

council

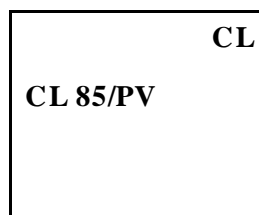
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

conseil

ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE

consejo

ORGANIZACION DE LAS NACIONES UNIDAS PARA LA AGRICULTURA Y LA ALIMENTACION



Eighty-fifth Session

Quatre-vingt-cinquième session

85º período de sesiones

Rome, 24 November 1983

VERBATIM RECORDS OF MEETINGS OF THE COUNCIL
PROCES-VERBAUX DES SEANCES DU CONSEIL
ACTAS TAQUIGRAFICAS DE LAS SESIONES DEL CONSEJO

FIRST PLENARY MEETING
PREMIERE SEANCE PLENIERE
PRIMERA SESION PLENARIA
(24 November 1983)

	<u>Page/Página</u>
I. <u>INTRODUCTORY ITEMS</u>	
I. <u>INTRODUCTION</u>	2
I. <u>TEMAS PRELIMINARES</u>	
1. <u>Adoption of the Agenda (CL 85/1-Rev.1)</u>	
1. <u>Adoption de l'ordre du jour (CL 85/1-Rev.1)</u>	2
1. <u>Aprobación del programa (CL 85/1-Rev.1)</u>	
2. <u>Election of Three Vice-Chairmen</u>	
2. <u>Election des trois vice-présidents</u>	2
2. <u>Elección de tres Vicepresidentes</u>	
II. <u>ELECTION OF COMMITTEES</u>	
II. <u>ELECTION AUX COMITES</u>	3
II. <u>ELECCION DE COMITES</u>	
3. <u>Election of the Chairman and Members of the Programme Committee (CL 85/2; CL 85/LIM/1)</u>	
3. <u>Election du président et des membres du Comité du programme (CL 85/2; CL 85/LIM/1)</u>	3
3. <u>Elección del Presidente y los Miembros del Comité del Programa (CL 85/2; CL 85/LIM/1)</u>	
5. <u>Election of the Members of the Committee on Constitutional and Legal Matters (CL 85/3; CL 85/LIM/3)</u>	
5. <u>Election des membres du Comité des questions constitutionnelles et juridiques (CL 85/3; CL 85/LIM/3)</u>	4
5. <u>Elección de los Miembros del Comité de Asuntos Constitucionales y Jurídicos (CL 85/3; CL 85/LIM/3)</u>	
4. <u>Election of the Chairman and Members of the Finance Committee (CL 85/2; CL 85/LIM/2)</u>	
4. <u>Election du président et des membres du Comité financier (CL 85/2; CL 85/LIM/2)</u>	5
4. <u>Elección del Presidente y los Miembros del Comité de Finanzas (CL 85/2; CL 85/LIM/2)</u>	
III. <u>WORLD FOOD PROGRAMME</u>	
III. <u>PROGRAMME ALIMENTAIRE MONDIAL</u>	5
III. <u>PROGRAMA MUNDIAL DE ALIMENTOS</u>	
6. <u>Election of Five Members of the Committee on Food Aid Policies and Programmes (CL 85/4; CL 85/LIM/4)</u>	
6. <u>Election de cinq membres du Comité des politiques et programmes d'aide (CL 85/4; CL 85/LIM/4)</u>	5
6. <u>Elección de cinco miembros del Comité de Políticas y Programas de Ayuda Alimentaria (CL 85/4; CL 85/LIM/4)</u>	
IV. <u>OTHER MATTERS</u>	
IV. <u>QUESTIONS DIVERSES</u>	9
IV. <u>OTROS ASUNTOS</u>	
9. <u>Establishment of a Commission on Plant Genetic Resources (CL 85/7)</u>	
9. <u>Création d'une Commission des ressources phylogénétiques (CL 85/7)</u>	9
9. <u>Establecimiento de una Comisión de Recursos Fitogenéticos (CL 85/7)</u>	

SECOND PLENARY MEETING
DEUXIEME SEANCE PLENIERE
SEGUNDA SESION PLENARIA

(24 November 1983)

	<u>Page/Página</u>
IV. <u>OTHER MATTERS</u> (continued)	
IV. <u>QUESTIONS DIVERSES</u> (suite)	26
IV. <u>OTROS ASUNTOS</u> (continuación)	
9. <u>Establishment of a Commission on Plant Genetic Resources</u> (continued) (CL 85/7; CL 85/7-Sup.1)	
9. <u>Création d'une Commission des ressources phylogénétiques</u> (suite) (CL 85/7; CL 85/7-Sup.1)	26
9. <u>Establecimiento de una Comisión de Recursos Fitogenéticos</u> (continuación) (CL 85/7; CL 85/7-Sup.1)	
10. <u>Review of the Rules Governing Procedures for Voting on Candidates in Elections to Council and Conference</u>	
10. <u>Révision des procédures de scrutin pour les élections au Conseil et à la Conférence</u>	33
10. <u>Examen de las normas que regulan los procedimientos para la votación de las candidaturas en las elecciones al Consejo y a la Conferencia</u>	
7. <u>Calendar of 1984-85 Sessions of the Council and Bodies which Report to the Council</u> (CL 85/5)	
7. <u>Calendrier 1984-85 des sessions du Conseil et des organes qui lui font rapport</u> (CL 85/5)	33
7. <u>Calendario para 1984-85 de los períodos de sesiones del Consejo y de los órganos que le rinden informes</u> (CL 85/5)	
8. <u>Appointment of Independent Chairman of the Appeals Committee</u> (CL 85/6)	
8. <u>Nomination du Président indépendant du Comité de recours</u> (CL 85/6)	34
8. <u>Nombramiento del Presidente Independiente del Comité de Apelación</u> (CL 85/6)	
11. <u>Date and Place of the Eighty-sixth Session of the Council</u> (CL 85/5)	
11. <u>Date et lieu de la quatre-vingt-sixième session du Conseil</u> (CL 85/5)	35
11. <u>Fecha y lugar del 86° periodo de sesiones del Consejo</u> (CL 85/5)	
12. <u>Any Other Matters</u>	
12. <u>Autres questions</u>	35
12. <u>Otras cuestiones</u>	

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CL

CL 85/PV/1

Eighty-fifth Session

Quatre-vingt-cinquième session

85º período de sesiones

FIRST PLENARY MEETING
PREMIERE SEANCE PLENIERE
PRIMERA SESION PLENARIA
(24 November 1983)

The First Plenary Meeting was opened at 10.15 hours
M.S. Swaminathan, Independent Chairman of the Council, presiding

La première séance plénière est ouverte à 10 h 15 sous la présidence de
M. S. Swaminathan, Président indépendant du Conseil

Se abre la primera Sesión Plenaria a las 10.15 horas bajo la presidencia de
M. S. Swaminathan, Presidente Independiente del Consejo

CHAIRMAN: Mr Director-General, distinguished members of the Council, ladies and gentlemen, may I extend to you all a very warm welcome to this one-day session of the Council traditionally held after the Conference. I thank you once again for giving me this privilege to continue to be associated with you.

On any such occasion we have many items to rejoice about and also some items to be sorry about, because in life pleasure and pain go together. Let me do the sad part of my duty first. During this very month of November we have lost two very distinguished colleagues, friends, long-time supporters of FAO who have rendered very valuable services to the Council and to the Organization. The first is Ambassador Machado de Freitas, the distinguished Ambassador from Brazil to FAO who has been a very valuable member of the Programme Committee and a former Chairman of the Committee on Commodity Problems. All those who knew the late Ambassador Machado de Freitas have always had a very great regard for him, for his clarity of thinking, his analytical powers, and above all his very human approach. I want to express our Council's sorrow at his demise.

Ambassador Pier Pasquale Spinelli who has been Independent Chairman of the Appeals Committee since 1967, also passed away this month. We want to express our condolences for his death also.

We now have a rather heavy agenda before us and therefore, without taking any more of your time in any preliminary remarks, I would like to proceed straight away with the consideration of our agenda. The first item is Item 1, Adoption of the Agenda.

I. INTRODUCTORY ITEMS

I. INTRODUCTION

I. TEMAS PRELIMINARES

1. Adoption of the Agenda

1. Adoption de l'ordre du jour

1. Aprobación del programa

Does any Council member have any comment on the agenda? Hearing none I take it that we adopt the agenda as presented in document CL 85/1.

2. Election of Three Vice-Chairmen

2. Election des trois vice-présidents

2. Elección de tres Vicepresidentes

G. BULA HOYOS (Colombia): En esta nuestra primera intervención queremos felicitar a usted, señor Presidente, por su merecida reelección e, igualmente, felicitar al Director General por el buen éxito de la Conferencia que acabamos de concluir.

La delegación de Colombia tiene el honor de proponer para una de las tres vicepresidencias al distinguido colega y amigo Sr. S. Okwakol, de Uganda, El colega Okwakol es un alto funcionario del Ministerio de Agricultura y Bosques de Uganda; ha compartido con nosotros la última Conferencia y estamos seguros de que será un útil colaborador suyo en la presidencia y un útil colaborador de todos los miembros del Consejo.

H. REDL (Austria): It is a great pleasure for me to support the proposal which was just put forward by the delegate of Colombia.

CHAIRMAN: Thank you very much. You heard the proposal of Colombia proposing the name of Mr Okwakol of Uganda, seconded by Austria. So I take it that this has the concurrence of all members of the Council. Then we elect as first Vice-Chairman Mr Okwakol of Uganda.

R.C. GUPTA (India): My delegation would like to propose Mr Amin Abdel-Malek, Inspector General of Agriculture in Lebanon for the office of the second Vice-Chairman of this Council session. Mr Malek is a well-known figure in FAO. He has been attending FAO Conferences and various fora for over two decades. With his distinguished record we feel that he will be a very competent assistant to you during this session.

Mr. ABDELHADI (Tunisie): (langue originale arabe): Ma délégation se prévaut de cette occasion pour vous féliciter de votre réélection à la Présidence du Conseil et nous voulons appuyer la proposition formulée par l'Inde visant à ce que M. Abdel-Malek occupe le deuxième poste de vice-président du Conseil.

CHAIRMAN: You heard the proposal of India, that Mr Amin Abdel-Malek of the Lebanon be the second Vice-Chairman and that has been seconded by Tunisia. Shall I take it that this has the unanimous approval of the Council? Thank you very much, so we have Mr Malek of Lebanon as second Vice-Chairman,

F.G. POULIDES (Cyprus): First of all I wish to express our warmest congratulations for your unanimous re-election as Independent Chairman and I wish you every success. I have great pleasure in proposing as third Vice-Chairman Mr Eric James Stonyer, Director of Economics Division, Ministry of Agriculture and Fisheries, Wellington. I am sure Mr Stonyer with his vast knowledge will assist you and will contribute most effectively for the important progress of our work.

P.S. McLEAN (United Kingdom): May I first join with other colleagues in congratulating you on your re-election as Independent Chairman of the Council. It is a great pleasure for my delegation to second the nomination of Mr Stonyer, the delegate of New Zealand, as the third Vice-Chairman of this session.

CHAIRMAN: You heard the proposal of Cyprus that Mr Eric James Stonyer of New Zealand may be the third Vice-Chairman for this session. It has been seconded by the United Kingdom. Do I take it that this has the unanimous approval of the Council? We have the three Vice-Chairmen for this session, Mr Okwakol of Uganda, Mr Abdel-Malek of Lebanon and Mr Stonyer of New Zealand. I want to congratulate all these three distinguished Vice-Chairmen and I hope with their help this session will be a fruitful one.

Now we proceed with the next item on our agenda, namely the election of the Chairman and members of the Programme Committee, which is a very important Committee.

II. ELECTION OF COMMITTEES

II. ELECTION AUX COMITES

II. ELECCION DE COMITES

3. Election of the Chairman and Members of the Programme Committee

3. Election du président et des membres du Comité du programme

3. Elección del Presidente y los Miembros del Comité del Programa

LE SECRETAIRE GENERAL: Comme vous le savez le Comité du programme se compose d'un président et dix autres membres (huit appartenant aux régions de l'Afrique, de l'Asie, du Proche-Orient et de l'Amérique latine; trois appartenant aux régions de l'Europe, de l'Amérique du Nord et du Pacifique du Sud-Ouest).

A l'article visé par la référence, j'ai réuni les candidatures suivantes:

Argentine	CO. Keller Samiento
Barbade	F. Brewster
Cameroun	A.G. Ngongi Namanga
Congo	J. Tchicaya
Egypte	Y.A. Hamdi
Inde	R.C. Gupta
Liban	A. Abdel-Malek
Libye	M. Sidki Zehni
Pakistan	T. Ahmad
Sierra Leone	T.E.C. Palmer

CHAIRMAN: There seems to be some discrepancy between the English and the French version because Libya is not there in the English one. Apparently there is a mistake in the French version. The English version in document CL 85/LIM/1 has Argentina, Barbados, Cameroon, Congo, Egypt, India, Lebanon, Pakistan and Sierra Leone. I am sorry, Libya was added inadvertently, so these are the ones. It is only in the French text. In the French text kindly omit Libya. We have there the United States and France as the other two, Madame Ambassador Fenwick and Mr Mazoyer of France, they are the other two.

A.G. NGONGI NAMANGA (Observer for Cameroon): I have only two small announcements to make. After thorough consultations, as is traditional in the African spirit, I have been authorised by Mr T.E.C. Palmer of Sierra Leone to withdraw his candidature for election to the Programme Committee. That means there are two African candidates for two seats on the Programme Committee. I have also been authorised by Mr Tchicaya to announce his withdrawal of his candidature for the Finance Committee. That means there will be two African candidates for two seats on the Finance Committee.

CHAIRMAN: Thank you very much. We appreciate the gesture of Sierra Leone, Mr Palmer. Now, according to the procedure we first elect the Chairman. There is a single nomination, Mr Trkulja of Yugoslavia and I take it that it is the unanimous pleasure of the Council to request Professor Trkulja to continue in the very distinguished and effective work he has been doing. Thank you very much, and we elect Milan Trkulja. I want to add my personal pleasure at the re-election of Professor Trkulja because I have seen his very hard and dedicated work as Chairman of the Programme Committee.

Now, we have the following eight to represent Africa, Asia, Latin America and the Near East: Mr Keller Sarmiento from Argentina, Mr Brewster from Barbados, Mr Ngongi Namanga from Cameroon, Mr Tchicaya from Congo, Dr Hamdi from Egypt, Mr Gupta from India, Mr Abdel-Malek from Lebanon, Mr Ahmad from Pakistan. We have to represent the regions of Europe, North America and the Southwest Pacific: Mr Mazoyer from France and Madame Fenwick from the United States. I take it that it is the unanimous pleasure of the Council that we make them "beasts of burden" - I know they are going to be very hard worked! We want to thank you for this wonderful selection of the Programme Committee and I want to add my congratulations to the members and the Chairman of the Programme Committee.

Elected by acclamation

Elu par acclamation

Elegido par aclamación

Applause

Applaudissements

Aplausos

5. Election of the Members of the Committee on Constitutional and Legal Matters
5. Election des membres du Comité des questions constitutionnelles et juridiques
5. Elección de los Miembros del Comité de Asuntos Constitucionales y Jurídicos

I would like now to take up Item 5, Election of the Members of the Committee on Constitutional and Legal Matters so that if there is going to be balloting we can do it at one stretch, that is the idea. Item 5, document CL 85/LIM/3, election of members of the Committee on Constitutional and Legal Matters. There are seven Member Nations to be elected for a period of two years, at this session of the Council and the seven nominations are Algeria, El Salvador, Italy, Philippines, Poland, United States of America and the Yemen Arab Republic. I take it it is your pleasure that we request all these seven countries to serve for a period of two years on the Committee on Constitutional and Legal Matters.

