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President: Mr. Indalecio LIEVANO (Colombia).

AGENDA ITEM 8

Adoption of the agenda (*concluded*)*

**SECOND REPORT OF THE GENERAL COMMITTEE
(A/33/250/ADD.1)**

1. The PRESIDENT (*interpretation from Spanish*): The Assembly has before it the second report of the General Committee on the organization of the Assembly's work. The General Committee's recommendation appears in paragraph 2 of document A/33/250/Add.1. May I take it that the General Assembly wishes to adopt the General Committee's recommendation?

The recommendation was adopted (decision 33/432).

AGENDA ITEM 105

Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions

REPORT OF THE FIFTH COMMITTEE (A/33/528)

AGENDA ITEM 110

Personnel questions:
(a) Composition of the Secretariat: report of the Secretary-General;
(b) Other personnel questions: reports of the Secretary-General

REPORT OF THE FIFTH COMMITTEE (A/33/525)

* Resumed from the 88th meeting.

2. Mr. HAMZAH (Syrian Arab Republic), Rapporteur of the Fifth Committee (*interpretation from Arabic*): I have the honour to submit to the General Assembly the two reports of the Fifth Committee on agenda items 105 and 110 for consideration and adoption. The reports are as follows.

3. The report of the Fifth Committee on agenda item 105 is contained in document A/33/528. The Fifth Committee adopted draft resolutions A and B contained in paragraph 7 of the report by consensus.

4. The report of the Fifth Committee on item 110 is contained in document A/33/525. The Fifth Committee adopted the draft resolution contained in paragraph 27 of that report by a vote. The Fifth Committee also decided, without objection, to recommend to the General Assembly, in paragraph 28, the adoption of the text of a new Staff Regulation concerning non-payment of salary to staff members in respect of periods of unauthorized absence from work, to be incorporated into the Staff Regulations of the United Nations as paragraph 10 of annex I.

5. In conclusion, I hope that the two reports of the Fifth Committee will be accepted and adopted by the General Assembly.

Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the reports of the Fifth Committee.

6. The PRESIDENT (*interpretation from Spanish*): The General Assembly will now consider the report of the Fifth Committee on agenda item 105 [A/33/528]. We shall now take a decision on draft resolutions A and B grouped under the heading "Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency", which have been recommended by the Fifth Committee in paragraph 7 of its report. We will take first draft resolution A. The Fifth Committee adopted draft resolution A without objection. May I take it that the General Assembly wishes to do likewise?

Draft resolution A was adopted (resolution 33/142 A).

7. The PRESIDENT (*interpretation from Spanish*): We now turn to draft resolution B in paragraph 7 of document A/33/528. The Fifth Committee adopted draft resolution B without objection. May I take it that the General Assembly wishes to do likewise?

Draft resolution B was adopted (resolution 33/142 B).

8. The PRESIDENT (*interpretation from Spanish*): The General Assembly will now proceed to the consideration of the Fifth Committee's report on item 110 [A/33/525].

9. I call on the representative of Saudi Arabia, who wishes to introduce an amendment.

10. Mr. BAROODY (Saudi Arabia): I wish to make a simple amendment to paragraph 1 (g) in section I of the

draft resolution in paragraph 27 of the report raising the 25 per cent referred to to 30 per cent. I believe this should be considered fair and reasonable to all, including the General Service staff members. I will read the amendment after I have explained what drove me to make it.

11. I believe there will be no differences—at least none of the alleged differences—between the Fifth Committee, representing the General Assembly, and the personnel of the United Nations. I thought that the Fifth Committee finally acted moderately, although some of its members were adamant about the positions they had taken. Likewise, I believe the staff members have shown a reasonable attitude. In this spirit that now prevails, I will later read the amendment formally.

12. However, it is my sacred duty to make clear the following points. Staff members, no matter to what category they belong, should be treated by the General Assembly as persons of equal worth and dignity, equal to not only us, but even to our Chiefs of State, the President of the Assembly and the Secretary-General. They have the same worth and dignity. This is enunciated in the Universal Declaration of Human Rights and before that it was inscribed in the Charter of the United Nations. Rank has no importance; we are dealing with persons of equal worth and dignity.

13. I have addressed these remarks to ourselves, the Members, but now I have to address also the members of the Secretariat, some of whom have stood up for their rights, and I have found that they are legitimate rights. I have told them, for heaven's sake, not to demonstrate, but to work quietly with the Secretariat and with us, lest we project a most unsatisfactory picture to the outside world. There are many critics of the United Nations outside these walls; we do not want to give them fuel to burn us up, those critics with their salacious tongues and propaganda.

