UNRWA, UNFDAC, and UN agencies dealing with narcotic affairs, UNCITRAL, UNSCEAR, and the UN Center for Social Development and Humanitarian Affairs.

The mission maintains liaison with other permanent missions and the executive heads and members of the secretariats of the international organizations in Vienna.

The mission staff includes scientific, political, and budgetary advisers. In 1983 about 16 Americans were assigned to the staff and 2 foreign service national employees.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegation to these.

### **OTHER U.S. MISSIONS**

The United States also maintains a mission at the Headquarters of UNESCO in Paris and offices of a U.S. Representative at the headquarters of the food and agricultural organizations in Rome, ICAO in Montreal, and UNEP in Nairobi.

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## Appendix 4

### United States Representatives

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Permanent Representative and Chief of Mission to the United Nations: Jeane J. Kirkpatrick

Deputy Permanent Representative to the United Nations: Kenneth L. Adelman (through Apr. 21); Jose S. Sorzano (from July 27)

Deputy Permanent Representative to the Security Council: William C. Sherman  
Representative on the Economic and Social Council: Alan L. Keyes (from Oct. 11, 1983)

Alternate Permanent Representative for Special Political Affairs: Charles M. Lichenstein

U.S. Representative to the European Office of the United Nations and Other International Organizations: Geoffrey Swaebe

U.S. Mission to International Organizations in Vienna: Richard S. Williamson (appointed June 1, 1983)

#### GENERAL ASSEMBLY

##### 38th regular session (New York, Sept. 20–Dec. 20)

Representatives: Jeane J. Kirkpatrick (Chairman);<sup>1</sup> Jose S. Sorzano; Joel Pritchard; Stephen J. Solarz; John L. Loeb, Jr.

Alternates: Constantine N. Dombalis; Lyn P. Myerhoff; William C. Sherman; Alan L. Keyes; Charles M. Lichenstein

##### U.S. Scientific Committee on Effects of Atomic Radiation

32nd session (Vienna, June 20–24)

Representative: Robert D. Moseley, Jr., M.D.

##### Committee on Peaceful Uses of Outer Space

(New York, June 22–July 1)

Representative: William C. Sherman

Alternates: Ted A. Borek; S. Ahmed Meer; James Morrison

##### Committee on Disarmament

(Geneva, Feb. 1–Apr. 29)

Representative: Louis G. Fields

Alternate: Morris D. Busby

(Geneva, June 13–Aug. 27)

Representative: Louis G. Fields

Alternate: Morris D. Busby

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<sup>1</sup> Secretary of State Shultz served as Chairman of the Delegation, *ex officio*, during his presence at the session.

Disarmament Commission

(New York, May 9–June 3)

Head of Delegation: Louis G. Fields

UN Conference on Trade and Development

6th session (Belgrade, June 6–30)

Ministerial Representative: Kenneth W. Dam

Representative: Gordon L. Streeb

Alternate: Geoffrey Swaebe; Robert Brungart

Trade and Development Board of UNCTAD

26th session and 12th special session (Geneva, Apr. 18–29)

Representative: Geoffrey Swaebe

Alternate: Gordon L. Streeb

Trade and Development Board of UNCTAD

27th session (Geneva, Oct. 3–Oct. 19)

Representative: Gordon L. Streeb

Alternates: John St. John; Martin Van Heuven

Special Committee on Peacekeeping Operations

Did not meet in 1983

Industrial Development Board of UNIDO

17th session (Vienna, Apr. 25–May 13)

Representative: Roger Kirk

Alternate: Brewster Hemenway

UN Commission on International Trade Law

16th session (Vienna, May 24–June 3)

Representative: Peter Pfund

Alternate: E. Allen Farnsworth

Governing Council of UNEP

11th session (Nairobi, May 11–24)

Representative: Gregory J. Newell

Alternates: William C. Harrop; Mary Rose Hughes; Nancy Malolley

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

(New York, Apr. 11–May 6)

Representative: Robert Rosenstock

Alternate: Robert Filby

Ad Hoc Committee on the Indian Ocean

(New York, Jan. 31–Feb. 11)

Representative: William C. Sherman

Alternate: David Adamson

(New York, Apr. 11–22)