Elected by acclamation

Elu par acclamation

Elegido por aclamación

4. Election of the Chairman and Members of the Finance Committee
4. Election du président et des membres du Comité financier
4. Elección del Presidente y los Miembros del Comité de Finanzas

We will now take up item 4 on our Agenda, Election of the Chairman and Members of the Finance Committee, document CL 85/LIM/2, again an exceedingly important organ of the Council. You will see from the document that there are nine Member Nations to be elected by the Council, six from the regions of Africa, Asia, Latin America, and Near East, and three from the regions of Europe, North America, and Southwest Pacific. You will see from the document that we proceed in two steps. We elect the Chairman of the Finance Committee. For that we have a single nomination, Mr Abeyagoonasekera from Sri Lanka, who has been serving with great distinction as Chairman of the Finance Committee. I take it that it is your pleasure that we request Mr Abeyagoonasekera to continue to serve as Chairman of the Finance Committee.

Applause

Applaudissements

Aplausos

I would like to add my words of congratulations as well as gratitude to Mr Abeyagoonasekera again for the wonderful work he has been doing as Chairman of the Finance Committee and I am happy that we will have the privilege of his continued guidance over the affairs of this Committee. You will see that the members come from the Regions of Africa, Asia, Latin America and Near East, for which we have five positions, because one position has gone with the Chairman's election. For five positions we have seven nominations: Mr Sequeira of Angola, Mr Rajaona of Madagascar, Mr Jalil of Malaysia, Mr Acuña of Panama, Mr Gazzo of Peru, and Mr Bukhari of Saudi Arabia. There are six names and five positions.

For the region of Europe, North America and Southwest Pacific we have three positions and we have five names as it stands just now: Mr Sault of Australia, Mr Gosselin of Canada, Mr Schümm of the Federal Republic of Germany, Mr Papageorgiou of Greece, and Mr Battisti of Italy. From the regions of Africa, Asia, Latin America and Near East there are six names for five positions. So obviously we will have to make a selection by ballot. Does any member want to take the floor now?

If there is an election for the Committee on Food Aid Policies and Programmes my proposal is that we do the ballot at the same time, we will have two ballot papers. So I would like to know if the position is as I have stated. We have re-elected Mr Abeyagoonasekera of Sri Lanka as Chairman of the Finance Committee. We have six names for five positions from the regions of Africa, Asia, Latin America and Near East, and we have five names for three positions from the regions of Europe, North America, and Southwest Pacific. We will have to proceed with the election.

III. WORLD FOOD PROGRAMME

III. PROGRAMME ALIMENTAIRE MONDIAL

III. PROGRAMA MUNDIAL DE ALIMENTOS

6. Election of Five Members of the Committee on Food Aid Policies and Programmes
6. Election de cinq membres du Comité des politiques et programmes d'aide alimentaire
6. Elección de cinco miembros del Comité de Políticas y Programas de Ayuda Alimentaria

I will proceed with Item 6 on the Agenda, Election of Five Members of the Committee on Food Aid Policies and Programmes, document CL 85/LIM/4. As the note says, the FAO Council and the United Nations Economic and Social Council each elect 15 Member Nations to this Committee. The term of office of five of the members elected by the FAO Council will come to an end on 31 December 1983. You also see in paragraph 2 the balance to be achieved. We have six names - Australia, Bangladesh, Canada, Indonesia, the Kingdom of Saudi Arabia and the United States of America. Otherwise shall we proceed with the balloting? May I request Brazil and Cyprus to serve as tellers for the ballot.

VOTE

VOTE

VOTACION

REPORT OF BALLOT RESULTAT DU SCRUTIN RESULTADO DE LA VOTACION	No. 1	
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1. Ballot papers issued Bulletins distribués Papeletas distribuidas	49
2. Defective ballots Bulletins nuls Papeletas defectuosas	1
3. Abstentions Abstentions Abstenciones	0

4. Valid ballots Bulletins valables Papeletas validas	48
5. Seats to be filled Sieges à pourvoir Puestos que hay que cubrir	5
6. Votes cast Suffrages exprimés Votos emitidos	48

7. Majority Majorité Mayoría	25
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Elected - Elus - Elegidos		Not Elected - Pas Elus - No Elegidos	
Saudi Arabia	44	Panama	34
Madagascar	42		
Malaysia	41		
Angola	40		
Peru	39		

Tellers/Scrutateurs/Escrutadores

Signature H. Pinte (Brazil)
Firma

Signature H. Zannetis (Cyprus) ..
Firma

..24.11.83.....
Date
Fecha

..... B. Linley
Elections Officer
Fonctionnaire electoral
El oficial de elecciones

REPORT OF BALLOT RESULTAT DU SCRUTIN RESULTADO DE LA VOTACION	No. 1	
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1. Ballot papers issued Bulletins distribués Papeletas distribuidas	49
2. Defective ballots Bulletins nuls Papeletas defectuosas	1
3. Abstentions Abstentions Abstenciones	0

4. Valid ballots Bulletins valables Papeletas válidas	48
5. Seats to be filled Sièges à pourvoir Puestos que hay que cubrir	3
6. Votes cast Suffrages exprimés Votos emitidos	48

7. Majority Majorité Mayoría	25
------------------------------------	----

Elected - Elus - Eligidos		Not Elected - Pas Elus - No Elegidos	
Canada	39	Greece	25
Australia	32	Italy	20
Germany, Fed. Rep. of	28		

Tellers/Scrutateurs/Escrutadores

Signature
Firma H. Zennatis (Cyprus)

Signature
Firma H. Pinto (Brazil)

.....24.11.83.....
Date
Fecha

.....B. Linley.....
Elections Officer
Fonctionnaire electoral
El oficial de elecciones

REPORT OF BALLOT RESULTAT DU SCRUTIN RESULTADO DE LA VOTACION	No. 1	
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1. Ballot papers issued Bulletins distribués Papeletas distribuidas	49
2. Defective ballots Bulletins nuls Papeletas defectuosas	1
3. Abstentions Abstentions Abstenciones	0

4. Valid ballots Bulletins valables Papeletas válidas	48
5. Seats to be filled Sièges à pourvoir Puestos que hay que cubrir	5
6. Votes cast Suffrages exprimés Votos emitidos	48

7. Majority Majorité Mayoría	25
------------------------------------	----

Elected - Elus - Eligidos		Not Elected - Pas Elus - No Elegidos	
Canada	46	Indonesia	31
USA	45		
Saudi Arabia	43		
Australia	41		
Bangladesh	34		

Tellers/Scrutateurs/Escrutadores

Signature
Firma H. Zannetis (Cyprus)

24.11.83
Date
Fecha

Signature
Firma H. Pinto (Brazil)

B. Linley
Elections Officer
Fonctionnaire électoral
El oficial de elecciones

CHAIRMAN: As a result of these elections the composition of the Finance Committee will be as follows: Chairman, Mr Abeyagoonasekera, and the eight members will be Saudi Arabia, Madagascar, Malaysia, Angola, Peru, Canada, Australia, and the Federal Republic of Germany. We are very grateful to Panama, Greece and Italy for their kind interest also in serving on this Committee.

In relation to the Committee on Food Aid Policies and Programmes the following five countries have been elected on behalf of the FAO Council: Canada, United States of America, Saudi Arabia, Australia, Bangladesh. We are grateful to Indonesia for kindly offering to help on this Committee.

I congratulate all the members of the Programme Committee and the Finance Committee and the Committee on Food Aid Policies and Programmes.

IV. OTHER MATTERS

IV. QUESTIONS DIVERSES

IV. OTROS ASUNTOS

9. Establishment of a Commission on Plant Genetic Resources

9. Création d'une Commission des ressources phytogénétiques

9. Establecimiento de una Comisión de Recursos Fitogenéticos

LEGAL COUNSEL: Thank you, Mr Chairman. The document before you is CL 85/7. I do not think I have to remind any members of the Council that this matter was discussed at very great length in the Conference, since no doubt most of you took part in the long debate.

The task before you now, as members of the Council, is to carry out the instructions which you have received from the supreme body of the Organization; that is to say from the Conference. These instructions are contained in Conference Resolution 9/83. That Resolution appears as Appendix A on page 5 of the English text of document CL 85/7. To summarize these instructions, I should mention that they were to establish a commission under paragraph 1 of Article VI of the Constitution that would be open to all Member Nations and Associate Members, and that this commission should have the terms of reference which were specified by the Conference in its Resolution. In addition, Mr Chairman, the Conference decided that this Commission, once established by the Council at this present session, should meet at the same time as the regular sessions of the Committee on Agriculture or when convened by the Director-General.

Mr Chairman, the Council now has before it a draft Resolution establishing the Commission. This draft Council Resolution appears on page 2 and the following pages of the English version of document CL 85/7. The Resolution contains the Statutes of the Commission that you would be establishing. Paragraphs 1-3 of the Statutes of the Commission reflect the decisions of the Conference that I have just summarized. The remaining paragraphs of the Statutes of the Commission, that is to say paragraphs 4-8, are standard provisions applicable to this kind of commission and they reflect exclusively the requirements which are contained in Part (R) of the Basic Texts as adopted by the Conference many years ago.

I think that is all I need to say at this stage, Mr Chairman. Thank you very much.

Mrs M. FENWICK (United States of America): I have a number of questions that I hope can be answered, and I am sure that there are other members of the Council who also will be interested and will be posing their own questions.

I would like to see the Financial Statement and the Administrative Statement of the Secretariat which is provided for under Rule 13.1 before we proceed. It seems to me we have a proposal here and the only reference that I can find would be on page 4 of CL 85/7 where it says, "The expenses of the Secretariat of the Commission shall be determined and paid by the Organization within the limits of the relevant appropriations in the approved budget of the Organization." That is not a financial statement in my training or a listing of administrative costs, and I think we are entitled to that before we proceed.

I have other questions. As I understand it now - perhaps I am not clear on this - the motion that we adopted yesterday, if I am correct, requests the Council at its next session - which is this - to establish an Intergovernmental Body on Plant Genetic Resources. Now does that replace Item 3? In other words, who is eligible here - all members of FAO or Member Nations of FAO, is that correct? Would that be then 156? As I understand it those members would be restricted to those Nations that show their desire to become members. Is an executive committee or a steering committee proposed here? Will different areas of the planet be assigned positions, and that is a very important consideration which has not been touched on in this document, or at least in the documents I have before me. I am sorry that a provision that would have allowed all of the Nations of the world to join, namely the USSR, the German Democratic Republic, Yellow Russia, the Ukraine, now will be excluded since they are not members of FAO as I understand it and perhaps that is a pity, but in any case I would like to see some answers to these questions and I am sure some of my colleagues will have others sharper and more to the point.

S.P. MUKERJI (India): In regard to Appendix A of this document CL 85/7 which enunciates the so-called Resolution which was reported to have been passed yesterday, Mr Chairman, my understanding has been that while the distinguished Chairman of Commission II was presenting the report of that Commission from the podium, he volunteered to suggest the removal of an omission by adding a few words in the Libyan resolution which was in paragraph 13 of the document C 83/REP/8 where the membership of an intergovernmental body was being indicated.

We suggested that in the clause indicating membership of that Resolution, the words "the Member Nations of the Organization interested in the Undertaking", that is, the words "interested in the Undertaking" should be included, whether or not they are members of the Committee.

Thereafter some observations are made by the Secretariat to indicate that some editorial changes will be made in the heading and in other clauses but my understanding was that, this substantive clause of membership, being limited to those who are interested in the Undertaking, will remain undisturbed.

It was a little surprising to my delegation in reading Appendix A to the present document CL 85/7 to see that the membership has made open to all Member Nations or associate members, without indicating that they should be interested in the Undertaking. I presume that this is an omission, and if so, I would request with all earnestness that this omission be remedied and the words "interested in the Undertaking" should be added in the appendix after the words "Associate Members".

M. ABDELHADI (Tunisie): Je tiens tout d'abord à exprimer mes chaleureuses félicitations au Directeur général pour la célérité dont il a fait preuve concernant la préparation et la présentation au Conseil du document soumis à notre examen. Le document paraît à* ma délégation satisfaisant puisqu'il se conforme, d'une part à la résolution 9/83 de la Conférence adoptée lors de la vingt-deuxième session et, d'autre part aux formes habituellement adoptées pour les commissions créées par la Conférence ou le Conseil en vertu de l'article VI de l'Acte constitutif.

En ce qui concerne la composition de la Commission ma délégation note avec satisfaction que la Commission serait composée de tous les Etats Membres et Membres associés de l'Organisation qui notifient au Directeur général le désir d'en faire partie.

Je souhaiterais peut-être que le projet de résolution, dans sa partie réservée à son mandat, mentionne avec plus de clarté et insiste sur la nécessité et l'importance de la coopération internationale en matière de phylogénétique.

Concernant la périodicité des sessions de la Commission ma délégation est d'accord, sur la proposition du texte, à savoir que la commission tient ses sessions à l'occasion des sessions ordinaires du COAG.

En tout état de cause la Tunisie appuie le document tel que présenté au Conseil.

A. ABDEL-MALEK (Liban) (langue originale arabe): La délégation libanaise ne peut qu'appuyer ce que vient d'avancer M. le délégué tunisien au sujet de ce projet. Nous remercions M. le Directeur général pour tous les efforts qu'il a déployés afin de mettre au point la Résolution que nous tenons en ce moment entre nos mains.

P.S. McLEAN (United Kingdom): I listened very carefully to the introduction of Item 5 by the Legal Counsel and if I understood him correctly, he was telling us that the Resolution adopted by the Conference only yesterday, with its requirement requesting the Council to establish at its next session a Commission on Plant Genetic Resources was, in his view, a mandatory directive to this Council. You will understand, Mr Chairman, some of the difficulties which some of us find ourselves in. The amended Resolution passed by the Conference yesterday has not yet been transmitted to my authorities, let alone the Council Resolution before us.

The United Kingdom put a reserve on Resolution 9/83 of which I gave a brief explanation at the Conference. It was to the effect that, having been in the Commission of the Conference a member who, I believe, worked constructively to produce what I called a finely tuned package on this issue, we found ourselves unable at the late stage that the amendments were introduced in the Plenary, to go along with them. The questions posed by the United States delegate seem to us to be very pertinent, I believe that we should and do require a statement from the Secretariat on the question of the application of Financial Regulation XIII. The question of the Council's decision on the Resolution will, of course, depend on the debate, but I feel it right that I should indicate that my delegation, again for reasons that it gave yesterday, is not in a position to support the adoption of this Resolution at this session.

P. GOSSELIN (Canada): We have made our position clear on this item in the discussions in Commission II and in Conference, in the Plenary. We would like to support the position taken by the United Kingdom and the United States with respect to Rule XIII. We do not believe that the information provided in paragraph 6 is sufficiently detailed or explicit. We are aware that there is a small budget allocation for plant genetic resources in the Programme of Work and Budget. We are now wondering whether this is sufficient to cover this new activity and, if not, what other activities will be sacrificed as a result.

Our second point has to do with our concern that we have expressed time and time again and which is, I believe, shared by many members; and that the question of agency mandates and the possibility of overlaps. We are all aware that Unesco and UNEP as well as other UN bodies and also the International Union for the Conservation of Natural Resources and the IBPGR all have mandates that touch upon the field of genetic research and conservation. We wonder what the mandates of these various organizations are and whether or not the mandate which is very general, that is being put forward for this Council, would or would not infringe on the work of these other bodies.

Finally, despite the fact that we have reserved generally on the issue, we would like some time to transmit the proposal that is before us to our Government and obtain some instructions.

M. HAMDOON (Iraq) (original language Arabic): The Iraqi delegation supports completely the draft Resolution which we have before us to set up a commission for plant genetic resources, as the Director-General presented to us in this paper. However, I did notice that there are some differences between the Draft Resolution as we adopted it yesterday and the present text which we have before us, particularly with reference to the statute, because if I refer back to the original text I read: "... to take or recommend measures that are necessary or desirable" whereas in the present text in paragraph (b) I read only "to recommend measures that are necessary or desirable". That is the Arabic text, of course, that I am referring to; I do not know what the French and English texts say. Perhaps it is an omission - but it does seem to me that the present wording is a considerable weakening of the original text.

A.R. PIRES (Cap-Vert): La délégation cap-verdienne voudrait tout simplement s'associer aux honorables délégués de la Tunisie et du Liban, pour appuyer le document CL 85/7 et le projet de résolution en annexe concernant la création d'une Commission des ressources phylogénétiques.