14. I have noted that there is genuine reasonableness on all sides and this is what has driven me to propose this amendment, which is very simple. I must thank the delegation of France for having been so reasonable as not to insist on the requirement of a university degree. I think the members of that delegation have shown how magnanimous they can be—although they are entitled to their own views. However, I must say from my personal experience in life, and not only in the United Nations, that there are many high school students who have made good in the world, not only materially—as inventors, as administrators, as executives—but also because they have learned by experience what to do and what not to do. In the same way we expect of some members of the General Service category that, if they are dedicated to the principles and purposes of the United Nations and if they commit themselves to the work of the United Nations, although they may not be holders of university degrees, they should rise very high, not in space, but in achievement in the work of the United Nations, as professionals, starting with grades P-1 and P-2.

15. Therefore, my good colleagues, I will give my amendment now in a succinct form. It is a very simple one and I hope that no one will raise any doubts about the intention

behind it. I think it represents a fair solution and I hope that no one will create problems so as to confuse the issue. I propose to amend paragraph 1 (g) of section I of the draft resolution in paragraph 27 of document A/33/525 so as to raise the figure of 25 per cent given in that paragraph to 30 per cent of the total posts available.

16. This is on the understanding that we have full confidence in our illustrious Secretary-General and in his aides, who are dedicated to the United Nations. We hope that they will see to it that the examinations are set in such a way as to promote only those who are worthy. The professionals should welcome those staff members from the General Service category, because they will have had five years' experience. If such staff members acquit themselves well, why not?

17. Parenthetically, although I am a holder of high educational degrees, I want to tell you that in the last 10 or 15 years I have found that those who think that a piece of paper, a diploma, gives them something—an aura or something exceptional—are wrong. Many Ph.Ds and M.A.s are all very well academically in the classroom, but they are sometimes worth next to zero when it comes to practical life, whether it is in the United Nations or in the business world. However, this does not apply to all of them.

18. Therefore, we should not lay emphasis on educational attainment by way of diplomas. Between you and me, I have heard of fourth-class universities and colleges where the teachers close their eyes if someone writes a thesis for one of their students, and this involves a fee on the side of \$1,000 or \$1,500. So diplomas are now for sale in many parts of the world, including the host country.

19. I hope representatives will accept this amendment of mine in good faith, as coming from someone who has been in touch with Secretariat members since the inception of the United Nations.

20. The PRESIDENT (*interpretation from Spanish*): I call on the representative of Senegal, who wishes to explain his vote before the vote.

21. Mr. FALL (Senegal) (*interpretation from French*): At the 61st meeting of the Fifth Committee, held on Thursday, 14 December, my delegation, while approving in general the draft resolution on personnel questions, nevertheless felt obliged to make strong reservations about the provisions of paragraph 1 (g) of section I of the draft resolution, in view of the conditions set for the promotion of General Service staff to the Professional category and also the limit of 25 per cent indicated in that paragraph.

22. Indeed, my delegation is among those which have deplored and criticized the limited and arbitrary nature of the opportunities for promotion provided for in subparagraph (g). In this regard, we added that we would give our firm support to a more flexible and more generous provision for the General Services personnel, who are entitled to our sympathy and our attentive encouragement. On the strength of those considerations, my delegation made it clear that it would have voted in favour of any proposal to raise the limit to 30 per cent, if such an amendment had been submitted.

23. Since a text has been presented to this effect my delegation, in order to be consistent, will therefore support the amendment proposed by the representative of Saudi Arabia and will, of course, vote in favour of it. In accordance with the position which we defended in the Fifth Committee, my delegation will also, of course, vote in favour of the draft resolution as a whole, which should, we would like to suggest, be adopted by consensus.

24. In so doing, I should like to express once again our total confidence in the Secretary-General, who will be able to put into effect this dynamic compromise with prudence and discernment.

25. The PRESIDENT (*interpretation from Spanish*): We shall now take decisions on the draft resolution entitled "Personnel questions", which has been recommended by the Fifth Committee in paragraph 27 of its report [A/33/525] and on the amendment to that draft resolution introduced by the representative of Saudi Arabia.

26. The Secretary-General has expressed a desire to make a statement to the General Assembly in connexion with this item after the vote.

27. In accordance with rule 90 of the rules of procedure, the Assembly will first vote on the Saudi Arabian oral amendment to replace the words "25 per cent" by "30 per cent" in paragraph 1 (g) of section I of the draft resolution. A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Canada, Cape Verde, Central African Empire, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics

Abstaining: Afghanistan, Bahamas, Romania

The amendment was adopted by 126 votes to 9, with 3 abstentions.