Representative: William C. Sherman

Alternate: David Adamson

(New York, July 11–22)

Representative: William C. Sherman

Alternate: David Adamson



Committee on Conferences

(New York, May 2-6)

Representative: Edward Keller

Alternates: Michael Michalski; Susan Shearouse

Committee on Information

(New York, Mar. 28-29)

Representative: Charles M. Lichenstein

Alternate: John Long

(New York, June 20-July 8)

Representative: Charles M. Lichenstein

Alternate: John Long

World Food Council

9th session (New York, June 27-30)

Representative: John R. Block

Alternates: Daniel G. Amstutz; Jose S. Sorzano

Special Committee on Enhancing the Effectiveness of the Non-Use of Force in International Relations

(New York, Jan. 31-Feb. 25)

Representative: Robert Rosenstock

Ad Hoc Committee on Drafting an International Convention Against Activities of Mercenaries

3rd session (New York, Aug. 2-26)

Representative: Robert Rosenstock

Alternate: Malcolm Riddell

Preparatory Committee for the UN Conference on Peaceful Uses of Nuclear Energy

(New York, Mar. 28-Apr. 8)

Representative: Roger Kirk

Alternate: James B. Devine

2nd UN Review Conference on Prohibition of Emplacement of Nuclear Weapons

(Geneva, Sept. 12-23)

Representative: David Emery

Alternate: Norman Wulf

**SECURITY COUNCIL**

Representative: Jeane J. Kirkpatrick

Deputies: Kenneth L. Adelman (through Apr. 21); Jose S. Sorzano (from July 27);

William C. Sherman

**TRUSTEESHIP COUNCIL**

50th session (New York, May 16-June 10)

Representative: William C. Sherman

Alternate: Douglas S. Kinney

Resumed session (New York, Nov. 28-29)  
Representative: William C. Sherman

## ECONOMIC AND SOCIAL COUNCIL

Organizational session for 1983 (New York, Feb. 1-4)  
Representative: Jose S. Sorzano  
Alternate: Dennis Goodman

1st regular session, 1983 (New York, May 3-27)  
Representative: Jose S. Sorzano  
Alternates: Dennis Goodman; Carl Gershman

2nd regular session, 1983 (Geneva, July 6-29)  
Representative: Jose S. Sorzano  
Alternates: Dennis Goodman; Geoffrey Swaebe

Commission on Human Rights  
30th session (Geneva, Jan. 31-Mar. 11)  
Representative: Richard Schifter  
Alternates: Warren Hewitt; Walter Berns; Geoffrey Swaebe

Commission on Narcotic Drugs  
30th session (Vienna, Feb. 7-16)  
Representative: Dominick L. DiCarlo  
Alternate: Clyde D. Taylor

Population Commission  
Did not meet in 1983

Commission on Social Development  
28th session (Vienna, Feb. 7-16)  
Representative: Roger Kirk

Statistical Commission  
22nd session (New York, Mar. 7-16)  
Observers: Robert Bartram; Suzann K. Evinger

Commission on Status of Women  
Extraordinary session (Vienna, Feb. 23-Mar. 4)  
Representative: Nancy Clark Reynolds  
Alternate: Constance B. Hilliard

Commission on Transnational Corporations  
Special session (New York, Mar. 7-18)  
Representative: Philip T. Lincoln, Jr., Mar. 10-14; John T. McCarthy, Mar. 7-10 and Mar. 15-18  
Alternate: James V. Hackney

Special session (New York, May 9-20)  
Representative: Philip T. Lincoln, Jr.  
Alternate: James V. Hackney

9th session (New York, June 20-29)  
Representative: Seymour Rubin  
Alternate: Philip T. Lincoln, Jr.