E.J. STONYER (New Zealand): I just want to add my support to one or two of the previous speakers and make it very clear from the start that New Zealand certainly is well and truly behind the gene bank proposal and the exchanges proposed. Unfortunately - and we say this with some regret - the Conference yesterday in a very few minutes produced a result with which we are having some difficulty now, particularly with regard to the financial implications and the commitment that we might be entering into.

I would just like to re-echo the thought of one or two of the previous speakers and request that before consideration I think we would expect, as stated in section (c) of the basic text 13.1, some sort of a statement of the financial commitments from the Director-General. Apart from that fact we have not discussed this and its implication of this proposal in our capitals, and we would want to do this before we carry it to any further stage.

Mrs M. RAVN (Norway): As the Legal Counsel said in his introduction, we worked on this issue for a very long time in the Conference to be able to reach a consensus on the future action in this very important area of plant genetic resources. However, we regret that what the Conference finally decided with regard to the intergovernmental body to be established was less satisfactory, in our opinion, than could otherwise have been the case, in that we think that the global aspect that has been the focus of our work has been lost. I think it is fair to say that we shall continue to work for a solution that in the end would make it possible for our global participation in this area.

With regard to the present Resolution, since we received it only this morning I have no possibility of discussing it with my authorities but I share the opinions expressed by other colleagues with regard to the extra costs involved and I would like to have clarification on that.

With regard to the proposal made by the delegate of India, I am a bit puzzled because when we changed the type of body that should be set up yesterday, we also at the same time changed the scope of the membership. Since this is no longer a sub-Committee on Agriculture which has a broader scope and where we could make the membership perhaps more the way we would like to, we have based ourselves on Article VI and in Article VI it says that this Commission shall be open to all Member States and associate members and my delegation cannot accept that we try to put a further curtailment on that membership. I think that is not in accordance with our Basic Texts. That is all I have to say at this point.

W.A.F. GRABISCH (Germany, Federal Republic of): My delegation, as most delegations will know, has lent its support to this discussion which did take place on the whole subject already at the COAG session, then at the last Council session and also during the deliberations at the Conference. We have also lent our support to the Libyan proposal namely to charge the Committee on Agriculture, particularly by the creation of a subsidiary body, with carrying out the important task which comprises the whole genetic plant issue. Then we suddenly were confronted with a different proposal and as fellow delegates may recall, my delegation could not lend its support yesterday at the Conference to that Resolution. We had to reserve our position. I do not like to start again to explain all the reasoning but one point is, of course, that the new text could not be presented yet to the government, we just received the written text this morning, so I have to state, regardless what the future position may be, that my delegation, in accordance with other speakers before me and sharing their views expressed, is not in the position to lend its support to the presented draft Resolution spelled out on Page 2 of document CL 85/7.

A. FEQUANT (France): Hier, la délégation française a réservé sa position à l'égard de la Résolution 9/83, parce que cette Résolution contenait un amendement adopté dans des conditions assez étranges, qui n'avait été distribué qu'au dernier moment et sans que nous ayons pu en référer à nos gouvernements, ce qui est quand même, dans une question aussi importante, une chose assez surprenante. Il en résulte logiquement que, comme les représentants des délégations des États-Unis, du Royaume-Uni, du Canada, de la Nouvelle-Zélande, de la Norvège, de la République fédérale d'Allemagne, nous nous trouvons aujourd'hui dans l'impossibilité de nous prononcer sur la proposition de résolution qui a été préparée pour le Conseil. Nous ne pouvons faire qu'une chose, c'est en référer à nos gouvernements, en leur expliquant exactement ce qui s'est passé hier et aujourd'hui.

F. DE MENEZES (Sao Tomé-et-Principe): Puisque c'est la première fois que nous prenons la parole, nous voudrions, si vous voulez bien, vous dire combien il est pour nous un honneur de vous voir comme Président indépendant de notre Conseil.

Dans le concert de ce point très important, la création d'une Commission de ressources phytogénétiques, la délégation de Sao Tomé-et-Principe voudrait s'associer à ce qui a été exprimé par les délégations de la Tunisie, du Liban, du Cap-Vert, de l'Irak, pour appuyer fermement la résolution telle quelle nous est présentée par le document CL 85/7.

M. FRANCISCI di BASCHI (Italie): M. le Président, je voudrais d'abord vous présenter mes félicitations les plus vives pour votre élection comme Président du Conseil.

Sur le texte de la résolution qui nous occupe, je dois exprimer mon regret que les pays non membres de l'Organisation aient été exclus de la Commission des ressources phytogénétiques. Nous présentons en outre des réserves sur les aspects financiers de la résolution. Nous aimerions donc avoir des éclaircissements de la part du Directeur général du Secrétariat sur ce point.

J. TCHICAYA (Congo): Puisque je m'exprime pour la première fois au sein de ce Conseil, je voudrais avant tout, M. le Président, vous féliciter de votre élection à la présidence indépendante de notre Conseil. Nous espérons qu'avec vous les travaux des deux années à venir seront toujours couronnés de succès.

La délégation de mon pays tient également à exprimer au Directeur général et à son Secrétariat nos très vives félicitations pour la célérité avec laquelle ils ont présenté le document qui nous est soumis.

La délégation de mon pays pense qu'en tant qu'organe issu de la Conférence, nous devons nous mettre au pas et permettre aux directives qui ont été données par la Conférence de voir le jour. Nous pensons que le document qui nous est soumis répond parfaitement à l'esprit de la résolution qui a été adoptée au cours de la Conférence, et ne devait donc plus soulever de questions. Nous remarquons d'ailleurs que les délégations qui se sont opposées hier à l'adoption de cette résolution continuent à faire une sorte d'obstruction pour l'adoption de la résolution qui nous est soumise. Nous pensons qu'à la Conférence, l'esprit de démocratie a régné et nous croyons pour notre part que dès lors que cette résolution avait été adoptée, tous les pays devraient se soumettre et faire le travail que la Conférence a demandé au sein de ce Conseil.

Pour cette raison, les questions, certainement valables, qui ont été posées, pourront trouver des réponses, mais nous estimons pour notre part que dans la résolution qui nous est présentée, les aspects financiers ne pouvaient pas y figurer. Il n'y a aucune raison pour cela. Nous n'avons jamais présenté de résolution où figuraient les aspects financiers.

Nous estimons d'autre part que le paragraphe 7 de la résolution qui parle des observateurs associe presque tous les membres et les non-membres de la FAO aux travaux de cette Commission.

Pour toutes ces raisons, la délégation de mon pays estime que nous ne devrions avoir aucune difficulté pour approuver cette résolution.

G. BULA HOYOS (Colombia): La Delegación de Colombia quiere expresar su reconocimiento al Sr. Director General de la FAO por la rapidez y la eficacia con que ha cumplido la voluntad de la Conferencia, que es el Organismo supremo de nuestra Organización.

Estamos dispuestos a continuar los debates, tan intensamente adelantados en la Conferencia, pero dentro de ese orden de ideas no podemos aceptar los comentarios desobligantes, injustificados y hasta denigrantes que han hecho algunos colegas sobre el contenido y la naturaleza de la enmienda de México aprobada democráticamente ayer por la Conferencia.

Creemos que la Delegación de México presto un gran servicio a la Conferencia y está cumpliéndolo en este Consejo. Se ha logrado con esa enmienda, una enmienda responsable, ordenada y razonable, se ha logrado, repito, que ya nos estemos ocupando de este asunto; de manera que ojalá no se sigan haciendo esta clase de comentarios que nosotros no podemos aceptar.

Desde luego, algunas de las preguntas que han hecho distinguidos colegas encabezados por la distinguidísima Embajadora de los Estados Unidos merecen toda nuestra atención, aunque no podamos compartirlos; pero nos indican que ellos siguen demostrando interés por esta cuestión y que con el transcurrir del tiempo van a terminar sumándose a nosotros en la implementación de las disposiciones adoptadas ya por la Conferencia.

Los colegas que han intervenido, que todos tienen gran experiencia en los mecanismos de nuestras actividades y en la manera como se adelantan nuestras reuniones, sin duda han utilizado en sus declaraciones, en sus preguntas apenas sofismas de distracción, porque, como lo acaba de decir mi distinguido colega, amigo y vecino el Embajador Tchicaya del Congo, todo está muy claro en los distintos aspectos del Proyecto de Resolución. Se cuestionó la composición; la composición aparece muy clara y acertadamente definida en el párrafo 1 del Proyecto de Resolución; será abierta a todos los Estados Miembros, no tendrá composición regional, es obvio que en un Proyecto de Resolución no se pueda entrar en detalles, y esto lo dijo el Embajador del Congo, pero cuando se reúna la Comisión por primera vez decidiremos, naturalmente, elegir un Presidente, Vicepresidentes, Órganos auxiliares si fuera necesario. De manera que no creemos que ahora sea el momento de entrar en estos detalles.

Sobre los gastos, esto es una obsesión de los colegas de países desarrollados, pero es prematuro también, ya lo dijo el Embajador del Congo. Yo jamás he visto en esta Organización que en un Proyecto de Resolución se deba decir que una reunión va a costar tantos dólares; no podemos saber cuánto cuesta una reunión en 1984, ni cuánto costará en 1985. El párrafo 6 debe asegurar y tranquilizar a los colegas de países desarrollados puesto que se dice allí que los gastos estarán dentro de las asignaciones que ya hemos aprobado para el Programa de Labores y Presupuesto, no habrá, pues, gastos adicionales, esto está claro, pero no creemos que desde ahora debamos decir que la reunión va a costar 50 ó 60 000 dólares.

Con respecto a la incorporación en estas actividades de países que no son miembros de la FAO pero que poseen disponibilidades esenciales para el tratamiento de esta cuestión también el Embajador del Congo se refirió al párrafo 7. Hay una clara disposición de la Conferencia sobre la manera cómo pueden participar en nuestros trabajos aquellos Estados que no son miembros de la FAO, de manera que todo está claro.

Yo quisiera solamente rogar a los distinguidos colegas que insisten en sus reservas que, como ellos lo han manifestado, y tienen pleno derecho, transmitan este Proyecto de Resolución a sus Gobiernos, se tomen su tiempo y, como dijo la distinguida representante de Noruega, compartan con nosotros, y esto lo debemos incluir en nuestro informe, compartan con nosotros el deseo de que la participación en estas actividades sea lo más amplia y representativa posible., Nosotros creemos, estamos seguros de que aquellos colegas representantes de países muy respetables, países que nosotros admiramos y por los cuales tenemos real simpatía, terminarán acompañándonos en estas actividades y terminarán convencidos de que estamos empeñados en dar a esto un marco que tenga demostrada bondad jurídica, bondad técnica y profundo sentido democrático y humanitario.

E.P. ALLEYNE (Trinidad and Tobago): First, as a new Member of the Council - and for this election we are most grateful - may I congratulate you, Sir, on your re-election as our Independent Chairman.

The delegation of Trinidad and Tobago wishes to indicate quite clearly that we firmly support the idea of a gene bank. We firmly support the need for some kind of appropriate body or the proposed commission or mechanism. We had some flexibility in our thoughts yesterday for over-viewing this task. But we have some problems. We have problems with the fact that a number of countries have found themselves in a position in which they must make reservations at this time, and we feel that given the spirit of what we are attempting we should not be indisposed to giving some consideration to the reasons which they have indicated.

We are also concerned with the fact that some important geographical areas are unable to participate under the present arrangements.

We would make it quite clear that our problem is not with Article VI and the funding at this point in time, but we are to all intents and purposes seeking a global and an international undertaking, and we participated in that Contact Group that - I do not want to say suffered, but sat for 13 hours on Saturday. So we are quite serious and we understand some of the issues which are at stake.

We consider the matter to be urgent. We know that we need to move in a hurry. The preservation of plant genetic material is truly critical. But we feel that we should aim at achieving the kind of action which is in the best interests of the global community.

A. NAGA (Japan): First I would like on behalf of my delegation to congratulate you, Mr Chairman, on your re-election as Independent Chairman.

With regard to this item, my delegation would like to associate itself with other delegations such as the United States of America, Canada, New Zealand, Norway, Germany and France. My delegation is not in a position to support the Draft Resolution concerning the establishment of a Commission on Plant Genetic Resources.

M. AHMAD (Pakistan): Mr Chairman, since I am taking the floor for the first time let me congratulate you most warmly and most sincerely on your re-election as our Independent Chairman. We are also grateful to the Council for reposing confidence in us in electing us once again as Members of the Programme Committee.

We are quite happy and we thank the Secretariat for producing this paper in an extreme hurry and with speed.

We are entirely in agreement with this Resolution, based as it is on the Resolution that was passed by the Conference. As regards the point made by some delegations, regarding expenses, I think the Resolution is quite clear in paragraph 6, that it will be held within the limits as may have been approved as part of the relevant appropriations of the approved budget.

There are two points that I want to add about this Resolution. It says that a Commission will be set up. It had to be so if it is to be set up under Article 6, paragraph 1, of the Constitution of the Organization. Much as we want that it should have a global character, much as we want that this intergovernmental body should be restricted to those States interested in the Undertaking, we share the sentiments of the Mexican delegation when they said it was a matter of urgency and to resolve that problem this amendment was made in the Resolution which was adopted by the Conference. But at the same time the Conference also approved the Resolution when they approved the Undertaking to the effect that the Conference endorses the Director-General's proposal for the establishment as soon as possible within the framework of FAO of an Intergovernmental Committee or other body on plant genetic resources which will be open to all States interested in the Undertaking. That still stands, and we thought that this Commission was an interim arrangement to be followed as soon as possible, because that was also a Resolution passed by the Conference, that an Intergovernmental Committee would be set up which would give a global character and bring within its fold those States which show interest in this Undertaking. So this Resolution that we are going to approve is a Resolution which is an interim arrangement which takes note of the sense of urgency expressed by the Mexican delegation and endorsed by the Conference when they passed this Resolution yesterday.

M. TATIETA (Haute-Volta): Ma délégation voudrait s'associer à celles qui l'ont précédée pour présenter ses vives félicitations au Président indépendant du Conseil pour sa réélection.

La délégation de mon pays, comme un grand nombre d'autres, appuie la création d'une commission des ressources phylogénétiques.

Concernant l'opportunité et le bien-fondé de cette création, ma délégation appuie les arguments fort pertinents développés par l'Ambassadeur du Congo qui ne souffrent aucune confutation. Nous restons donc convaincus que l'accélération de la mise en place de cette commission apportera d'énormes progrès à l'humanité et plus de justice dans l'utilisation des ressources phylogénétiques.

Sra. Doña A. CAVERO MONCANUT (España): Quiero empezar por felicitarle a usted, Sr. Presidente, por su reelección.

Agradecemos al Director General y a la Secretaría la rápida preparación de este documento. Mi Delegación apoya el documento CL 85/7, pero se reserva el derecho a volver a intervenir de nuevo si lo considera oportuno.

L. ARIZA HIDALGO (Cuba): Queremos unimos a la felicitación que usted, Sr. Presidente, ha recibido hoy por haber sido electo para presidir el Consejo de la FAO.

Creemos también que este tema, que se inició en el Comité de Agricultura pasado con una discusión que no tuvo fin, porque esa discusión no pudo finalizar, hubo que hacer un compromiso, un compromiso ante la situación de inexplicable incomprensión de algunos países, inexplicable para nosotros pero muy explicable para ellos que son los poseedores de recursos que son del Tercer Mundo.

Digo esto, Sr. Presidente, y pido que me disculpen si me expreso un poco extensamente, y no brevemente como lo han hecho los distinguidos Delegados que me han precedido en el uso de la palabra al apoyar esto, porque creo que es necesario llevar al centro de esta discusión los objetivos del trabajo sobre germoplasma y fitogénesis que están realmente recogidos en el compromiso.