28. The PRESIDENT (*interpretation from Spanish*): The Assembly will now vote on the draft resolution as amended. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Burma, Burundi, Canada, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, El Salvador, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics

The draft resolution, as amended, was adopted by 132 votes to none, with 10 abstentions (resolution 33/143).

29. The PRESIDENT (*interpretation from Spanish*): I now call on the Secretary-General.

30. The SECRETARY-GENERAL: The General Assembly has just adopted an important resolution on personnel questions which is not only of intense interest to Member States but also of deep concern to the staff and to me as Secretary-General. It relates to this Organization's management of its human resources and to my responsibilities under Article 97 of the Charter as the chief administrative officer of this Organization.

31. I take note of the requests addressed to me by the General Assembly in this resolution and I shall exercise my best judgement in responding to those requests with the interests of the Organization in mind.

32. It is well known that certain provisions of this resolution have aroused deep anxieties among the staff, who have manifested their concern in ways with which the Assembly is familiar. The paragraph of the resolution

referring to a percentage limitation of the opportunities given to General Service staff to advance, after competitive examination, to the Professional category has, in particular, aroused misgivings among the staff at all levels and also in the Administration itself. As Secretary-General, I have always attached importance to the ensuring of opportunities for career development and the advancement of individuals who devote a large part of their working lives to the service of this Organization. That is true not only of Professional staff but also of those who join the staff in the General Service category but aspire, through hard work and the improvement of their educational qualifications, to advance some day to the ranks of the Professionals. I am therefore glad to note that the Assembly has recognized the importance of this question and agreed, through the amendment it has just adopted, to substitute a higher percentage limitation than the one originally recommended by the Fifth Committee.

33. I would add, in this connexion, that in implementing the provisions of the resolution as it has now been approved I intend to consult with representatives of the staff in accordance with staff regulations 8.1 and 8.2, through the Joint Advisory Committee, since the questions involved are clearly matters which in the words of regulation 8.2 relate to "personnel policies and general questions of staff welfare".

34. Before concluding, may I also make a brief reference to comments made in the General Committee this morning¹ and on other occasions recently as to the need for a thorough review of the procedures by which this Organization carries out its work. I myself have drawn attention repeatedly to the fact that the General Assembly, with 151 Members, is still trying to dispose each year of as many as 120 to 130 items within the same three-month period that the Organization's original 51 Member States devoted to the discussion of 20 to 30 items in earlier years. That is a factor which, as I am sure all members of the Assembly will agree, contributes in large part to the difficulties in which we now find ourselves. The pressures of time do not always assist in the solution of our problems. It is therefore my intention to give this matter intensive study and to come forward with concrete proposals in time for the Assembly to consider them at its thirty-fourth session.

35. The PRESIDENT (*interpretation from Spanish*): I shall now call on those representatives who wish to explain their vote.

36. Mr. PASTINEN (Finland): In the spirit of compromise that has characterized the work of the Working Group on Personnel Questions, the delegation of Finland voted in favour of the draft resolution which the Assembly has just adopted. The resolution is, as we know, the product of the work of that Working Group. In doing so, however, my delegation wishes to stress, as it has continually stressed, the paramount importance of the highest standards of efficiency, competence and integrity in the employment of the staff, as provided for in the Charter of the United Nations and as expressed, indeed, in the fourth preambular paragraph of the resolution just adopted.

¹ See *Official Records of the General Assembly, Thirty-third Session, General Committee, 3rd meeting, and ibid., General Committee, Sessional Fascicle, corrigendum.*

37. Personnel questions fall within the competence of the chief administrative officer of this Organization, the Secretary-General of the United Nations, and it is our belief that the sole purpose of the draft resolution just adopted is to help him in the fulfilment of his tasks as the chief administrative officer of the Organization.

38. My delegation has been reinforced in that belief by the statement which the Secretary-General was good enough to make a moment ago to the Assembly on this matter.

39. Mr. ANDERSSON (Sweden): My delegation voted for the adoption of the draft resolution in document A/33/525 as amended and fully supports section III of the draft resolution regarding the employment of women. My delegation was a sponsor of a separate draft resolution designed to assure equal employment and career development opportunities for women, before that draft resolution became section III of the resolution just adopted.

40. We sincerely hope that the necessary revision of staff rules and procedures in regard to the employment of women, long overdue, will be made without further delay. Also, in the deliberations leading to the large convergence of views on the resolution just adopted, my delegation, together with others, urged that greater emphasis should be placed on career development within the Secretariat.

