

## **XII – INTERNATIONAL ORGANISATIONS**

### **International organisations – tenure of heads of the specialised agencies**

On 16 June 1989 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following written answer in part to a question on notice (HR Deb 1989, Vol 167, p 3689):

As an element of Australia's efforts to promote reform throughout the UN system, Australia has advocated an initiative to limit the term of office for the Directors-General or equivalent of international organisations. The basis of the Australian initiative has been that an upper limit of ten years in office would maximise the benefits of continuity and relevant expertise. The range of terms of office in the multilateral system extends from 4–6 years. The initiative has been referred to as the "two term principle".

On 4 October 1989 Senator Evans provided a further written answer in part to a question on notice (HR Deb 1989, Vol 169, p 1507):

With the exception of UNESCO, Australia has not taken formal steps to amend the constitution of the United Nations specialised agencies [sic] to limit the terms of office of their Directors-General or equivalent, to two terms. We have lent our strong support to the two-term principle as a matter of policy, however, and have urged this measure as a means of achieving greater managerial effectiveness in most of the specialised agencies and international organisations which constitute the United Nations system.

On 22 December 1989 Senator Evans provided a further written answer in part to a question on notice (HR Deb 1989, Vol 170, p 3593):

Inflexible adherence to the two-term principle would not always accord with Australia's overriding interest in the efficient functioning of the UN Specialised Agencies. Its application on a number of occasions would have resulted in the election of an unsuitable candidate and, on others, could have risked endangering the success of an on-going reform process. For this reason the principle has been advocated selectively. Currently no Australian missions are being encouraged to seek amendments to the constitutions of UN specialised agencies with an aim to limiting the tenure of the heads of those Agencies.

### **International organisations – budgets – zero real growth**

On 28 February 1989 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following written answer to a question on notice (HR Deb 1989, Vol 165, p 119):

Since 1984 the Australian Government has been working towards the objectives of zero real growth in budgets for the United Nations Organisation and its specialised agencies. Some significant progress has already been achieved in the United Nations and in the agencies.

In pursuing its objectives in the UN system generally, Australian representatives have been active participants of the Geneva Group (comprising Western countries individually contributing 1% or more to UN budgets). This

Group has concentrated on reform, particularly the development of improved and more transparent budget and administrative processes.

**International organisations – United Nations – Headquarters Agreement with the United States – entry privileges for observers – denial of visa to Chairman of the Palestine Liberation Organisation**

On 28 November 1988 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in part in answer to a question without notice (Sen Deb 1988, Vol 130, p 2963):

The Government regrets the decision of the United States Administration to refuse a visa to PLO Chairman, Yasser Arafat, to enable him to address the current session of the UN General Assembly. The United States has an obligation under the United States–United Nations Headquarters Agreement to permit the entry into the United States of people engaged in UN business. Yasser Arafat was to address the General Assembly when it considers Middle East items in the coming week, something it has not done since 1974. Australia hopes that this issue can still be resolved in the appropriate forums, including the UN Committee on Relations with the Host Country.

**International organisations – United Nations – General Assembly – credentials – Cambodia**

On 17 October 1989 Senator Button, the Minister representing the Acting Minister for Foreign Affairs and Trade, said in answer to a question without notice (Sen Deb 1989, Vol 136, p 1987):

The Cambodia seat at the UN is held by Democratic Kampuchea, the government of which is the Coalition Government of Democratic Kampuchea. The CGDK comprises the Khmer Rouge, the Funcinpec group led by Prince Sihanouk and the Khmer People's National Liberation Front led by Mr Son Sann. The head of the CGDK delegation at the United Nations is a member of the Khmer Rouge faction. Australia has never accepted the claims of the CGDK or the Phnom Penh regime led by Hun Sen to be the Government of Cambodia. There has been no challenge to CGDK credentials since 1982. On that occasion Australia abstained in the ensuing vote. There are no indications so far that a challenge will be mounted in the current session of the UN General Assembly. Australia's assessment is that, if a challenge were to be mounted, it would not be successful in view of strong majority support for the CGDK among members of the Association of South East Asian Nations (ASEAN), most Western countries and many developing countries.

The Cambodian conflict will not be resolved by a vote on who is entitled to hold the Cambodian seat at the UN. It can be achieved only by a comprehensive political settlement which establishes an interim administration which will assume the Cambodia seat pending elections. Australia's efforts, and those of others, especially the ASEAN countries, are directed at achieving such a comprehensive settlement. The Government would not wish to take any action which might compromise those efforts towards a settlement as a result of the implicit action in respect of the UN seat.

(On 25 October 1989 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided a similar answer to a further question without notice on the subject: *Sen Deb* 1989, Vol 136, pp 2190-1.)

**International organisations – treaties between states and international organisations – Vienna Convention**

On 1 December 1988 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following written answer in part to a question on notice (*HR Deb* 1988, Vol 164, p 3749):

Due to more urgent commitments to prepare treaties and arrangements, the Government has not been able to complete its consideration of the question of accession by Australia to the 1986 Vienna Convention on the Law of Treaties between States and International Organisations or between International Organisations.

In setting its priorities for treaty action the Government has had in mind the fact that the Convention has not yet entered into force and is not expected to do so for some years, as thirty-five States must ratify or accede before this will occur. At present only three States (Austria, Senegal and Sweden) have become parties to the Convention.

**International organisations – International Court of Justice – membership of Australian national group**

On 18 February 1988 the Minister for Foreign Affairs and Trade, Mr Hayden, provided the following written answer to a question on notice (*HR Deb* 1988, Vol 159, p 399):

Since 1977, elections to fill vacancies in the International Court of Justice have occurred in 1978, 1981, 1982, 1984 and 1987. The Australian National Group nominated candidates for election in 1978, 1981 and 1984.

(a) Membership of the Australian National Group in the relevant years was as follows:-

- (i) 1978 – Emeritus Professor K O Shatwell. The Rt Hon Sir Garfield Barwick, P.C., GCMG. Chief Justice, High Court of Australia, Sir Clarence Harders, OBE, Secretary, Attorney-General's Department. Mr Maurice Byers, QC, Solicitor General.
- (ii) 1981 – Emeritus Professor KO Shatwell. The Rt Hon Sir Garfield Barwick, PC, GCMG, Chief Justice, High Court of Australia. Sir Clarence Harders, OBE, Secretary, Attorney-General's Department. Mr Maurice Byers, QC, Solicitor General.
- (iii) 1984 – Sir Maurice Byers, CBE, QC, Solicitor General. The Rt Hon Sir Harry Gibbs, QC, GCMG, KBE, Chief Justice, High Court of Australia. Mr Patrick Brazil, Secretary, Attorney-General's Department.

(b) Candidates nominated by the Australian National Group for election to the ICJ in the relevant years are as follows:

- (i) 1978 – Jose Sette-Camara (Brazil); Roberto Ago (Italy); Abdullah El Erian (Egypt); Richard Baxter (USA).

- (ii) 1981 - Tun Mohammed Suffian (Malaysia).
- (iii) 1984 - Taslim Olawale Elias (Nigeria); Zhengyu Ni (China); Sigeru Oda (Japan); Sompong Sucharitkul (Thailand).