Esto fue bien trabajado, intensamente trabajado por todos. Nos parece que todo lo que se quiera malinterpretar sobre la palabra "interesados" está claro, "interesados en que los recursos fito-genéticos y estén realmente conscientes de la necesidad de participar en el Compromiso Internacional" y estén en condiciones de ayudar al Tercer Mundo, de reconocer que el Tercer Mundo es poseedor de los recursos y que ha abierto su utilización, pero que quiere hacerlo dentro de un orden y que ha escogido para ese orden a la FAO, ha escogido ese orden dentro de un Compromiso porque hasta ahora,

tenemos que decir que realmente estos recursos no pertenecen al Tercer Mundo aunque son de él, están en manos de las grandes empresas transnacionales privadas que son las que manipulan esto y nosotros tenemos ejemplo práctico que lo expusimos en la reunión del Comité de Agricultura, que no es de libre disposición; nosotros podemos probar con fechas cuándo no se ha permitido tanto a nosotros como a muchos países que esta libre disposición no funcione. No queríamos caer en esta discusión porque pensábamos que esto ya estaba cerrado después de los debates tan largos que habíamos tenido y que ahora era una cuestión simple de reconocer que México sólo ha tratado de adelantar esta discusión y que por los mecanismos X hay que crear una Comisión.

Para adelantar, no creemos, y repito no creo que los que estén de acuerdo en discutir, y tal como lo han expresado en la discusión precedente, ahora se reserven, a no ser por razones políticas, no entiendo otras razones a estas alturas. Creemos sinceramente que la FAO ha demostrado que su mecanismo es eficiente al presentarnos esta Resolución que es un mandato de la Conferencia y que nosotros, al igual que la mayoría que se ha expresado en este Consejo, apoyamos plenamente.

S. PADMANAGARA (Indonesia): Mr Chairman, may I first of all congratulate you on your re-election.

The Indonesian delegation would like to state its position without referring to other delegations. In 1981, when the Twenty-first Conference adopted a Resolution concerning the Plant Genetic Resources, we supported that Resolution with all the consequences attached to supporting a resolution, and at that time were looking forward to the time when the ideas contained in that Resolution would become a reality.

During the Twenty-second Conference, all the way we have supported all activities leading to the realization of that idea, and today we are on the doorstep of entering an era where plant genetic resources will be fully directed towards the welfare of mankind. In this Resolution, I could not find anything to prevent me from not supporting this Resolution, and therefore, consequently we fully support the Draft Resolution for the Establishment of a Commission on Plant Genetic Resources.

A. PINOARGOTE CEVALLOS (Ecuador): En primer lugar, señor Presidente, deseo felicitarle y, por qué no decirlo, a la Conferencia y al Consejo por esta acertada reelección.

En lo que respecta al documento elaborado, nuestra delegación considera que recoge fielmente, en el aspecto político, la voluntad mayoritaria de la Conferencia y, desde el punto de vista jurídico, luce evidentemente impecable como instrumento idóneo a efectos de realizar esa voluntad de la Conferencia.

Compartimos sólo como un incidente informativo secundario el planteamiento efectuado por ciertas delegaciones en relación a la cuestión financiera, pero únicamente en esa categoría de asunto informativo secundario, porque la reconocida capacidad del Director General permitirá a no dudarlo una aplicación correcta de la resolución en el orden financiero y administrativo. For consiguiente, señor Presidente, la delegación del Ecuador cree que debemos aprobar la resolución.

Sra. Dña E. HERAZO DE VITI (Panamá): Antes de todo permítame felicitarle por su reelección ante este Consejo, señor Presidente, Deseo asimismo felicitar al Director General por la prontitud demostrada en el cumplimiento de la Resolución 9/83, sobre el Establecimiento de una Comisión de Recursos Fitogenéticos. Nos unimos a las palabras de apoyo a la Resolución de las delegaciones que nos han precedido, en especial a lo expresado por nuestros colegas y amigos los Embajadores de Colombia y Cuba.

M.A. MEDANI (Sudan) (original language Arabic): Allow me, Mr Chairman, at the outset to congratulate you once more on behalf of Sudan on your re-election as Chairman of the Council. We are confident that you will guide the deliberations of the Council with ability and efficiency.

Referring now to the Resolution under discussion 9/83, I would like to say that this issue has been deliberated upon in depth yesterday, and the Conference decided to establish a Commission on Plant Genetic Resources. Some countries expressed reservations in this regard. I personally see that the Council is one of the organs of the Organization, and I feel that the Council has no prerogative to discuss the Resolutions passed by the Conference or to reject them, even if the Resolution passed by the Conference is not correct or is difficult to implement. Therefore, I request the Director-General to talk to us openly and frankly and to tell us whether there are any financial constraints that stand in the way of the implementation of such a Resolution or not, and if the reply is negative, we have to embark at once on the establishment of this Commission, and if the reply is positive, we have to refer this issue once more to the Conference.

I personally do not see any solution other than these two options.

S. OKWAKOL (Uganda): I would like to take this opportunity of congratulating you, Mr Chairman, on being re-elected as an Independent Chairman and I should like also to thank the Secretariat for expediting the printing of this document before us.

Now, I have taken part in the discussions of this item in Commission II. I am obliged to reiterate my delegation's stand of fully endorsing the Resolution before us. My delegation is at a loss as to why these financial issues were not raised in the Commission and even in the Conference itself.

Mr. Chairman, once more we support the Resolution, and I would like to thank you very much.

J.R. LOPEZ-PORTILLO ROMANO (México): En primer lugar, señor Presidente, deseo expresar en nombre de mi delegación, nuestra cordial bienvenida por su reelección y por verle de nuevo con nosotros presidiendo nuestro Consejo. Deseamos también agradecer y felicitar al Director General y a la Secretaría de la FAO por el extraordinario esfuerzo que han hecho al presentarnos este documento, documento que consideramos completo, suficiente, comprensivo de todas las cuestiones que ayer se trataron y, por tanto, que recoge fielmente el mandato que la Conferencia, órgano supremo de la FAO, indica y solicita al Consejo de nuestra Organización.

Pensamos, señor Presidente, que esta Resolución es una Resolución importante dentro de nuestros trabajos, nos va a permitir contar con un incremento de trabajo en torno a una de las cuestiones que se ha reconocido son fundamentales para nuestros países, y aun para avanzar hacia una seguridad alimentaria. Creo que todos reconocemos la trascendencia de los recursos fitogenéticos y su utilidad para hacer esfuerzos importantes en materia de productividad y para hacer salir de su postración a tantos países que desgraciadamente no pueden satisfacer sus necesidades alimentarias y, principalmente a aquellas zonas deprimidas de nuestros países que careciendo de insumos y de capital requieren estos esfuerzos de productividad que vemos principalmente desarrollables a través de los recursos fitogenéticos.

Nuestra delegación destaca que la creación de una Comisión, que es un instrumento más elevado, más importante, va a la altura de las peticiones, de la trascendencia que hemos reconocido y debe tener el manejo y la política de los recursos fitogenéticos. Nuestros países, los países en desarrollo, son los principales donantes y aportadores del germoplasma y lo otorgamos de manera libre y gratuita. Por otra parte, señor Presidente, todos lo reconocemos, no es malo, así es, se han hecho negocios multimillonarios con los recursos fitogenéticos. No queremos competir con ellos, no vamos a quitar a nadie su interés comercial; solicitamos tan sólo el recibir parte de esos beneficios y parte de esos beneficios es hacer conciencia de ese problema y de la enorme potencialidad que tiene el recurso fitogenético para nuestras zonas, principalmente la de temporal y quizá para llevar a cabo una revolución verde en nuestras áreas de secano en las que aún ahora se ven dramáticamente afectadas por diversas condiciones. Ojalá se pudieran aplicar los recursos fitogenéticos en lugar de tener que importar crecientes cantidades de plaguicidas o fertilizantes o de otros insumos. El paquete tecnológico que acompaña a los recursos podríamos determinarlo de mejor manera. ¿Porqué no buscarlo por ahí? Quizá sea más barato hacer un esfuerzo de productividad por la vía de la introducción de nuevas variedades apropiadas a nuestros climas. Nosotros estamos seguros que esta Comisión va a hacer un esfuerzo importante en ese sentido. Me parece, por tanto, increíble que alguien pretenda obstaculizar este instrumento de trabajo que a todos nos va a beneficiar. Resulta increíble que cuando se está destinando tanta cantidad de recursos para la guerra y la destrucción, que algo tan sencillo, que algo tan verdaderamente irrisorio, pueda ser discutido y en todo caso, la propia Resolución describe perfectamente bien, y el Sr. West lo ha dicho en otras ocasiones cuando debatíamos los trabajos, que eso era perfectamente financiable por parte de la FAO. No creo por otra parte, que se vayan a destruir o desmantelar importantes acciones para tener que cubrir los gastos de la Comisión.

Se destaca aquí en el párrafo 6, sobre los gastos y la forma en que se podrán cubrir eventualmente y en el futuro, y la FAO sin duda rendirá con detalle la forma en que se financiará esto y la manera en que afectará a posibles partidas. Pero queremos que todos los países aquí reconozcamos la importancia que le hemos dado a este instrumento; la importancia que le hemos dado a este tema, las implicaciones absolutas determinantes que tienen en la seguridad alimentaria en el futuro de nuestros países, particularmente en los países en desarrollo. Que reconozcamos también que nosotros somos los principales donadores de manera libre y gratuita de este germoplasma y que de alguna manera esperamos una retribución por ello. No competimos sus intereses comerciales, sino que se trata de recibir el beneficio de la información, el beneficio de la capacitación, el beneficio de los programas de investigación adecuado a nuestras necesidades y la creación y la capacidad nacional para determinar esas prioridades.

Creo que esto va a hacer la Comisión y, en ese sentido, creemos que es totalmente inocua; es decir no va a causar mayor problema. Que no teman los países desarrollados que esto va a obstaculizar sus esfuerzos, sus intereses, el propio sistema existente. Digo esto porque me parece que estamos desbalanceando toda la discusión cuando estamos poniendo en tela de juicio algo que en primer lugar fue determinado en el día de ayer por parte de la Conferencia y que es un instrumento de ayuda a todos los países del mundo para desarrollar un tema que consideramos vital para alcanzar futuros niveles de seguridad alimentaria.

Hay otra cuestión, señor Presidente, que quisiera destacar. La Comisión que está proponiéndose establecer, ciertamente es un órgano que no podrá contener de manera igual a todos los países del mundo, por lo menos a aquellos Estados que no sean miembros de la FAO; pero como se manifiesta en el Artículo 7, podrán estar presentes como observadores y si están interesados en participar, quizá en la próxima Conferencia pueda resolverse el integrar un grupo intergubernamental donde se le dé apertura a todos los países, sin esperar a que pasen dos, tres, cuatro años para empezar a trabajar. Creo que lo podemos hacer desde ahora y que muchos países se convencerán de la bondad, de la utilidad de los trabajos y de la utilidad de nuestros propósitos. Así, señor Presidente, en un futuro dar cabida a todos los países del mundo. La propuesta que ayer fue aceptada tenía un propósito de mayor flexibilidad de trabajo más oportuno, de trabajo más útil y a mayor nivel para tratar esos asuntos que creemos deben merecer ese tratamiento.

Esto es básicamente, señor Presidente, lo que yo quería mencionar. Dejé para el final una cuestión que ya ha sido comentada por otras delegaciones y que es la relativa a la inclusión, como yo suponía se iba a hacer de esas palabras, destacando el interés en el Compromiso por parte de los Estados y que no tiene, todos lo reconocemos y el Sr. Asesor legal lo ha manifestado, no tiene una implicación legal en el sentido de prohibir a los países poder estar presentes; solamente es una indicación, un recordatorio de tipo moral que conlleva a una reflexión muy obvia. Aquéllos que no estén de acuerdo con el Compromiso ¿cómo van a estar de acuerdo en una discusión, en una Comisión con la cual no están de acuerdo? Sobre unas bases en que no han estado de acuerdo, ¿en qué términos se podrán discutir? ¿Quizá los países que sí han aceptado el Compromiso verán con malos ojos a los que no han aceptado el Compromiso? Porque pienso que están a dos niveles distintos y pensarán también que se trata de sabotear.

Por tanto, señor Presidente, la inclusión de esas palabras es un asunto de tipo moral, no tiene el efecto de excluir a ningún país, al contrario, los invita a aceptar un Compromiso que es inocuo, que es aceptado en términos generales y que creo va en beneficio de todos y ojalá lo reconozcamos.

Perdóneme señor Presidente, por el tiempo tomado.

Ms. A SALGADO SANTOS (Brazil): Thank you, Mr Chairman. First of all I would like to congratulate you on your re-election as Independent Chairman of the Council. I would also like to thank you very much for your kind words on behalf of our dear friend and colleague Minister Arrhenius de Freitas. I would like to congratulate the Director-General for the expediency of presenting the excellent document before us for discussion.

As to the establishment of a Commission on Plant Genetic Resources my delegation would like to express its full support for the Draft Resolution as presented in document CL 85/7.

R. RAHMAN (Bangladesh): We join our voice in the congratulations that have been paid to you on your re-election as the Chairman of this Council.

We would simply like to state that Bangladesh fully supports and endorses the Draft Resolution that is now before us. Some important points have been raised - objections - which have some degree of validity, but in the course of the discussions that we have heard this morning and throughout the Commissions' deliberations, many of these points have been referred to and answered. They in fact relate to three things as far as we can see. The first is with regard to the timing of the submission of this Draft Resolution and the lack of time to receive proper instructions. While this is a valid point, this Draft Resolution has come in the wake of long deliberations both in the Conference and in the Commissions, and the objections that have been made to it are not going to be so easily removed. But the objective and the urgency for the establishment of this body and means for genetic resources cannot brook delay. It is our hope that by making the beginning, some approaches can be made in overcoming those objections that have been voiced.

Secondly, with regard to the financial implications, it has rightly been pointed out that the limits have been set within the approved budget that has been approved by the Conference.

Finally, with regard to the size of the commission that is to be established, in reflects the current reality, it also reflects the desire to invite universality, and it is our hope that as time goes by the participation on this matter, which is of global concern, will indeed be universal.

With these reservations our delegation will vote in favour of the Draft Resolution.

DATO KAMARUDDIN ARIFF (Malaysia): Mr Chairman, I would like to congratulate you on your re-election to this high office.

Regarding the Resolution before us, after following the discussion carefully my delegation feels that the Resolution contains provisions which allow the Commission to be universal in character, and we therefore would like to give our support to the Resolution.

F.G. POULIDES (Cyprus): The delegate of Sudan said exactly, a few minutes ago, what I had wished to ask you, namely whether the Council is entitled to discuss a mandate given by the Conference, the supreme body of this Organization. I understand quite well the concessions and the spirit of the concessions, but I would like to clarify this point. Have we to understand that only financial constraints might justify the non-implementation or the possible delay of an implementation? I would kindly request you if possible to clarify this point so that we know where we stand.

In conclusion, however, the Cyprus delegation considers the Resolution of the Council in conformity with the mandate given by the Conference.

S.P. MUKERJI (India): Thank you very much, Mr Chairman for giving me another opportunity to make India's position clear.

India supports in principle and wholeheartedly the global and international cooperation in conservation, preservation and development of plant genetic resources. We also support the important role which FAO has to play in this regard and we also support that FAO should be given enough resources to handle this important task.

Mr Chairman, we also note that governments will be requested to indicate to the Director-General the extent to which they will participate in the International Undertaking. We sincerely hope that for the success of the Undertaking there will be universal acceptance of the Undertaking, with any links considered necessary with other established organizations and bodies, and that that will happen in the near future with flexibilities in detail.

My government would like to examine the formation of the Commission on Plant Genetic Resources, its composition, its terms of reference in the form which has been presented today in CL 85/7 read with Appendix A, as a part of the overall examination of the whole matter in pursuance of paragraph 3 of the document C 83/REP/8 accepted yesterday in the plenary session.

Mrs. M. FENWICK (United States of America): Thank you very much, Mr Chairman, and I did want to congratulate you too. I got excited and forgot at the beginning.'

But I think all of us who have been listening and who heard today particularly the remarks of the distinguished representative from Mexico, understand the seriousness and share the concerns that he has expressed concerning the importance of free exchange of plant genetic material and information, and to be indifferent to such concerns would show, it seems to me, a complete lack of understanding of what faces the world. In fact my government has heartily supported both the CGIAR and IBPGR which have been involved in the exchange of this kind of information and material for some time. We have done it; we intend to continue; those are fine organizations.