41. My delegation would like to recall what are called the "Hámmarskjöld principles" of a truly international and independent Secretariat, with the highest standards of integrity and performance, as required by the Charter. There is no contradiction between the demand for a truly international and independent Secretariat and the demand, also expressed in the Charter, for as wide a geographical distribution of posts within the Secretariat as possible. Thus, my delegation is in full agreement with that demand, which is one of the principal aims of the resolution just adopted.

42. However, my delegation is concerned about the percentage limitation in paragraph 1 (g) of section I. My delegation has reservations regarding a provision whereby a candidate who meets the other requirements of paragraph 1 (g) of the resolution could be prohibited from advancing to the P-1 or P-2 level solely on the grounds that he or she belongs to the General Service category. Thus my delegation agrees with the following statement made by the Chairman of the Staff Committee and contained in Fifth Committee Conference Room Paper No. 7: "The standards applied to General Service staff must not be more rigorous than those applied to outside recruits . . .".

43. In the opinion of my delegation, the position of the Secretary-General as chief administrative officer should be reaffirmed, and Member States should refrain from undue interference with his role in the decision-making process in regard to personnel questions.

44. Mr. FOKINE (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Soviet delegation voted against the amendment submitted by the representative of Saudi Arabia because of our understanding, which we reached at the most recent stage of the work on the draft resolution in document A/33/525, that no new amend-

ments from whatever source would be accepted. The delegation of the Soviet Union abstained in the vote on the draft resolution as a whole for reasons that were fully explained in the statement of the Soviet delegation in the Fifth Committee.²

45. The PRESIDENT (*interpretation from Spanish*): I now invite delegations to turn to the draft decision recommended by the Fifth Committee in paragraph 28 of its report [A/33/525]. The Fifth Committee adopted that draft decision without objection. May I take it that the General Assembly wishes to do likewise?

The draft decision was adopted (decision 33/433).

AGENDA ITEM 11

Report of the Security Council

46. The PRESIDENT (*interpretation from Spanish*): We shall now consider the report of the Security Council for the period 16 June 1977 to 16 June 1978 [A/33/2]. May I consider that the General Assembly takes note of the report of the Security Council?

It was so decided (decision 33/434).

AGENDA ITEM 26

Question of the Comorian island of Mayotte: report of the Secretary-General

47. The PRESIDENT (*interpretation from Spanish*): For lack of time it has not been possible to consider this item. I have gathered, however, after appropriate consultations, that it is the wish of the African group of States that this item should be included in the provisional agenda of the thirty-fourth session of the General Assembly. May I take it that the Assembly decides to include the item in the provisional agenda of the thirty-fourth session?

It was so decided (decision 33/435).

AGENDA ITEM 27

Question of Namibia (*continued*):*

(c) Appointment of the United Nations Commissioner for Namibia

48. The PRESIDENT (*interpretation from Spanish*): Document A/33/477 contains a note by the Secretary-General on item 27 (c) relating to the appointment of the United Nations Commissioner for Namibia in which the Secretary-General proposes the extension of the appointment of Mr. Martti Ahtisaari as United Nations Commissioner for Namibia for a further one-year term, until 31 December 1979. May I take it that the General Assembly approves the Secretary-General's proposal?

It was so decided (decision 33/322).

* Resumed from the 80th meeting.

² *Ibid.*, Fifth Committee, 61st meeting, para. 75, and *ibid.*, Fifth Committee, Sessional Fascicle, corrigendum.

AGENDA ITEM 12

Report of the Economic and Social Council (*continued*)*

REPORT OF THE SECOND COMMITTEE (PARTS II AND III) (A/33/446/ADD.1 AND 2)

AGENDA ITEM 59

United Nations Conference on Trade and Development:

- (a) Report of the Trade and Development Board;
 (b) Report of the Secretary-General

REPORT OF THE SECOND COMMITTEE (A/33/526)

AGENDA ITEM 60

United Nations Industrial Development Organization (*concluded*):**

- (a) Report of the Industrial Development Board;
 (b) Strengthening of operational activities in the field of industrial development in the least developed among the developing countries: report of the Secretary-General

REPORT OF THE SECOND COMMITTEE (PART II)
(A/33/399/ADD.1)

49. The PRESIDENT (*interpretation from Spanish*): The General Assembly will now take up the reports of the Second Committee on agenda items 12, 59 and 60.

Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the reports of the Second Committee.