Economic Commission for Europe  
38th plenary (Geneva, Apr. 12-23)  
Representative: Geoffrey Swaebe  
Alternate: Gordon L. Streeb

Economic Commission for Asia and the Pacific  
39th plenary (Bangkok, Apr. 19-29)  
Representative: William C. Sherman  
Alternates: John Gordon Dean; Paul K. Stahnke

Economic Commission for Latin America  
Did not meet in 1983

Economic Commission for Africa  
9th Conference of Ministers (Addis Ababa, Apr. 27-May 3)  
Representative: Princeton Lyman

Economic Commission for Western Asia  
10th session (Baghdad, May 7-11)  
Representative: William T. Monroe

Executive Board of UNICEF  
(New York, May 9-20)  
Representative: Rita DiMartino  
Alternates: Claudine B. Cox; Jose S. Sorzano

Committee on Non-Governmental Organizations  
(New York, Feb. 7-16)  
Representative: Carl Gershman  
Alternates: Dennis Goodman; Robin Ritterhoff

Committee for Program and Coordination  
23rd session (New York, May 9-June 3)  
Representative: Theodore Papendorp  
Alternates: Dominick F. Iacovo; Edward Keller

Committee on Food Aid Policies  
16th session (Rome, Oct. 20-28)  
Representative *Ex Officio*: Millicent Fenwick  
Representative: Julia C. Bloch  
Alternate: Glenn D. Whiteman

Committee on Natural Resources  
8th session (New York, June 8-17)  
Representative: Linn Hoover  
Alternate: Lotfollah Nahai

Executive Committee of the High Commissioner's Program (UNHCR)  
34th session (Geneva, Oct. 10-19)  
Representative: James N. Purcell  
Alternate: Martin Van Heuven

Commission on Human Settlements  
6th session (Helsinki, Apr. 25-May 6)  
Representative: John T. Howley  
Alternate: Coleman J. Nee

Intergovernmental Committee on Science and Technology for Development

Special session (New York, Apr. 25-29)

Representative: Dennis Goodman

Alternate: Robert Tierney

5th session (New York, June 6-17)

Representative: Jose S. Sorzano

Alternate: Dennis Goodman

Governing Council for UNDP

30th session (New York, May 31-June 24)

Representatives: John R. Bolton, June 6-10; M. Peter McPherson, June 9;  
Jose S. Sorzano

Alternates: H. Bernard Glazer; Dennis Goodman, May 31-June 16)

**SPECIALIZED AGENCIES AND IAEA**

Food and Agriculture Organization (FAO)

84th session: FAO Council (Rome, Nov. 1-3)

Representative *Ex Officio*: Millicent Fenwick

Alternates: Donald R. Toussaint; Joan S. Wallace

85th session: FAO Council (Rome, Nov. 25)

Representative *Ex Officio*: Millicent Fenwick

Alternate: Donald R. Toussaint

International Maritime Organization (IMO)

50th session: Council (London, May 12-20)

Representative: Louis C. Cavanaugh

Alternate: Capt. Joseph V. Vorbach, USCG

51st session: Council (London, Nov. 18)

Representative: William Sergeant

Alternate: Capt. Paul E. Versaw, USCG

12th extraordinary session: Council (London, Nov. 4)

Representative: William Sergeant

Alternate: Capt. Paul E. Versaw, USCG

13th session: Assembly (London, Nov. 7-18)

Representative: Adm. James S. Gracey, USCG

Alternate: William Sergeant

International Bank for Reconstruction and Development (IBRD)

U.S. Governor: Donald Regan

Alternate: Allan Wallace

International Development Association (IDA)

The U.S. Governor, Executive Director, and their alternates are the same as those of the IBRD

International Finance Corporation

The U.S. Governor, Executive Director, and their alternates are the same as those of the IBRD

International Civil Aviation Organization (ICAO)

24th session, ICAO Assembly (Montreal, Sept. 20–Oct. 10)

Delegates: Franklin K. Willis (Chairman), Edmund Stohr, Anthony J. Broderick, James R. Nelson

Alternates: Joseph R. Chesen, Dan W. Figgins, James Gansle, Joan S. Gravatt, Irene E. Howie, D. Clark Norton

U.S. Representative on ICAO Council and Permanent Representative: Edmund Stohr

International Fund for Agricultural Development (IFAD)

Governing Council (Rome, Dec. 6–9)

Representative: Richard T. McCormack

Alternate: Millicent Fenwick

International Telecommunications Union (ITU)

38th session: Administrative Council (Geneva, May 2–20)

Representative: Earl S. Barbely

UN Educational, Scientific, and Cultural Organization (UNESCO)