What we are expressing here is something almost as important. An appeal was made to the democratic spirit, and I would like to say I have spent almost fifty years in democratically elected government bodies, in my Nation - State, County, Local and finally in Washington - and there is a principle that must be observed if the affairs of men are going to be conducted in a fair and satisfactory way. There has to be some regard for the rules and regulations that govern those bodies, and regardless of what the Conference does, we in this Council are bound by Regulation XIII. It will not benefit any country in this world if we continue to ride over that which has been agreed upon, which is written down, which are the terms of our work. You run danger when you say the Conference can override. It cannot, because it says here quite clearly, "Before taking any decision involving expenditures the Council or any commission or committee appointed by the Council or the Conference shall have before it a report from the Director-General on the administrative and financial implications of the proposal." Now that is the regulation under which this Council acts. Are we going to be a lawful and orderly Body or not, and it is a principle; it is not unimportant. I am not obsessed with expenditures and I don't think the gentlemen - or maybe there were some women in there but I doubt it - who wrote this Regulation - but I doubt that the people who wrote it were obsessed with expenditures. What we are obsessed with is orderly procedure. What kind of a world are we going to have? I could go on. What if the Secretariat has to operate within limits, as is mildly suggested by paragraph 6? What are we going to cut off? We have already voted our Programme

and Budget which we wholeheartedly supported. We cannot go on like this. The world is dangerous enough as it is and certainly I think we have to have a rule where people are subject to the conditions under which they took their places.

P.S. McLEAN (United Kingdom): I apologize for asking for the floor for a second time and, indeed, after listening to the statement by my distinguished neighbour, it is almost unnecessary. But I feel I must place on record that nothing I have said or may say on this issue should in any way be interpreted as denying the importance of plant genetic resources or an undertaking thereon for the work which we, as representatives of FAO, are here to promote in FAO. It is primarily the procedural question which concerns me and my wish for good order in the Organization, as my distinguished American colleague has said. The general understanding that, I believe, was reached in the Commission of the Conference was that in order to deal with what was regarded as essentially a technical matter, it would be appropriate to set up a sub-committee of the COAG after the Director-General had undertaken certain inquiries and procedures. The procedure by which this was changed to become a commitment is what, in my view, was highly questionable.

Let me draw the attention of the Council to a Resolution that was passed only four years ago at the Twentieth Session of the Conference, Resolution 12/79 which sets out quite clearly the procedures to be followed in connection with the establishment of new bodies under Articles VI, XIV or XV. I shall not read the provisions but it makes it absolutely clear that any such proposal should be accompanied by a document prepared by the Director-General setting forth certain questions to be answered, such as the objectives, the manner in which it will operate and particularly the financial implications of the establishment of that body for the current biennium, as well as a forecast of the financial implications for future biennia. It further requires that before approving or authorizing the establishment of any body under these articles, under Article VI, the Conference or if appropriate the Council, should consider the document referred to in paragraph 1 above.

It is the procedural side that I find questionable and the fact that we are being rushed into something without full details of what we are committing ourselves to. It is therefore that I find that I cannot accept the insinuations made this morning by some delegates on the motives of delegations like my own which cannot support the Resolution as it stands.

G. BULA HOYOS (Colombia): Al principio de las dos declaraciones recientes, nos habíamos entusiasmado un poco, tal vez con exceso de optimismo, porque creíamos que aquellos colegas que han expresado reservas sobre este tema se iban ahora a obsesionar por acompañarnos en la implementación de las disposiciones de la Conferencia.

Sin embargo, nos parece grave y delicado que una delegación, la última que ha intervenido, trate ahora de impugnar un procedimiento, una decisión adoptada por la Conferencia integrada por 156 Estados Miembros, y que es el organismo máximo, y por lo tanto respetable y superior. Nosotros creemos que realmente no se ha adoptado una posición noble y generosa frente a la derrota democrática sufrida ayer.

Creemos que quienes perdieron en ese voto democrático, siguen obsesionados, repetimos, obsesionados, lamentablemente obsesionados en esgrimir sofismas de distracción y adoptar tácticas obstruccionistas.

Estamos agradecidos a la distinguida Embajadora de Estados Unidos quien nos leyó el Artículo 13 del Reglamento Financiero y que habla muy bien de las consecuencias financieras. Pues no va a haber consecuencias financieras; no va a haber costos adicionales. Esto lo dice el párrafo 6. Todo se va a hacer dentro de las asignaciones del Programa de Labores y Presupuesto que fue aprobado no sólo por los Estados Unidos sino por unanimidad, por todos los Miembros de la Conferencia.

Ahora el colega del Reino Unido habla de la forma y de los objetivos. Todo eso está contenido en la primera parte del Proyecto de Resolución que se presenta a la consideración del Consejo, y en el Apéndice A, donde aparece la Resolución que presentó el Gobierno de Libia y que fue aprobado por la Conferencia.

De manera que no es aceptable que volvamos hacia atrás. Yo creo que a través de este debate, el Consejo ha demostrado que la gran mayoría de sus Miembros está en favor de este Proyecto de Resolución. Atribuimos algún mérito a ciertas observaciones que se han hecho aquí y que deben recogerse en la parte del Informe sobre este debate, como la amplia participación que propugnan los países nórdicos, la necesidad de evitar duplicaciones con otros órganos; todo eso puede recogerse en el Informe, pero la Resolución debe ser aprobada.

H. CARANDANG (Philippines): First of all we would like to congratulate you, Mr Chairman, on your re-election as Independent Chairman of this Council. We believe that nobody more than you understands the importance of the issue we are talking about, especially the importance of genetic resources with which you have worked for so long all your life.

The Philippines delegation concurs with the objective of the Undertaking to ensure that plant genetic resources and agricultural inputs will be explored, preserved and evaluated, and made available for plant breeding for the benefit of all mankind for the present and the future. The Philippine Government acknowledges the importance of an arrangement by which genetic resources would be made available for the creation of high-yielding varieties which is of such great importance for the increase in food production for food security in encouraging food for mankind and to eliminate hunger and malnutrition. We also believe in the urgency of moving forward to take further steps so that the resources should be made available to all and that there should be a universality in the access of all these resources for mankind.

My Government, however, has not had time to examine the present Resolution now before us and would be very happy if it could examine the provisions in the Resolution that is before us today.

M. AHMAD (Pakistan): I associate myself with the observations made by the delegate of the United States when she referred to Rule 13.1 and I believe she was also supported in this by the delegate of the United Kingdom. It said that before taking any decision involving expenditure, the Council or any Commission or Committee appointed by the Council or the Conference shall have before it a report from the Director-General on the administrative and financial implications of the proposals. As regards the administrative ones, I think there is a proposal to have a Secretary; and as regards the financial implications, it has been stated very rightly in the Resolution itself that it should be held down to whatever has been approved as part of the relevant appropriations of the budget.

XIANG ZHONGYANG (China) (original language Chinese): I wish to congratulate you sincerely on your re-election as Chairman of the Council.

On the question of international cooperation on plant genetic resources, the Chinese Delegation made its position clear already at the Seventh Session of COAG as well as at the Twenty-second Session of the Conference. As for the draft resolution contained in Document CL 85/7 which we received only this morning, the Chinese Delegation is in a position to agree to it.

I.P. ALVARENGA (Observador de El Salvador): Sr. Presidente, disculpe que intervengamos en este punto prolongando un poco más el debate, pero hay una inquietud que nuestra Delegación no quisiera dejar de exponer.

Algunos Delegados se han referido a ella marginalmente, pero nosotros creemos que debió haber sido objeto de una atención más detenida por parte del Consejo; es lo siguiente: La Conferencia aprobó este tema que estamos tratando, aprobó dos Resoluciones; dos Resoluciones separadas que, aunque tengan una cierta diferencia entre ellas, son tan válidas la una como la otra y es indispensable armonizar lo que en ambas se dispone. Me voy a referir a esas dos Resoluciones llamándolas la número 1 y la número 2, por razones de comodidad.

La número 1 es la que estaba incluida en el informe de la Comisión que trató este tema y que fue aprobada por el Plenario. La número 2 fue la presentada por Libia, que es la que sirve de base a la presente discusión. Ahora bien, en la Resolución número 1 hay un párrafo claramente establecido, el número 2 de la parte resolutive, donde se pide, donde se está mandando al Director General que invite a todos los Estados Miembros o no Miembros de la FAO que pertenecen a las Naciones Unidas, que pertenecen a los Organismos Especializados, etc. da, un mandato amplísimo para que el Director General les envíe el Proyecto de Compromiso y les pida que manifiesten si están interesados en el Compromiso y en qué medida están dispuestos a aplicarlo.

El párrafo 4o de esa misma Resolución habla de que se cree un Comité Intergubernamental, cito textualmente: "Comité Intergubernamental u otro órgano en el cual formarán parte todos los Estados interesados". O sea que no deja ninguna limitación.

El Artículo VI de la Constitución cuando habla de Comisiones, Comités, etc., no nos interesan los otros términos, señala que formarán parte de los mismos los Estados Miembros y los Estados Asociados. Podríamos preguntarnos ¿esa limitación de la Constitución es restrictiva, prohíbe que en las Comisiones y Comités formen parte Miembros que no sean Estados Miembros o Asociados? La respuesta tiene que ser negativa; no es limitativa, por dos cosas: Primero, porque hay un principio universalmente sabido que lo que no es prohibido por la Ley está permitido; y segundo, porque tenemos ejemplos prácticos donde Comités creados a la luz del Artículo VI incluyen a Estados que no son los Estados Miembros o Estados Asociados: uno es el Comité de Seguridad Alimentaria; entonces, no vemos por qué a la luz de dos Resoluciones aprobadas por la Conferencia, a la luz de otros ejemplos que existen, no se puede desde este momento permitir la entrada en este Comité que se está creando de Estados que no sean Miembros de la FAO. Realmente no encontramos un motivo para la limitación; es más, creemos que se está dejando de lado la Resolución número 1 de la Conferencia a la cual hemos hecho referencia.

DIRECTOR-GENERAL (Original language Arabic): His Excellency, the Ambassador of Iraq to FAO has drawn our attention to the fact that the Arabic text was not correct and after looking at the English text it appeared that the delegate of Iraq is right. So sub-paragraph 3(b) in the draft Resolution should be amended in order to bring it into line with the English text and I would like to ask the delegate of Iraq to accept our apologies for this.

Now there are administrative and financial questions which were raised and, Mr Chairman, I would like to ask you to give the floor to the Deputy Director-General to provide answers to these questions.

As far as the legal matters are concerned, which were also mentioned by some delegates, I would like to ask you, Mr Chairman, to give the floor to the Legal Counsel who will answer these questions.

DEPUTY DIRECTOR-GENERAL: Reference was made to Addendum 3 on page 203 of the Basic Text. In fact, a document was submitted to the Conference concerning the establishment of a subsidiary body to carry out the identical purposes of the one we are discussing now in C 83/25, paragraphs 172 to 175. Paragraph 175 referred specifically to the Secretariat and the financial implications for the Organization state "the main financial implications for the Organization could be the increased costs of interpretation and other facilities for the meetings". Then during the discussions of Commission II in this room I was questioned, or we were asked a question, at a point when the Commission was discussing the establishment of an inter-governmental group of some kind or another and I was specifically asked a question as to the financial implications of what was being proposed and I again described the position in the Programme of Work and Budget for the total activities in this area and stated again what was stated in paragraph 175 of the document. The Programme of Work and Budget sub-programme 2.1.2.1 provides \$724 thousand for genetic resource activities. I was asked what activities would be cancelled and I said some of the work elements in that provision would be adjusted to accommodate the cost of the meeting. I believe also that during the debate, Dr Bommer was asked for an estimate of the total costs and he gave it, including the amounts necessary to cover Secretariat interpretation and documentation services. The interpretation would be between \$20 thousand and \$30 thousand, depending on the precise timing of the meeting. The documentation would be between \$10 thousand and \$30 thousand, depending on the extent to which one would be able in the circumstances now before us to report in detail on the operation of the arrangements referred to in Article 7 of the Undertaking and to review all matters relating to activities, etc., in this field. At the first meeting or two they might be very slim documents costing less than I mentioned. Later it would depend on how active the Commission was, but I would say round about a minimum estimate would be \$25 thousand and for the foreseeable future roughly double that or a bit more.

Now all this would be absorbed within the Programme of Work and Budget, first within sub-programme 2.1.2.1, if necessary within programme 2.1.2.2, and if the expenses were so great as to require a between chapter transfer the matter would have to be referred to the Finance Committee and the Council who would be also receiving reports on sessions of other committees which have been cancelled and those which have been substituted. So that the financial implications would be contained within the approved level of the Programme of Work and Budget and would be in effect minimal in comparison with the total funds for the genetic resources or for the general area of crops or for the body as a whole.

So to go back, the objectives of the proposed commission are exactly the same, the Terms of Reference are exactly the same as those which were envisaged in the document which was placed before the Conference and that document contained the description of the administrative and financial implications and all information was given to the Commission of further details of that information.

LEGAL COUNSEL: I think the main questions with legal implications that have been raised concern the membership of the Commission which the Conference has instructed the Council to establish. Article VI, paragraph 1 is very clear, it says Member Nations or Associate Members. The Commission therefore will be open to all Member Nations or, if there were any, Associate Members. The delegate of El Salvador suggested that it might be possible to extend the interpretation of these words to include non-Member Nations in the light of the discussions in the Conference. The question of non-Member Nations was also raised by the Ambassador of the United States. However, I am afraid that the more generous interpretation that El Salvador would like to introduce is not possible, because the Conference a number of years ago adopted a series of principles which apply inter alia, to commissions established under Article VI.

In Part R of the Basic Texts you will find a series of principles and procedures which govern conventions and agreements concluded under Articles XIV and XV of the Constitution, and Commissions and Committees established under Article VI of the Constitution. Paragraph 23 of those principles, and I will read it because it is only two lines and it is very clear, under the heading "Eligibility for Membership and Observer status" reads "Membership in the commissions and committees provided for in Article VI of the Constitution shall not be open to non-member nations of the Organization". That I think settles the matter rather clearly.

On the Other hand, for those who feel that certain non-Member Nations can make a contribution, all is not lost, in the sense that, as I think some delegates have already mentioned, non-Member Nations may be admitted as observers. That is also provided, elsewhere, in the Basic Texts. Thus, non-Member Nations may, on request, and with the approval of the Council, be admitted to attend meetings of such Commissions.

The other and perhaps more fundamental question raised in connection with membership of the Commission was the much debated one of whether membership could only be open to countries that expressed an interest in the undertaking. I think the mere fact that Article VI is the Article under which the Commission is going to be established settles that point clearly. The Commission is open to all Member Nations and the procedure which is always observed - and I think I explained this also to the Conference yesterday - is that those who are eligible indicate to the Director-General that they wish to become a member. This is a purely practical matter, since obviously when convening a Commission, it is necessary for the Secretariat to know which countries are going to come and want to participate in the proceedings.

Now the delegate of Mexico referred to the fact that there were certain moral considerations to be borne in mind by states that might consider participating in this body. If they did not support the undertaking they might consider, either that they should not become a member of, or that they were not interested in, a Commission which would be looking at work carried out pursuant to the undertaking and to the more general questions relating to FAO's work on plant genetic resources. I believe that this is the only consideration which is necessary. Thus, when a government which is eligible -and that means all Member Nations - to become a member of this Commission writes, or indicates in one way or the other its desire to become a member, it should bear in mind whether it has or has not, or the extent to which it has, supported the principles in the undertaking. But adherence to the undertaking cannot, and I repeat, cannot, be a condition for membership. All Member Nations are eligible. The discussions on this particular aspect will, of course, be set out in full in the Verbatim Records and could, if the Council so wishes, be reflected in its Report. That I think is all I have to say on the question of membership.

Other points which have a legal implication relate to Financial Regulation XIII which the delegate of the United States has invoked. I think I can clarify the rationale for that particular Financial Regulation. As you are aware, the Conference is the supreme body of the Organization and, in accordance with Rule XXIV of the General Rules of the Organization, the Council acts "on behalf of the Conference", between Conference sessions. The Conference will have adopted the Programme of Work and Budget and set its parameters. Therefore if in the meantime the Council wishes to make a decision which may have an effect on what the Conference has, shall we say, put under its stewardship, then, of course, the Council must be aware of what the decision might have in the way of financial implications.