50. The PRESIDENT (*interpretation from Spanish*): The General Assembly will first consider parts II and III of the report of the Second Committee on agenda item 12.³

51. I invite representatives to turn first to part II of the report contained in document A/33/446/Add.1. We shall take a decision on the various recommendations of the Second Committee to be found in paragraphs 32 and 33.

52. Draft resolution I in paragraph 32 is entitled "Role of the public sector in promoting the economic development of developing countries". The Second Committee adopted that resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 33/144).

53. The PRESIDENT (*interpretation from Spanish*): Draft resolution II is entitled "Sixth replenishment of the International Development Association and recapitalization of the World Bank". The Second Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution II was adopted (resolution 33/145).

* Resumed from the 88th meeting.

** Resumed from the 85th meeting.

³ For part I of the report of the Second Committee on agenda item 12, see the 88th meeting, paras. 79-80 and 85-108.

54. The PRESIDENT (*interpretation from Spanish*): Draft resolution III is entitled "Assistance for the reconstruction and development of Lebanon". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/33/534. The Second Committee adopted draft resolution III without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution III was adopted (resolution 33/146).

55. The PRESIDENT (*interpretation from Spanish*): Draft resolution IV is entitled "Assistance to the Palestinian people". On this draft resolution a recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Niger, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Australia, Canada, Israel, Malawi, United States of America

Abstaining: Austria, Bahamas, Belgium, Burma, Chile, Denmark, Dominican Republic, Fiji, Finland, France, Germany, Federal Republic of, Guatemala, Honduras, Iceland, Ireland, Italy, Lesotho, Liberia, Luxembourg, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Papua New Guinea, Philippines, Portugal, Samoa, Singapore, Swaziland, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay

Draft resolution IV was adopted by 102 votes to 5, with 35 abstentions (resolution 33/147).

56. The PRESIDENT (*interpretation from Spanish*): Draft resolution V is entitled "United Nations Conference on New and Renewable Sources of Energy". The Second Committee adopted draft resolution V without a vote. May I consider that the General Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 33/148).⁴

⁴ See also the 95th meeting, para. 12.

57. The PRESIDENT (*interpretation from Spanish*): I now invite representatives to turn the recommendation appearing in paragraph 33 of part II of the report of the Second Committee [A/33/446/Add.1]. The Second Committee adopted that recommendation without a vote. May I consider that the General Assembly wishes to do likewise?

The recommendation was adopted (decision 33/436).

58. The PRESIDENT (*interpretation from Spanish*): I now invite representatives to turn to document A/33/44/Add.2, which contains part III of the report of the Second Committee. May I consider that the General Assembly takes note of part III of the report?

It was so decided (decision 33/437).

59. The PRESIDENT (*interpretation from Spanish*): I shall now call on those delegations that wish to explain their positions at this stage.

60. Mr. LAZAREVIĆ (Yugoslavia): I wish to state the following on behalf of the delegations of Argentina, Pakistan and Yugoslavia with regard to draft resolution V, on the United Nations Conference on New and Renewable Sources of Energy [A/33/446/Add.1], which has just been adopted.

61. The three aforementioned delegations joined the consensus, as they considered that the resolution on the Conference on New and Renewable Sources of Energy constituted a significant success of the thirty-third session of the General Assembly. The resolution will initiate a new era of co-operation which will be of great importance to all countries, particularly to developing ones. The three countries have had no doubts as to the necessity of developing international co-operation in this field, although in this case co-operation is limited exclusively to new and renewable sources of energy. All developing countries are unanimous in supporting this action.

62. The support of our three delegations for the draft resolution has never been in doubt. As it is now, our three countries express the view that the scope of the Conference as determined in operative paragraph 3 inadequately expresses or reflects the various interests of all States, or their present, and, more particularly, future energy needs—and this within the context of the rapid development of their economies.

63. For these reasons, the delegations of the three countries continue to believe that the content of the Conference on New and Renewable Sources of Energy would be more ample if it also encompassed nuclear energy as one of the most important sources for the energy needs of many countries in the immediate future. Although we do not underestimate the importance of other aspects linked to the peaceful uses of nuclear energy, or overlook the fact that many questions have remained unsolved, we continue to believe that it is indispensable to consider the question of nuclear energy, if not today, then certainly later, in the United Nations, with the participation of all countries, on an equal footing. The Conference on New and Renewable Sources of Energy will provide an opportunity precisely for this. We only regret to note that a very favourable opportunity to deal with nuclear energy has been missed.

64. Mr. QADRUD-DIN (Pakistan): The representative of Yugoslavia has spoken on behalf of the delegations of Argentina, Pakistan and his own with regard to draft resolution V, which has just been adopted, entitled "United Nations Conference on New and Renewable Sources of Energy", contained in the report of the Second Committee [A/33/446/Add.1]. My delegation would like to offer some comments in addition to those made by the representative of Yugoslavia.