116th session: Executive Board (Paris, May 16–July 1) and

117th session: Executive Board (Paris, Sept. 12–Oct. 14)

Representative: Jean S. B. Gerard

Alternate: Richard W. Aherne

22nd session: General Conference (Paris, Oct. 25–Nov. 29)

Delegates: Edmund P. Kennelly (Chairperson); Jean S. B. Gerard; Charles Wick; Helen Marie Taylor; Tirso Del Junco

Alternates: Frederick W. M. Guardabassi; Patricia E. Stuart; Elliott Abrams; Joseph Petrone; David T. Romero

Universal Postal Union (UPU)

1983 session UPU Executive Council (Bern, Apr. 28–May 13)

Representative: D. Clark Norton

World Health Organization (WHO)

36th World Health Assembly (Geneva, May 2–18)

Delegates: Margaret Heckler; Edward N. Brandt, Jr., M.D.; C. Everett Koop, M.D.

Alternates: Geoffrey Swaebe; Neil A. Boyer

World Intellectual Property Organization (WIPO)

7th session: Assembly of the International Union for the Protection of Industrial Property (Geneva, Feb. 28)

Representative: Gerald J. Mossinghoff

Alternate: Michael K. Kirk

1983 session of WIPO governing bodies (Geneva, Sept. 26–Oct. 4)

Representative: Gerald J. Mossinghoff

Alternate: Harvey J. Winter

World Meteorological Organization (WMO)

9th session: WMO Congress (Geneva, May 2–27)

Principal Delegate: Richard E. Hallgren

Alternate: Douglas H. Sargeant

35th session: Executive Committee (Geneva, May 30–June 3)

Member: Richard E. Hallgren

Alternate: Douglas H. Sargeant

International Atomic Energy Agency (IAEA)

27th General Conference (Vienna, Oct. 10-14)

Representative: Donald P. Hodel

Alternates: Richard T. Kennedy; Nunzio J. Palladino; Richard S. Williamson

International Labor Organization (ILO)

69th International Labor Conference (Geneva, June 1-22)

Minister: Raymond J. Donovan

Delegates: Robert W. Searby; John Warnock

Alternates: Geoffrey Swaebe; David A. Peterson

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## Appendix 5

# Scale of Assessments for the Apportionment of the Expenses of the United Nations

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The scale of assessments for the contributions of member states to the UN budget for the financial years 1983, 1984, and 1985 will be as follows:

Member State	Percent	Member State	Percent
Afghanistan .....	0.01	Costa Rica.....	0.02
Albania.....	0.01	Cuba.....	0.09
Algeria.....	0.13	Cyprus.....	0.01
Angola.....	0.01	Czechoslovakia .....	0.76
Antigua and Barbuda.....	0.01	Denmark .....	0.75
Argentina.....	0.07	Djibouti.....	0.01
Australia.....	1.57	Dominica.....	0.01
Austria.....	0.75	Dominican Republic.....	0.03
Bahamas.....	0.01	Ecuador.....	0.02
Bahrain.....	0.01	Egypt.....	0.07
Bangladesh.....	0.03	El Salvador.....	0.01
Barbados.....	0.01	Equatorial Guinea.....	0.01
Belgium.....	1.28	Ethiopia.....	0.01
Belize.....	0.01	Fiji.....	0.01
Benin.....	0.01	Finland.....	0.48
Bhutan.....	0.01	France.....	6.51
Bolivia.....	0.01	Gabon.....	0.02
Botswana.....	0.01	Gambia.....	0.01
Brazil.....	1.39	German Democratic Republic.....	1.39
Bulgaria.....	0.18	Germany, Federal Republic of....	8.54
Burma.....	0.01	Ghana.....	0.02
Burundi.....	0.01	Greece.....	0.40
Byelorussian S.S.R.....	0.36	Grenada.....	0.01
Cameroon.....	0.01	Guatemala.....	0.02
Canada.....	3.08	Guinea.....	0.01
Cape Verde.....	0.01	Guinea-Bissau.....	0.01
Central African Republic.....	0.01	Guyana.....	0.01
Chad.....	0.01	Haiti.....	0.01
Chile.....	0.07	Honduras.....	0.01
China.....	0.88	Hungary.....	0.23
Colombia.....	0.11	Iceland.....	0.03
Comoros.....	0.01	India.....	0.36
Congo.....	0.01	Indonesia.....	0.13