I think the Deputy Director-General has answered in sufficient detail the question raised by the delegate of the United Kingdom on Conference Resolution 12/79 regarding the procedures which should precede the establishment of Article VI and other similar bodies.

The delegate of Pakistan, in his first intervention, raised the question whether the Article VI Commission was merely an interim measure. The only comment which I want to make on this is that, particularly in the light of the interventions of Mexico yesterday, the underlying intention is that the Commission be established on a continuing basis. But quite clearly what the Council has now created can be reviewed by the Council and also by the Conference at a later date, to see whether the Commission is, in fact, the most appropriate body and whether its work is being carried out to the satisfaction of the Organization's governing bodies.

I think those are the only legal points that require an answer at this juncture.

DIRECTOR-GENERAL: It seems to me that there was also another major question, namely whether the Resolution of the Conference was an instruction to the Council, or whether the Council can ignore it.

LEGAL COUNSEL: I only alluded to that point and, maybe, I should have placed greater emphasis on it. It is quite clear that the word "requests" in the Conference Resolution is, shall we say, a polite way of saying "instructs", just as very often some organ is "invited" to do something. This is merely traditional language that is used in resolutions of this kind. Quite clearly when the Conference requests the Council to do something, and in particular at its very next session, it is telling the Council to do something on its behalf. I think there can be no doubt on that.

The meeting rose at 13.15 hours

La seance est levée à 13 h 15

Se levanta la sesión a las 13.15 horas

council

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

conseil

ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE

consejo

ORGANIZACION DE LAS NACIONES UNIDAS PARA LA AGRICULTURA Y LA ALIMENTACION

CL

CL 85/PV/2

Eighty-fifth Session

Quatre-vingt-cinquième session

85º período de sesiones

SECOND PLENARY MEETING DEUXIEME SEANCE PLENIERE SEGUNDA SESION PLENARIA (24 November 1983)

The Second Plenary Meeting was opened at 14.45 hours,
M.S. Swaminathan, Independent Chairman of the Council, presiding

La deuxième séance plénière est ouverte à 14 h 45 sous la présidence de
M.S. Swaminathan, Président indépendant du Conseil

Se abre la segunda Sesión Plenaria a las 14.45 horas, bajo la presidencia de
M.S. Swaminathan, Presidente Independiente del Consejo

- IV. OTHER MATTERS (continued)
- IV. QUESTIONS DIVERSES (suite)
- IV. OTROS ASUNTOS (continuación)

- 9. Establishment of a Commission on Plant Genetic Resources (continued)
- 9. Création d'une Commission des ressources phytogénétiques (suite)
- 9. Establecimiento de una Comisión de Recursos Fitogenéticos (continuación)

P.S. McLEAN (United Kingdom): I had asked for the floor before the adjournment simply to say very briefly, and with some regret, that I could not share the Deputy Director-General's view that the requirements of Financial Regulation XIII had been satisfied by what is written in previous documents on the subject or by the statements made orally by the Secretariat. I merely therefore wish to note in passing that it would appear that while Resolution 9/83 is mandatory and binding on the Council, Resolution 12/79 to which I make reference apparently is not.

DEPUTY DIRECTOR-GENERAL: I think I am obliged to reply to the point just made. I left the legal aspects of the matter to the Legal Counsel and you heard what he had to say both about Financial Regulation XIII and about the meaning of the text of the Resolution adopted by the Conference when requesting the Council to establish at this session a Commission. This addendum, Resolution 12/79, does not refer to a document which shall be prepared on the same day or the day before or the hour before the proposal to establish the new body is considered. It refers to a document prepared by the Director-General, and the document prepared by the Director-General is C 83/25 which was before the Council session preceding the Conference, was discussed during the Conference, and is still on the table before this Council, and in that document are set out all the considerations that could possibly inform any reader about why there should be an intergovernmental body, what its objectives should be and what it should do. The only thing it has been suggested to me that is missing from that description is a dollar figure, but again neither Resolution 12/79 nor Regulation XIII request financial figures. They refer to financial implications, and the financial implications clearly refer to implications for contributions by Member States towards additions to the budget, and it is clear from the Resolution, Report of the Conference, the document', everything, that there should be no financial implications in the sense that nothing is being added to the approved budget level. The Conference is the only body which can do this and it is established that the approved budget level is at a certain figure, and it has been made clear that whatever the implications of the proposal are in dollars, there will be no implications as regards further contributions from Member States. So in effect the question of administrative and financial implications has been dealt with. Now if it is contended - I would leave this to the Legal Counsel - but my own view is, as I have stated, this does not mean necessarily a new document in Resolution 12/79, but if it is stated that there must be a piece of paper before the Council I think we could produce one within a matter of minutes which would point out that the objectives are spelled out in the Conference Report and in the Conference Resolution. The manner in which the body will carry out its functions is spelled out in Article VI of the Constitution which is before you, and the financial implications are as I have just stated, and including the figures that I gave this morning. That piece of paper - if that is all that is the problem today - can be produced in a matter of minutes.

CHAIRMAN: Did the United States delegate want the floor?

Mrs M. FENWICK (United States of America): I just wanted to say: do.'

M AHMAD (Pakistan): I think the position has been very amply made clear by the Deputy Director-General and when reference was being made by the United Kingdom delegate to this, he only mentioned the Resolution of the Conference; he did not refer to any Constitutional provision. I think just as that Conference Resolution is binding, so is the effect of this particular Conference Resolution of yesterday, similarly binding, which requires the Council to establish at its next session, etc. Therefore we are obliged to follow this particular Resolution just as we were obliged to follow Resolution 12/79 to which reference was made by the distinguished delegate of the United Kingdom.

CHAIRMAN: If there are no further interventions or comments, can we take it that we adopt the Resolution contained in document CL 85/7 with the reservations mentioned by several delegations.

Mrs M. FENWICK (United States of America): I would like to see the document which we are being promised and which the regulations provide for. I would be happy to see that document before we have to vote

DIRECTOR-GENERAL: The text is ready in English. The other versions are not ready yet. With your permission we can distribute the English text.

CHAIRMAN: The Director-General announced that in English the text of CL 85/7-Sup.1 is ready, the other languages are coming and will be distributed. If you would like to wait a few minutes to read it, In the meantime I would like to bring up one point concerning the Report of this meeting of the Council. We will see that everything is faithfully recorded but I would like to have your sense. We are here to take a decision on the genetic resources, the Commission, but would you like to leave it to the Chairman to see the draft and approve it ? If you want to adopt the Report yourself then we will have to meet tomorrow afternoon. The Director-General says the earliest the Report will be ready is tomorrow afternoon. So I would like to see that this point is clarified about this session's Council Report.

M. AHMAD (Pakistan): I support the first alternative that the Council should authorize you to approve the Report.

H. CARANDANG (Philippines): The Philippines wholeheartedly support the proposal made by the delegate of Pakistan.

G. BULA HOYOS (Colombia): Ha sido costumbre que en este período corto del Consejo se proceda en la forma en que ha sugerido Pakistán y Filipinas, a quienes apoyamos plenamente.

CHAIRMAN: Then I have your consent I did not want to have to meet again tomorrow afternoon. I will do my best to ensure that the points made are contained in the Report. We are back on item 9,

Mrs M. FENWICK (United States of America): If we are proceeding now to take action I would like to take note of a reservation of my government about this Resolution.

CHAIRMAN: The Ambassador of the United States has stated that the reservation of her government may be noted. Shall we then adopt the Resolution contained in the document?

P. GOSSELIN (Canada): First of all I would like to revert to the statement which you made earlier that the reservation that had been expressed earlier by a number of members of the Council would be reflected. I am just wondering how these reservations will be reflected. Will they be footnoted as in the previous Resolution, or will they be only in the text?

CHAIRMAN: It will be exactly like Appendix A of Resolution 9/83, as a footnote.

G. BULA HOYOS (Colombia): Usted ha dicho muy bien cuando ha hecho referencia a aquellos países que han expresado reservas a la Resolución 9/83 de la Conferencia; pero quisiéramos saber si esos mismos países también se van a reservar sobre esta Resolución que ahora estamos discutiendo aquí en el Consejo.

W.A.F. GRABISCH (Germany, Federal Republic of): If I may answer through you, Mr Chairman, Yes, and I tried to explain this at our morning session. I have nothing to add to that. I just wonder whether it would not be preferable to have also a very little paragraph in the Report of the session which states that "Some, several, or many countries, whilst having supported so far constructively the ongoing discussions on this very important subject, were for several reasons not in a position to lend their support to the proposed resolution", and then in the resolution the

countries could be named in the footnote. This would be my preference and I hope that there would not be great difficulties about that.

G. BULA HOYOS (Colombia) : Yo creo que hay que proceder como ya se hizo en la Conferencia. Se pondrá al pie de la página los nombres de aquellos países que aquí reiteren sus reservas. Creemos que colocar un párrafo sería incoherente, porque no creemos que haya sido constructiva la actitud de esos países que están reservando su posición. Por el contrario, consideramos que ha sido una actitud muy negativa; iniciaron esta mañana el debate haciendo una serie de preguntas infundadas, inconsistentes y mínimas; se refrieron a las aclaraciones financieras; se les suministraron las aclaraciones en un documento rápido presentado por la Secretaría. Y ahora están demostrando que, en realidad, lo que querían con eso era entretenernos, prolongar el debate, porque han obtenido todo lo que querían, todas las explicaciones, y aún insisten en sus reservas. O sea que lo que hay que hacer es solamente eso, tal como se procedió en la Conferencia.

P.S. McLEAN (United Kingdom): I am not disposed to start crossing swords with my colleague from Colombia, but I fear that I have to say that I want to support the suggestion made by the delegate of the Federal Republic of Germany for the reasons he explained, and by the same token I have to ask that the United Kingdom be footnoted as entering a reservation on the resolution. I have explained my reasons. To encapsulate them, it is simply that I cannot on behalf of the United Kingdom support a resolution on which we have had no opportunity to consider the full implications of the changes that were incorporated into that resolution at a very late stage of the Conference. Could I ask your indulgence, to make one final plea relative to this debate. It was envisaged by a number of those countries that have participated in the working groups and in the whole operations that have led to the debate here in this Conference over the last two years that the Undertaking should so far as possible be universal in its application, from which it follows that the widest possible membership should be granted to the intergovernmental body. I hope that given that the resolution is now adopted the Director-General is therefore authorized to proceed with the Commission under the terms of the resolution. It will be accepted that it is very desirable to keep constantly under review whether the membership which is now provided, which is restrictive, does sufficiently and adequately meet the objectives of the International Undertaking. In other words, I believe it may be necessary, perhaps at the next Conference, for the matter to be further examined. I make the point in a spirit of constructiveness because I believe that the views that we have expressed have been wrongly interpreted during the course of today's debate.

Mrs M. RAVN (Norway): I would just like to support the delegates of the Federal Republic of Germany and the United Kingdom. As you know, my delegation has made no reservations to the Undertaking or the resolution, but I still think that what took place in the debate today and the reservations that have been made by a certain number of countries, that was brought out during our discussions and as such could very easily be included in the Report as we normally do with our proceedings. Also I agree with the United Kingdom suggestion that we let the Conference review this at a later stage.

J. TCHICAYA (Congo): Depuis ce matin nous savions que les questions qui avaient été posées ne l'avaient pas été pour retarder les débats, et, comme nous l'avions dit ce matin, c'était un jeu d'obstruction auquel on se livrait. Parce que si l'on se réfère à la réponse que le Secrétariat a rapidement donné aux questions qui avaient été posées, et à l'attitude de ces mêmes délégations, nous comprenons qu'en fait elles ne s'intéressaient pas véritablement aux questions posées, et que c'était en quelque sorte un moyen pour retarder les débats qui avaient déjà été clos au niveau de la Conférence. Nous pensons pour notre part que nous ne pouvons pas faire plus que ce que nous avons fait au niveau de la Conférence. C'est pour cette raison que ma délégation pense nécessaire de maintenir, comme vous l'avez proposé vous-même la note de bas de page, et non d'ajouter des phrases qui compliqueraient les choses.

M A. FEQUANT (France): Je m'associe à la proposition faite par mon collègue allemand. Je pense que nous ne sommes pas obligés d'imiter sur tous les points la Conférence. D'autre part, il y a eu certainement, au Conseil, sur cette question précise, un débat plus large et plus étendu qu'à la Conférence, je ne vois pas pourquoi nous chercherions à l'escamoter.

P. GOSSELIN (Canada): I also would like to join my colleagues in adding our name to the proposal that has been put forward by the Federal Republic of Germany. I do not believe that the Canadian delegation has to explain Canada's record in the area of plant genetic resources. We certainly have

been an advocate of all the principles that are at play here and have been very active in the financing of the work of the IBPGR. I trust however that honest disagreement is still possible in this Committee. For that reason we would like to support the proposal of the Federal Republic of Germany.

M. ABDELHADI (Tunisie): La proposition faite par mes collègues de Colombie et du Congo reçoit l'entière adhésion de ma délégation, à savoir: mentionner en bas de page les pays qui ont formulé des réserves. En effet, je crois que la logique veut que l'on agisse de la même façon qu'à la Conférence.

M. FRANCISCI di BASCHI (Italie): Ce matin, la délégation italienne a exprimé ses regrets pour le fait de la participation bloquée à la Commission des ressources phylogénétiques. Néanmoins, je veux préciser que nous n'opposons pas des réserves formelles au projet de résolution. Je voulais simplement donner mon avis sur la proposition avancée par la délégation de l'Allemagne fédérale que je considère comme tout à fait légitime, ainsi que celle exprimée par d'autres pays dans le même sens.

A. NAGA (Japan) : My delegation would like to support the proposal made by the delegate of the Federal Republic of Germany. We would also like to reserve our position and wish to be specified in the footnote.

Mrs M. FENWICK (United States of America): I would like to join with the delegate of Canada, who has expressed the hope that where we differ we are not reduced to questioning the motives of those who do not agree with us. We cannot have a deliberative body in which those who disagree with us are attacked for the reasons and motives for which they voted as they did. I think it would diminish certainly the civility and efficiency of this Organization.

F. DE MENEZES (Sao Tomé-et-Principe): Ma délégation voudrait appuyer ce qu'ont dit le distingué ambassadeur du Congo et le délégué de la Tunisie. Cette question des ressources phylogénétiques est très importante pour les pays en développement et nous prions les pays industrialisés de repenser avec un esprit ouvert ce qu'ils ont dit lors de cette session du Conseil. Puisque tout le monde reconnaît que la création de cette commission est importante nous ne comprenons pas pourquoi certains pays développés sont en train de faire des réserves. Nous appuyons fermement ce qu'ont dit le Congo et la Tunisie.

M. AHMAD (Pakistan): Double reservations appear to be a little odd. Perhaps mention of the reservations in the Report would be in order, particularly when the original resolution of the Conference does have a footnote. In this particular resolution we are only acting on a directive given to us. I would therefore make an appeal to our colleagues from the United Kingdom, the United States of America, Canada, Japan and Germany to reconsider whether this reservation should also go on to the resolution which we are approving today only in response to a directive of the Conference.

J.M. BOLIVAR SALCEDO (España): Nuestra delegación está escuchando, yo diría que con una gran satisfacción, la afirmación de espíritu constructivo que están expresando los mismos países que hacen una reserva. Incluso creemos también que es muy satisfactorio para todos, que algunas de estas delegaciones hayan expresado su interés en que en la próxima Conferencia vuelva a tratarse este tema, porque interpretamos que quizás consideran que aun hemos de avanzar más en un tema tan fundamental como son los Recursos Fitogenéticos. Quiero decir con esto, que nosotros, nuestra delegación no tiene ningún inconveniente en aceptar la propuesta de la delegación de la República Federal de Alemania de que en el Informe se incluya que estos países han colaborado con un espíritu constructivo, siempre que reconozcan que los demás países también hemos colaborado efectivamente con ese mismo espíritu constructivo. Porque consideramos muy importante que en este Consejo se afirme y se continúe en un espíritu de construcción de todos, que nos permita armonizar todos los intereses.