65. My delegation joined other delegations in the adoption of this draft resolution by consensus. We had participated actively in its drafting, and its subject matter draft enjoys our support. We believe, however, that this draft resolution suffers from a serious lacuna: the non-inclusion of nuclear energy as one of the subjects for consideration at the Conference.

66. As members are aware, the delegation of Pakistan, along with those of Argentina and Yugoslavia, had proposed amendments [A/C.2/33/L.91] to this draft resolution to include the question of the generation of energy by nuclear fission and fusion in the relevant operative paragraph of the resolution. We had proposed the amendments out of our conviction that any conference on new and renewable sources of energy must reflect the present and future interests of all groups of countries and should be comprehensive in scope. The Conference would lose in importance if nuclear energy—which, in the view of my delegation and many others, is one of the most significant sources of energy, particularly in the context of the development of developing countries—were not to be dealt with at the Conference.

67. Our amendments, however, were not accepted by the sponsors of the draft resolution. We believe that the opposition of some countries to our proposal stemmed from the mistaken belief that the inclusion of this subject in the draft resolution would lead to a discussion of the security aspects of nuclear energy, as well as of the question of nuclear proliferation, and that other sources of new and renewable energy enumerated in the draft resolution would be overshadowed and would not receive the attention due to them.

68. In this context, my delegation stated in the Second Committee that only the developmental aspects of nuclear energy needed to be discussed in the context of a conference on new and renewable sources of energy. We wish to reiterate that.

69. As paragraph 4 of the resolution clearly states, the recommendations of the Conference would relate to the analysis of the state of technology; identification of the potential in developing countries; assessment of the economic viability of the use of various forms of energy; identification of measures for promoting the development of the technology required for the exploration, development, exploitation and utilization of such energy; identification of measures for the transfer of relevant technologies and promotion of information flows and so forth. We do not feel that a study of any of these areas or the recommendations thereon would involve a discussion of the security aspects of nuclear energy.

70. However, regrettably, the doubts of the sponsors of the draft resolution could not be allayed and they continued to feel that the question of nuclear energy should be considered only in the First Committee. The sponsors of the amendments decided not to reintroduce them at this plenary meeting so as to avoid a division in the Assembly, despite the wide support enjoyed by our amendments in the Second Committee.

71. As the Assembly is aware, under its resolution 33/4, the views of Governments in respect of a conference on the peaceful uses of nuclear energy for economic and social development have been invited. We here express the hope that, in view of the statements made in the Second Committee regarding the importance of nuclear energy for development, the replies of Governments will be positive and a decision to hold a conference on nuclear energy for development, which is of vital interest to so many developing countries, will be taken at the next session of the General Assembly.

72. Mr. MUNGAI (Kenya): My delegation has requested to be allowed to speak on behalf of the sponsors of the original text of draft resolution V [A/C.2/33/L.84] to express our gratitude to the representative of Yugoslavia and, through him, to the other sponsors of the amendments in document A/C.2/33/L.91 for their understanding and magnanimity. We thank them for not insisting on a vote being taken on their amendments and thus allowing the draft resolution on the United Nations Conference on New and Renewable Sources of Energy to be adopted unanimously at this plenary meeting.

73. While appreciating and indeed sharing their concern regarding the role which nuclear energy can effectively play in the accelerated development of economies, especially those of the developing countries, we had difficulties with regard to the inclusion of the subject within the scope of that Conference. We explained those difficulties fully in the Committee and we are indebted to the three sponsors of the amendments for having taken those views into consideration when deciding on the course of action that they would take at this plenary meeting. While thanking them, and lest we be misunderstood, my delegation would like to reaffirm here what it stated in the Committee, namely, that we are very cognizant of the importance of nuclear energy as an energy of the future and of the pivotal role that it will undoubtedly play in filling the global energy gap, both now and in the years to come.

74. My delegation is, accordingly, looking forward with anticipation to the convening of a conference on the peaceful uses of nuclear energy for economic and social development, which is already contemplated by the Assembly in its resolution 33/4 of 2 November 1978. We shall strongly support any decision that may be taken to hold such a conference and we intend to participate fully in its deliberations.