Member State	Percent	Member State	Percent
Iran .....	0.58	Romania .....	0.19
Iraq.....	0.12	Rwanda.....	0.01
Ireland.....	0.18	Saint Lucia.....	0.01
Israel.....	0.23	Saint Vincent and the Grenadines .....	0.01
Italy.....	3.74	Samoa .....	0.01
Ivory Coast.....	0.03	Sao Tome and Principe .....	0.01
Jamaica.....	0.02	Saudi Arabia.....	0.86
Japan .....	10.32	Senegal .....	0.01
Jordan.....	0.01	Seychelles.....	0.01
Kampuchea.....	0.01	Sierra Leone .....	0.01
Kenya.....	0.01	Singapore .....	0.09
Kuwait.....	0.25	Solomon Islands .....	0.01
Laos.....	0.01	Somalia.....	0.01
Lebanon.....	0.02	South Africa.....	0.41
Lesotho .....	0.01	Spain .....	1.93
Liberia .....	0.01	Sri Lanka .....	0.01
Libya .....	0.26	Sudan.....	0.01
Luxembourg.....	0.06	Suriname.....	0.01
Madagascar.....	0.01	Swaziland .....	0.01
Malawi.....	0.01	Sweden.....	1.32
Malaysia.....	0.09	Syria.....	0.03
Maldives .....	0.01	Tanzania.....	0.01
Mali.....	0.01	Thailand.....	0.08
Malta.....	0.01	Togo.....	0.01
Mauritania.....	0.01	Trinidad and Tobago .....	0.03
Mauritius .....	0.01	Tunisia.....	0.03
Mexico .....	0.88	Turkey .....	0.32
Mongolia.....	0.01	Uganda .....	0.01
Morocco .....	0.05	Ukrainian S.S.R.....	1.32
Mozambique.....	0.01	U.S.S.R.....	10.54
Nepal .....	0.01	United Arab Emirates.....	0.16
Netherlands.....	1.78	United Kingdom .....	4.67
New Zealand.....	0.26	United States.....	25.00
Nicaragua .....	0.01	Upper Volta.....	0.01
Niger .....	0.01	Uruguay .....	0.04
Nigeria.....	0.19	Vanuatu .....	0.01
Norway .....	0.51	Venezuela.....	0.55
Oman .....	0.01	Vietnam.....	0.02
Pakistan .....	0.06	Yemen (Aden).....	0.01
Panama .....	0.02	Yemen (Sanaa) .....	0.01
Papua New Guinea.....	0.01	Yugoslavia .....	0.46
Paraguay.....	0.01	Zaire.....	0.01
Peru.....	0.07	Zambia.....	0.01
Philippines.....	0.09	Zimbabwe.....	0.02
Poland.....	0.72		
Portugal.....	0.18		
Qatar.....	0.03	Grand Total .....	100.00



In accordance with rule 160 of the Rules of Procedure of the General Assembly, states not members of the United Nations but which participate in certain of its activities shall be called upon to contribute toward the expenses of such activities on the basis of the following rates:

<b>Non-member State</b>	<b>Percent</b>
Democratic People's Republic of Korea	0.05
Holy See	0.01
Liechtenstein	0.01
Monaco	0.01
Nauru	0.01
Republic of Korea	0.18
San Marino	0.01
Switzerland	1.10
Tonga	0.01

The following countries being called upon to contribute to the:

International Court of Justice

Liechtenstein

San Marino

Switzerland

International Drug Control

Holy See

Liechtenstein

Monaco

Republic of Korea

Switzerland

Tonga

Economic and Social Commission for Asia and the Pacific

Republic of Korea

Economic Commission for Europe

Switzerland

United Nations Conference on Trade and Development

Democratic People's Republic of Korea

Holy See

Liechtenstein

Monaco

Republic of Korea

San Marino

Switzerland

Tonga

United Nations Industrial Development Organization

Holy See

Liechtenstein

Monaco

Republic of Korea

Switzerland

United Nations Environment Program

Switzerland