M. HAMDOON (Iraq) (original language Arabic): I believe that all the delegates here would like us to reach a unanimous agreement on this resolution. However, it seems that this is impossible so far for reasons which I do not fully understand. This resolution, if it is adopted unanimously, is one of the major resolutions of this Conference. If unanimously adopted, it will be, therefore, I repeat,

a major resolution which will affect all the peoples of the earth. It is a humanitarian resolution. This is why I do not understand that there are countries that object to it. What do they want in fact? Do they have a better resolution? If so, we are willing to accept it. This morning they stated that the objection was financial, and the Secretariat afterwards proved that we will not need to spend one more dollar on this resolution than already foreseen in the budget. The developed countries wish perhaps to cast doubts over some of the resolutions upheld by developing countries. The developing countries see in this resolution a resolution that will be of benefit to their peoples, as Colombia and the Congo said. This resolution will have an influence on food security. I should like to understand what the developed countries really want. Why do they object? Do they wish to add a footnote stating that we accept this resolution provided it does not add to the expenditure of the budget? If they want this, then we will accept it. However, we would like them to state clearly what they want. We call on all the delegations here to approve this resolution unanimously because it will be of great benefit to all the countries.

E.J. STONYER (New Zealand): I had no intention of speaking at all in this particular argument we seem to be drifting into. The New Zealand delegation has no intention of standing out against this resolution. We think it is important, we think the progress has got to be made, but we also understand those people who have stood up and put forward their reservations and suggested that in fact the way this thing has been handled has cast a cloud over this whole issue. Most of us came here in a very constructive frame of mind. We came here determined to set about this task of collecting the gene resources of the world in a competent and structured way, but unfortunately, the developments that have taken place tend to work against this sort of arrangement. I would just like to appeal to all the delegations that we should draw this particular discussion to a close. It is an important issue. Let us not undermine it any more.

CHAIRMAN: I think now, since you have left the onus of approving the Report on my hands, I would like to be very clear as to the countries which would like to be listed under the reservations. If you can just show your hands, we can take it down. Canada, Federal Republic of Germany, France, Japan, United States and the United Kingdom would like to be footnoted at the end of the resolution, same as was done in the case of the Conference resolution.

W.A.F. GRABISCH (Germany, Federal Republic of): Once you speak about your intention as to how the Report is going to be structured, could we please get also your decision on whether you would accept what I humbly propose, namely, that the Report should be a true reflexion of the debate which did take place today, and if this were to be the case, then I would repeat again I am not making reference to some words which were voiced this afternoon, I will refrain from doing so, but could you then please accept what I humbly proposed, that a little paragraph be introduced explaining exactly that it was not the budgetary reasons but many other reasons which were given which led to a different point of view.

CHAIRMAN: Obviously, the Report of our Council should truthfully reflect what has happened here, and the fact remains that you and several other delegations have expressed this view, and I think we have to say that the Report contains a reference to the views of some of the delegations. I have here a suggested version. "As requested by the Conference in Resolution 9/83, the Council took up the establishment of a Commission on Plant Genetic Resources. Some members expressed concern that despite their constructive interest and involvement in Plant Genetic Resources activities they had had no opportunity to consider the implications of the Conference Resolution, nor did they consider that they had received in time for adequate consideration a document on administrative and financial implications as laid down in Conference Resolution 12/79. They also considered that the success of the Undertaking would depend on the scope of the membership of the Commission. It was suggested that this question would need to be reviewed at the next session of the Conference. Some members reserved their position on the resolution and requested that their reservations be recorded accordingly. The majority of members, however, considered that the Conference request was binding on the Council, which had therefore to proceed immediately to establish the Commission. They noted that relevant administrative and financial implications had been set put in the Director-General's report" - and the Report number will be given - "and in the proceedings of the Conference. They also noted the further information on these implications provided to the Council. The Council accordingly adopted the following Resolution". This is the suggested wording of the Secretariat. I think it reflects the scope of the discussion and, as mentioned by New Zealand, we can go on discussing it indefinitely.

W.A.F. GRABISCH (Germany, Federal Republic of): I am awfully sorry. Perhaps just one word could be added, because we also felt that universality which it was intended to have would not be guaranteed or something like that.

CHAIRMAN: I think it is conveyed here. "The success of the Undertaking would depend on the scope of the membership of the Commission."

W.A.F. GRABISCH (Germany, Federal Republic of): Thank you.

CHAIRMAN: This is what you really meant and what the United States mentioned this morning. I am very grateful to you.

G. BULA HOYOS (Colombia): Yo creo que usted, Sr. Presidente, ha hecho un esfuerzo, pero también espero que usted entienda que no considero oportuno ni adecuado que vayamos a convertirnos en un Comité de Redacción. Nosotros creemos que en este período de sesiones, corto y limitado a temas específicos, convendría simplificar las características del informe, como se ha hecho en el pasado. Nos preocupa en la lectura que usted dio a su texto y que, naturalmente, nos llevo muy rápidamente a través de la traducción, algunas referencias excesivas a la Resolución 12/79 y a otros argumentos que parecen prevalecer sobre aquellas ideas y aquellos razonamientos que expresamos la mayoría de los miembros del Consejo. Yo creo que podríamos tratar de dar satisfacción a los colegas de la República Federal de Alemania y a otros procediendo de una manera más simple y más sencilla. Habría un párrafo que diría simplemente "algunos miembros", y si ellos prefieren poner los nombres de sus países, "no estuvieron en condiciones de expresar su apoyo a la Resolución y manifestaron su interés por ocuparse de este asunto en la próxima Conferencia". Esto es lo que han dicho. Luego "sin embargo el Consejo decidió adoptar la Resolución", ahí no habría ninguna nota al pie de página porque ya se habría complacido a los colegas que insisten en que haya un párrafo.

CHAIRMAN: I will give the floor first to France and then to the United Kingdom. Kindly be very brief—because we really want to get on with the job. If you want the Commission to meet I think it has to be with cooperation with everyone. It has to succeed in this job, and therefore let us not go on quarrelling about minor words. What is important is that the Director-General has an authority to go ahead and call up the commission before COAG in 1985. I would request everyone who is really concerned with genetic resources that we get on with the job that we all desire rather than quibble about one or two words here and there, and who said what and so on. Otherwise, if everybody wants to make a drafting exercise I will have to rule that we will set up a drafting committee, and we will have to meet because we cannot do a drafting here. I have allowed one piece of drafting given to me by the Secretariat which seems to reflect some of the views. If it is your desire to set up a drafting committee which can meet later and then we will meet tomorrow afternoon, I am quite prepared, but on the other hand if all others are really interested in the cause which we are expounding then I think it is important to end in a spirit of cooperation which has always been characteristic of this Council. I appeal to you before about seven or eight speakers who have raised their flag. I would like to hear everyone and I am prepared to sit as long as interpreters are available. I am not in a hurry but I think we must, at some time or another, come to a conclusion, and that conclusion in my view, in accordance with our own tradition, should be one where we all sometimes agree to disagree, but we all agree - perhaps it does not matter - but that we go ahead; that is more important.

A. FEQUANT (France): Je soutiens les points de vue soit de la majorité, soit de la minorité, de la manière dont ils sont exprimés dans le texte du secrétariat. Si tout le monde pouvait en faire autant, la discussion serait terminée.

A. PINOARGOTE CEVALLOS (Ecuador): Yo pienso que este debate no ha sido inútil porque inicialmente se planteo una serie de objeciones que seguramente hicieron dudar sobre el procedimiento. Pienso que han sido muy útiles las observaciones de los países que, coherentemente con su posición anterior de hacer una reserva en la Conferencia, lo han mantenido aquí en el Consejo. Ha sido muy útil porque hemos comprobado que el procedimiento jurídico es nítido, limpio, correcto, que no hay ninguna duda sobre lo que se está resolviendo aquí, que las cuestiones financieras y administrativas son nítidas, limpias y correctas, que no hay irregularidad, que todo es normal, que el Consejo cumple con su deber de poner en ejecución un mandato preciso y concreto de la Conferencia.

En lo que yo estoy en desacuerdo es con la redacción del informe; la excepción, lo excepcional se ha considerado como lo principal. Es decir que se ponga como un "sin embargo" que el Consejo aprueba crear esta Comisión. Lo importante es que el Consejo, cumpliendo su mandato, crea la Comisión. El "sin embargo" debe ser en el sentido de que los países que hicieron reservas en la Conferencia las reiteraron aquí en el Consejo, y yo pienso que incluso no se debería ahondar en cada uno de los argumentos exhibidos, porque esos argumentos han sido esclarecidos de manera tal que ya no queda duda sobre la rectitud de procedimiento del Consejo. Esa es mi opinión.

J.R. LOPEZ-PORTILLO ROMANO (México): Estamos totalmente de acuerdo con lo dicho por el Sr. Delegado del Ecuador; creo que la redacción debe ser muy balanceada y debe expresar la generosidad de los países desarrollados en el sentido de mantener una actitud constructiva, que creo que es lo único que se puede poner en ese párrafo, porque de otra manera la reserva está ya hecha, no se puede hacer referencia a una reserva que de todas maneras ya se hizo, es una redundancia inútil. Redactar el párrafo de esa manera podría tener la implicación y matiz que todos consideren que hubo mala fe el día de ayer, una actitud poco constructiva de parte de la mayoría que aprobó esta Resolución y que, por tanto hizo que los países desarrollados mantuvieron una actitud constructiva y tuvieron que abstenerse. Ese matiz no podemos permitir que se deje traslucir. Creo que todos estamos de acuerdo en que hay buena voluntad, pero que todos los países aquí presentes hemos expresado esta voluntad, y eso es lo que debe quedar en el informe, y en ese sentido recoger primero, por supuesto, como lo ha aclarado el Delegado del Ecuador, la voluntad de la mayoría y posteriormente las reservas, haciendo referencia específica a los países que la hicieron; pero manifestar, apoyar, subrayar la actitud constructiva que esos países han mantenido y que desean seguir manteniendo.

LE DIRECTEUR-GENERAL: Je regrette d'avoir à intervenir. Mais comme je suis responsable de la mise en oeuvre de la résolution et que je suis très informé du sujet, qui nous concerne beaucoup à la FAO, je voudrais dire qu'il faut être raisonnable.

Le système que nous proposons ne marchera pas si les Etats-Unis, la Grande-Bretagne, l'Australie, etc., n'y participent pas. Je ne parle pas du point de vue financier mais du point de vue technique. Les collections de matériel génétique se trouvent surtout dans ces pays. Pour travailler, nous avons donc besoin de ces pays, pour que la Commission puisse fonctionner, pour que l'on puisse échanger le matériel. Ce sont eux qui ont fait le plus de recherches. On dit dans le texte: "... despite this constructive interest and involvement". Je ne vois pas pourquoi l'on voudrait empêcher ces pays de s'exprimer. Monsieur le Président, vous avez toute autorité pour approuver le rapport. Vous n'allez pas encore renvoyer la décision. Nous avons voulu montrer notre bonne foi, être justes et honnêtes et M. West en quelques minutes a résumé le débat et proposé un texte. On y parle d'ailleurs beaucoup des pays qui ont approuvé la résolution.

Il faut souligner un aspect très important, c'est que, si l'Union soviétique et la République démocratique allemande ne sont pas incluses dans la Commission, elles ne viendront pas. Pourquoi ces pays entreraient-ils par la petite porte, comme observateurs? Ils viendront s'ils sont membres, et encore, ce n'est pas sûr...

Nous avons dit dans le projet de rapport que la prochaine Conférence verrait la situation. Il faudrait trouver le moyen de permettre à l'Union Soviétique de participer, puisqu'elle dispose presque du tiers du matériel génétique stocké dans des collections.

Il ne s'agit pas de victoire ou de défaite. Je regrette de le dire, mais dans ce domaine, il y a des pays qui ne sont pas égaux aux autres. Si certains pays sont absents, on ne peut pas faire valablement fonctionner la Commission. Ce n'est pas la peine d'entrer dans le détail. Ce sont ces pays qui ont fait les recherches. Laissons-leur écrire cinq ou dix mots dans le rapport. D'ailleurs, beaucoup ne le liront pas, ce rapport. Ce qui est important, c'est la résolution. Une fois la résolution adoptée, la Commission peut commencer ses travaux. Elle ne commencera pas par la lecture du rapport, ni par vouloir savoir comment la Commission a été créée.

Je fais appel à tous, et en particulier à mes amis et collègues d'Amérique latine. Laissez aux sept ou huit pays qui ont fait des réserves la possibilité de s'exprimer comme ils l'entendent, et ne comptez pas les mots, il faut les encourager à participer, sinon, je ne suis pas sûr que ces pays viendront à la réunion de cette Commission. Comment discuteront les pays du tiers monde, qui n'ont pratiquement pas de matériel génétique, et très peu de généticiens, et qui devront nécessairement demander la coopération des pays développés?

Je pense donc qu'il est plus constructif de laisser le texte tel qu'il est. D'ailleurs, Monsieur le Président, vous êtes autorisé à approuver ce texte. C'est simplement la synthèse des discussions, et ce ne sont pas les mots qui comptent.

Je vous remercie, et je vous prie de m'excuser d'être intervenu de façon aussi intempestive.

Applause

Applaudissements

Aplausos

CHAIRMAN: I think with this acclamation we have adopted the Resolution on the setting up of the Commission on Plant Genetic Resources. It is Thanksgiving Day!

It was so decided.

Il en est ainsi décidé.

Así se acuerda.

Applause

Applaudissements

Aplausos

CHAIRMAN: We now move on to the other items left on our Agenda for today.

10. Review of the Rules Governing Procedures for Voting on Candidates in Elections to Council and Conference
10. Révision des procédures de scrutin pour les élections au Conseil et à la Conférence
10. Examen de las normas que regulan los procedimientos para la votación de las candidaturas en las elecciones al Consejo y a la Conferencia

CHAIRMAN: The Director-General will introduce this item.

LE DIRECTEUR GENERAL: Durant la session de la Conférence, un ou deux délégués s'étaient étonnés du fait que le règlement prévoyait un vote pour l'élection d'un seul candidat à un seul poste. Ils avaient suggéré que les procédures des élections soient revues, pour étudier la possibilité, dans des cas pareils, - il s'agissait par exemple de l'élection du Président du Conseil - par consensus -de ne pas procéder au vote. Le Président de la Conférence avait indiqué que cette question méritait d'être étudiée.

Je suggère donc que la question de la révision des procédures pour les élections au Conseil et à la Conférence soit étudiée par le Comité approprié du Conseil, c'est-à-dire le Comité des Questions Constitutionnelles et Juridiques qui nous préparera un document à ce sujet.

CHAIRMAN: I take it that we approve the procedure suggested by the Director-General; if this is acceptable to you, we shall act accordingly. Thank you very much, Sir, for your suggestion.

7. Calendar of 1984-85 Sessions of the Council and Bodies which Report to the Council
7. Calendrier 1984-85 des sessions du Conseil et des organes qui lui font rapport
7. Calendario para 1984-85 de los períodos de sesiones del Consejo y de los órganos que le rinden informes

LE SECRETAIRE GENERAL: Dans le document, il y a quelques modifications que nous soumettons à votre appréciation.

Pour la réunion du comité des pêches, qui est prévue dans le document du 11 au 15 mars 1985, nous proposons que cette date soit fixée du 22 au 26 avril 1985.

Comme l'a dit le Ministre de l'agriculture du Mexique, en consultation avec le Directeur général, il est maintenant proposé que le Congrès forestier mondial se tienne du 1er au 12 juillet 1985 au lieu du 22 au 26 octobre 1984.

Voici les deux modifications portées au document que vous avez devant vous.

P. GOSSELIN (Canada): The World Forestry Conference or Congress which was to be held in 1984 is now moved to 1985; I understood that there was at some point an earlier date to be considered in January or February. The reason that I raise this problem is that as some members may know, and certainly those from the Commonwealth, that the Commonwealth Forestry Congress will be held in September of that year so I would just like to record that it is unfortunate that both these very large conferences will be held a few months apart and with finances being what they are in most countries, it is unfortunate because it will mean that the audience or the participation to both the Conferences will be thus unfavourably affected.