75. Ms. STAHL (United States of America): As I believe the debate on draft resolution IV in the Second Committee illustrated, the issue at stake here is not assistance to the Palestinian people. If it were, this draft resolution would have been adopted by consensus, a consensus in which the United States would eagerly have joined. We support

assistance to the Palestinian people and contribute to United Nations programmes designed to help them directly, as in the case of UNRWA, and through programmes worked out with host Governments in the case of UNDP, WFP, UNICEF and others. Our commitment in this regard should be beyond question.

76. Our efforts in the Second Committee were directed towards amending the draft resolution to eliminate references to controversial texts of the past while leaving intact the operative language on establishing concrete projects designed to improve the lot of the Palestinian people. By adopting such a resolution the Assembly could have established a clear mandate for intensified efforts to provide humanitarian and development assistance which would benefit the Palestinian people. But this proved impossible to agree on.

Mr. Abdulah (Trinidad and Tobago), Vice-President, took the Chair.

77. The issue underlying this debate—as clearly highlighted by the Observer of the Palestine Liberation Organization [PLO] in the Second Committee debate⁵—is whether voluntary United Nations assistance should be channelled through the PLO, not whether such assistance should be provided to the Palestinians. The United States strongly opposes any move so to harness United Nations assistance programmes to political purposes. We believe this distorts the purpose of these programmes and undermines support for them.

78. Developed and developing countries have a common interest in supporting and expanding United Nations voluntary assistance programmes. Such programmes lead to economic growth and expanded trade, the key elements of a more equitable and prosperous world economy. Yet support for these programmes rests on consensus.

79. Donors have accepted that they cannot dictate local development priorities to recipients, since it is the latter who can best determine their own development needs. Similarly, recipient countries must accept that they cannot compel a donor to support politicized programmes which its Government, parliament and people strongly oppose. This is an issue which goes well beyond this resolution or the question of the role of the PLO, but it is one my Government believes all should reflect upon.

80. As to the significance of this resolution, it is, of course, a recommendation which the governing bodies and heads of UNDP and the other agencies of the United Nations system will have to interpret. In our view, it provides no justification for any action which would put the interest of any political group above the interests of the Palestinian people themselves, the host Governments concerned or the developing world as a whole. The task of the United Nations system as underlined in this resolution is to improve the social and economic needs of the Palestinian people, and in this regard the United Nations has our support.

⁵ See *Official Records of the General Assembly, Thirty-third Session, Second Committee, 60th meeting, paras. 46-63, and ibid., Second Committee, Sessional Fascicle, corrigendum.*

81. Mr. OULD SID'AHMED (Mauritania) (*interpretation from Arabic*): In explaining its vote in favour of draft resolution IV in document A/33/446/Add.1 my delegation wishes to recall the statement it made in the Second Committee when it introduced that draft resolution, which at that time was numbered A/C.2/33/L.80.⁶ We wish to do so particularly in view of the fact that the draft resolution just adopted by the Assembly is based on Economic and Social Council resolution 2100 (LXIII),⁷ adopted on 3 August 1977 and approved in turn by the Group of 77. I would also recall that the overwhelming majority of the specialized agencies have in fact very recently started elaborating programmes in order to provide assistance to the Palestinian people. This is being done in consultation with the PLO, which is the legitimate representative of that people.

82. In view of those considerations and facts and the enormous concessions that were made by the sponsors of draft resolution A/C.2/33/L.80 during the consultations preceding its adoption in the Second Committee, my delegation would have welcomed the adoption of that draft by consensus. However, because of the positions of some delegations on this issue, and especially because of the pressure that was exerted as a result of those positions, we were unable to adopt the draft resolution by consensus.

83. The PRESIDENT: The General Assembly will now consider the report of the Second Committee on agenda item 59 concerning UNCTAD. I should like to inform representatives that this report, which appears in document A/33/526, is at present available in only one language, English. The Assembly therefore has two choices. First, in view of the very limited time at our disposal, the Assembly may wish to take up the matter now, even though the document is available only in the English language; or, alternatively, it could postpone the matter until our meeting tomorrow. But I do wish to urge members to give due consideration to the fact that we are very short of time, and, if it is at all possible for representatives to agree, we might take up this report now instead of waiting until tomorrow. However, I am in the hands of the Assembly and I should like to know its wishes on this matter. If there is no objection I shall take it that the Assembly is prepared to proceed on the basis of the document's being available in only one language at this time.

It was so decided.

84. The PRESIDENT: The Assembly will now take a decision on the recommendations of the Second Committee in paragraphs 63 and 64 of its report [A/33/526].

85. Draft resolution I is entitled "Special measures in favour of the least developed among the developing countries". The Second Committee adopted draft resolution I without a vote. May I consider that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 33/149).

⁶ *Ibid.*, 59th meeting, paras. 75 and 76, and *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum.