CHAIRMAN: I take it that there are no further comments on these changes. Shall we adopt them? Then we adopt the proposals as amended in the case of the Committee on Fisheries and the World Forestry Congress in 1985.

8. Appointment of Independent Chairman of the Appeals Committee

8. Nomination du Président indépendant du Comité de recours

8. Nombramiento del Presidente Independiente del Comité de Apelación

LEGAL COUNSEL: Mr Chairman, as you mentioned yourself, at the beginning of the session, among the personalities whom we have lost recently was Ambassador Spinelli who for many years was the Chairman of the Appeals Committee provided for in our Staff Regulations. I think all member governments and also the staff will express their deep regret, as the Director-General has done in the opening paragraph of document CL 85/6.

After having been himself a distinguished international civil servant, Ambassador Spinelli then went on to use part of his retirement in the service of international civil servants; and his fairness and impartiality were appreciated by all. In these sad circumstances the Council is called upon to appoint a successor to Ambassador Spinelli. As pointed out in paragraph 4 of the document before you, there are two alternate Chairmen. In the event, that one of these were to be appointed as the Chairman, you would then have to proceed to a second nomination in order to fill the post vacated by the alternate Chairman who would become Chairman of the Appeals Committee.

G. BULA HOYOS (Colombia): La Delegación de Colombia se ha adherido con todo respeto a las manifestaciones de condolencia que se han expresado esta mañana y esta tarde sobre las dos distinguidas personalidades desaparecidas en el presente mes de noviembre. Ahora, para nuestra Delegación es grato proponer a Su Excelencia el Sr. A.K. Atal como Presidente Independiente del Comité de Apelaciones. El Sr. Atal ha tenido una distinguida carrera diplomática en su país, la India, dentro de la cual ha ejercido altas funciones en diversas capitales, incluyendo Roma. El Sr. Atal es el más antiguo de los Vicepresidentes de ese Comité de Apelaciones; fue elegido por este Consejo desde el año 1975. Además, durante el período en que el Embajador Spinelli estuvo gravemente enfermo, el Sr. Atal le suplió en las funciones de Presidente en ese Comité con mucha consagración y eficacia. Por las razones anteriores la Delegación de Colombia propone al Sr. Atal como Presidente Independiente del Comité de Apelaciones.

M. FRANCISCI di BASCHI (Italie): La délégation italienne se joint aussi aux condoléances qui ont été exprimées pour le décès de M. Spinelli.

J'ai le plaisir maintenant d'appuyer l'initiative colombienne proposant comme président du Comité de recours M. l'ambassadeur Atal dont les qualités ont été rappelées par mon collègue de Colombie.

CHAIRMAN: You heard the proposal by Colombia that His Excellency A. K. Atal be appointed Independent Chairman of the FAO Appeals Committee. The proposal has been seconded by Italy. Do I hear any other nominations or views? If not, then we shall take it that the proposal by Colombia, seconded by Italy has our unanimous approval. Thank you very much. So we declare His Excellency Atal Independent Chairman of the Appeals Committee.

It was so decided.

Il en est ainsi décidé.

Así se acuerda.

This then will create the vacancy of an alternate Chairman.

F.G. POULIDES (Cyprus): I have great pleasure in proposing as alternate Chairman of the Appeals Committee my colleague Ambassador Carlos di Mottola Balestra. Ambassador di Mottola needs very little introduction to most of us here. I would nevertheless like to recall his previous service as Ambassador and Permanent Representative of Costa Rica to FAO and to international organizations in Geneva from 1963 to 1978. From 1975 to 1977 he represented his country on the Committee on Constitutional and Legal Matters, the CCLM. From 1973 to 1978 he was also ambassador of Costa Rica to Greece. Ambassador di Mottola was again accredited as Permanent Representative to FAO in 1982. I am sure that his intimate knowledge of the workings of FAO will be a valuable asset in considering all the activities that the function requires of appeals lodged by the FAO staff.

P.S. McLEAN (United Kingdom): It is a great pleasure for my delegation to second the nomination of Ambassador di Mottola of Costa Rica as the alternate Chairman of the FAO Appeals Committee.

CHAIRMAN: You have heard the nomination by Cyprus of Ambassador Carlos di Mottola Balestra as the alternate Chairman of the Appeals Committee and this has been seconded by the United Kingdom. Do you have any other nominations or suggestions? If not, shall we take it that the appointment of Carlos di Mottola Balestra of Costa Rica has our unanimous approval as alternate Chairman.

It was so decided.

Il en est ainsi décidé.

Así se acuerda.

C. di MOTTOLA BALESTRA (Observador de Costa Rica): Deseo agradecer encarecidamente al Embajador de Chipre y al Embajador del Reino Unido por sus palabras y a todo el Consejo por esta elección que me honra y a la que trataré de responder con una actividad pertinente.

11. Date and Place of the Eighty-sixth Session of the Council

11. Date et lieu de la quatre-vingt-sixième session du Conseil

11. Fecha y lugar del 86° período de sesiones del Consejo

CHAIRMAN: According to the programme you have just now approved in document CL 85/5 the next meeting is scheduled from 19 to 30 November 1984. Unless you have any doubt we will record the date and place of the Eighty-sixth session here in Rome from 19 to 30 November 1984.

12. Any Other Matters

12. Autres questions

12. Otras cuestiones

W.A.F. GRABISCH (Germany, Federal Republic of): You may recall that the Conference yesterday paid tribute to the outstanding services the Assistant Director-General of the Department of General Affairs and Information, Mr Sylla, has rendered to our Organization. My delegation cannot but echo this tribute fully. It was expressed yesterday the noble, efficient and dignified manner Mr Sylla functioned in his very important post. We all owe him very much also here in the Council. If no mention would be made of this in the Conference proceedings I should humbly like to suggest that the Report of this Council should carry a little paragraph of that tribute which was paid to Mr Sylla.

A. FEQUANT (France): La délégation française appuie chaleureusement cette proposition.

CHAIRMAN: We shall see to it, with pleasure, that it is recorded in our Report.

D.H.J. ABEYAGOONASEKERA (Chairman, Finance Committee): I asked for the floor mainly to congratulate you on your election to this respected post of Independent Chairman of the Council.

Secondly I want to express my thanks and very sincere gratitude to the members of this Council for the great honour they have bestowed on my country and me personally by re-electing me as Chairman of the Finance Committee for a second term of office. In spite of your superior wisdom I still have misgivings about your choice but nevertheless I think that your trust and confidence in me will make my task much easier. Let me say this, of my team-mates who have served this Committee during the last biennium and who are not with me next year. They were truly worthy of the trust and confidence you have bestowed on them and they gave their very best. But for them and their hard work and cooperation my task would have been difficult. All of them were competent, intelligent in their judgement and completely dedicated to the work entrusted to them.

To the newly elected members I extend a warm and sincere welcome and I look forward to working with them with the same cooperation and shared purpose. I am sure with their wide experience and the knowledge gained in the wide range of disciplines in their own national governments they will enrich the quality of our deliberations and enable us to do our job better.

Finally I wish to emphasise that this election does not signify a change which is synonymous with break. We will continue working as a team to assist you in the functions which have been delegated to us.

LE DIRECTEUR-GENERAL: Je voudrais dire simplement quelques mots, parce que, jusqu'à présent, je n'ai pas eu l'occasion de vous féliciter, Monsieur le Président, pour votre brillante élection. Je désire féliciter également les membres du Conseil de la FAO qui ont été élus, en particulier Sao Tomé-et-Principe, et la République Démocratique Populaire du Yémen, qui pour la première fois font partie du Conseil. Je félicite les présidents et les membres du Comité financier et du Comité du programme, et ceux du Comité des questions constitutionnelles et juridiques. Tous sont assurés de notre soutien et de notre coopération.

J'espère vous revoir bientôt dans d'autres réunions, l'année prochaine. Nous aurons l'occasion de nous revoir, ne serait-ce que pour les Conférences Régionales, le Comité de l'aide alimentaire, le Comité financier, le Comité du programme, la Conférence mondiale des pêches...

Je vous souhaite à tous une bonne et heureuse année, ainsi qu'à vos familles, un bon retour dans vos foyers, et je vous remercie encore, M. le Président, au nom de tous mes collègues et en mon nom personnel.

Applause

Aplaudissements

Aplausos

CHAIRMAN: Thank you very much, Mr Director-General. Fellow Council members, I would be failing in my duty if I do not convey on your behalf and on my own behalf our sincere gratitude to the numerous people, anonymous people, who work for the success of the Conference and the Council. I mean starting with the messengers here, the various people, the verbatim reporters, the people who produce the documentation, the interpreters who help us to cross language barriers, and the very large numbers of staff of this Organization who have been helping both at the meetings of this Conference and the Council. In fact our Council started on November 1 and, so continuously during the whole of this month, and of course prior to that also, they have all been working, and for several of them there is a double day. When we end they again continue their work, and I want to express the gratitude of the Council to all these numerous staff members of the Director-General here.

Secondly, I must again put on record the appreciation of the Council to the outgoing members of the Council whose term has expired - Afghanistan, Angola, Barbados, Ireland, Kenya, Morocco, Nigeria, Poland and Romania. They left the Council at the Eighty-fourth Session and we want to place on record our very sincere appreciation for their excellent contributions to the work of the Council. I do hope many of them will continue to participate as observers in Council meetings and help us in our work.

I also want to welcome the new members, many of them have spoken today, and made outstanding contributions.

I would also like to place on record our appreciation of the work done by the members who have left the Programme Committee. As I mentioned this morning, Ambassador Arrhenius de Freitas is unfortunately no longer with us. Madame Hayat of Kuwait, Mr Mohammed Sidki Zehni of Libya, and Mr Palmer of Sierra Leone have all made outstanding contributions. These three Members have rendered great service to the Programme Committee, and I want to record our appreciation, and welcome the new members who have joined.

In the Finance Committee, Mr H. Mends, of Ghana, Mr Papageorgiou of Greece, Madame M. Ivankovich de Arosemena of Panama, and Mr Papa Yoro Diallo of Senegal. They are leaving the Finance Committee and we want to express our sincere gratitude to them for their work.

Mr Ramadhar of the Programme Committee has also left, but India continues to be a member of the Programme Committee and he will be replaced by Mr Ramesh Gupta.

Then in the Committee on Constitutional and Legal Matters we want to record the services of Hungary, Nigeria, Switzerland and the United Kingdom for their contribution, and I want to express our warm welcome to all the new members who will be taking their positions.

I want to express gratitude to the three Vice-Chairmen, some of whom participated in today's debate, Mr Okwakol of Uganda, Mr Amin Abdel-Malek of Lebanon, and Mr Eric James Stonyer of New Zealand for lending their names to this particularly important session of the Council. We have taken some historic decisions at this meeting and when the record comes I am sure you will be proud to have been Vice-Chairmen of this very important session.

I want to associate myself with the sentiments already expressed about the contributions of our Secretary General, Mr Sylla whom, as I have already mentioned in earlier meetings of the Council, has been a great source of strength to the Council. He is a great humanist and a man combining competence with humility and we want to wish him all the best in the next phase of his career. I want to record our appreciation of the outstanding services of Mr Sylla.

Finally to you, Mr Director-General, and to your Deputy Director-General and many others, we want again to convey our appreciation, gratitude and compliments on the outstanding way in which this whole Conference has been organized. The very important decisions which have been taken including the unanimous approval of the Programme of Work and Budget provide proof of the well deserved

compliments made at the Plenary by most of the Ministers to your leadership. I want to assure you of my own personal continued assistance to the Organization now that I have been given the privilege of continuing to serve the Council for two more years. We will all serve a common cause because, as we have already stated, the cause is a very important one and you, Mr Director-General, as the Captain of the Ship, you have to steer it through the stormy seas, and in this you will have the full support of the Council and best wishes.

Finally, I want to congratulate all the members of the Council, observers, delegates, all those present here and those who are not. My own very best wishes of the season go to those who celebrate Christmas, which is a very important part of the year, and we are not very far from that time. It is the season of good will towards all men and peace on earth. I hope that 1984 - although it is associated with George Orwell and his not very pleasant predictions - yet we hope that by the time the Council meets next year in November 1984, some of the dark clouds which have frequently been referred to in the Conference and the Council about Africa and many other parts of the world, will have given way to some bright sunshine. After all, there cannot always be darkness; where there is darkness there has to be light and we are hoping that by the time we meet next year, the food situation, thanks to the work of FAO and everyone here, governments, farmers themselves, the fishermen, we shall have a much better atmosphere in terms of the world food position. We also hope for good weather. Finally, let me say, as has been referred to by some, that I consider this session of the Council a historic one because we have not only passed a resolution on plant genetic resources yesterday but also taken action; the next step has been taken as this meeting of the Council and I think when people accuse organizations of being slow and lethargic and so on, it is a matter of extraordinary speed, commendable speed with which action has been taken. But I want to repeat again that all of us should give a helping hand to promote the common cause of conserving genetic resources. Somebody asked: why plant genetic resources alone? Well, plants are primary producers of energy, we live here on earth as guests of green plants and they convert solar energy into food. So unless we can conserve these, then the other resources cannot be conserved. So this is an excellent beginning and the Council can be proud of this fact, although some say we have spent so many hours discussing it. But I am happy because it shows the seriousness with which delegates have participated; they have taken it wholeheartedly, it is not a matter to be brushed aside in one minute. We are all very grateful for the outstanding contributions that have been made. I shall now give Mr Sylla the floor before closing this session.

LE SECRETAIRE GENERAL: M. le Président, après vingt et un ans de service aux Nations Unies je peux dire que c'est ici avec la FAO que j'ai vécu une expérience véritablement extraordinaire. Surtout dans ce Conseil, avec des femmes et des hommes sans cesse préoccupés de trouver une réponse simplement humaine, sinon satisfaisante, à l'un des plus graves problèmes auxquels fait face notre planète. Cette expérience a été pour moi très enrichissante; cela a également été pour moi une fierté de côtoyer et de travailler au Secrétariat avec des hommes et des femmes de qualité, de compétence et de dévouement exceptionnels pour la cause dont s'occupe cette Organisation.

Personne ne doute de l'ampleur des tâches qui sont les vôtres. Personne n'ignore également qu'il n'y a pas de miracles en la matière. D'un côté comme de l'autre il faut plus que de la détermination, je crois qu'il faut aussi de l'abnégation, de l'abnégation et surtout de la continuité dans l'effort. C'est un domaine où il faut toujours plus de militantisme, comme le dit souvent le Directeur général, et j'ajoute: plus de militantisme et de foi. C'est convaincu de ces impératifs qui ne sont au demeurant jamais absents de vos préoccupations, ni de celles du Secrétariat, que j'ai décidé, après 36 ans de vie active, de prendre du recul sans pour autant tourner le dos aux problèmes qui sont les vôtres et les nôtres. Mais grâce à l'expérience acquise de les voir sous d'autres angles et, d'une façon ou d'une autre, à mon niveau, d'essayer de contribuer à vos efforts vers leurs solutions. Que Dieu vous assiste dans votre noble tâche et surtout que celle-ci contribue au développement et à la consolidation de la solidarité et de la coopération internationales. Vous avez tous et toutes droit à ma gratitude et je vous prie, en toute humilité, de l'accepter avec l'expression de mes bien vifs remerciements pour la compréhension et pour la sympathie que vous m'avez toujours témoignées. Je resterai fidèle aux idéaux de la FAO.

Que Dieu vous garde tous!

Ovation

Ovation

Ovación

CHAIRMAN: Thank you very much, Mr Sylla for your inspiring message. I think with this we will bring the Eighty-fifth Session of the Council to a close. To those who are leaving Rome - myself included! - I wish us all a safe and pleasant journey back. Let 1984 be a good year, Martin Luther King has been frequently remembered this year and his favourite song was "We shall overcome". I think on the food front FAO and we all will work to overcome our problems during 1984. I wish you all a very pleasant personal and professional life and every satisfaction during the New Year,

Applause

Aplaudissements

Aplausos

The meeting rose at 16.30 hours

La seance est levée à 16 h 30

Se levanta la sesión a la 16.30 horas