⁷ See *Official Records of the Economic and Social Council, Sixty-third Session, Supplement No. 1*.

86. The PRESIDENT: Draft resolution II is entitled "Specific action related to the particular needs of the land-locked developing countries".

87. I call on the representative of Pakistan on a point of order.

88. Mr. HAQUE (Pakistan): My delegation had requested a separate and recorded vote on the last preambular paragraph of this draft resolution as well as on operative paragraph 1. It has also requested a recorded vote on the draft resolution as a whole.

89. The PRESIDENT: The Assembly will now vote on the fifth preambular paragraph of draft resolution II. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bangladesh, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Empire, Chad, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, El Salvador, Ethiopia, German Democratic Republic, Guatemala, Guinea, Haiti, Honduras, Hungary, Iraq, Jordan, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mexico, Mongolia, Nepal, New Zealand, Niger, Panama, Paraguay, Peru, Poland, Portugal, Singapore, Somalia, Spain, Sri Lanka, Swaziland, Syrian Arab Republic, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Zambia

Against: Pakistan

Abstaining: Angola, Bahamas, Bahrain, Barbados, Belgium, Benin, Burma, Canada, Cape Verde, China, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea-Bissau, Guyana, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritania, Mauritius, Morocco, Netherlands, Nigeria, Norway, Oman, Papua New Guinea, Philippines, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sudan, Suriname, Sweden, Thailand, Trinidad and Tobago, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Yemen, Yugoslavia, Zaire

The fifth preambular paragraph of draft resolution II was adopted by 61 votes to 1, with 72 abstentions.

90. The PRESIDENT: I now put to the vote operative paragraph 1 of draft resolution II. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bangladesh, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic,

Central African Empire, Chad, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Ethiopia, German Democratic Republic, Guatemala, Haiti, Honduras, Hungary, Iraq, Jordan, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mauritius, Mexico, Mongolia, Nepal, New Zealand, Niger, Panama, Paraguay, Peru, Poland, Portugal, Singapore, Spain, Sri Lanka, Swaziland, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Zambia

Against: Pakistan

Abstaining: Angola, Bahamas, Barbados, Belgium, Benin, Burma, Canada, Cape Verde, China, Congo, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritania, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Oman, Papua New Guinea, Philippines, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sudan, Suriname, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Yemen, Yugoslavia, Zaire

Operative paragraph 1 of draft resolution II was adopted by 58 votes to 1, with 76 abstentions.

91. The PRESIDENT: I now put to the vote draft resolution II, as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern

Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Burma, India, Libyan Arab Jamahiriya, Pakistan

Draft resolution II as a whole was adopted by 134 votes to none, with 4 abstentions (resolution 33/150).

92. The PRESIDENT: Draft resolution III is entitled "Reverse transfer of technology". A separate vote has been requested on operative paragraph 5 of draft resolution III. We shall, therefore, vote first on operative paragraph 5. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Austria, Belgium, Canada, Denmark, El Salvador, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Operative paragraph 5 of draft resolution III was adopted by 120 votes to none, with 20 abstentions.

93. The PRESIDENT: I now put to the vote draft resolution III as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados,

Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Draft resolution III as a whole was adopted by 141 votes to none (resolution 33/151).

94. The PRESIDENT: We turn now to draft resolution IV entitled "Assistance to Antigua, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent". The Second Committee adopted that draft resolution without a vote. May I consider that the General Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 33/152).

95. The PRESIDENT: Draft resolution V is entitled "United Nations Conference on Restrictive Business Practices". The report of the Fifth Committee on the administrative and financial implications of the draft resolution is contained in document A/33/532. The Second Committee adopted draft resolution V without a vote. May I consider that the General Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 33/153).

96. The PRESIDENT: Draft resolution VI is entitled "Fifth session of the United Nations Conference on Trade and Development". The Second Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution VI was adopted (resolution 33/154).

97. The PRESIDENT: Draft resolution VII is entitled "Effects of the world inflationary phenomenon on the development process". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution VII was adopted by 120 votes to none with 19 abstentions (resolution 33/155).

98. The PRESIDENT: Draft resolution VIII is entitled "United Nations Conference to Negotiate an International Arrangement to Replace the International Wheat Agreement of 1971, as Extended". The Second Committee adopted that draft resolution without a vote. May I consider that the General Assembly wishes to do likewise?

Draft resolution VIII was adopted (resolution 33/156).

99. The PRESIDENT: Draft resolution IX is entitled "United Nations Conference on an International Code of Conduct on the Transfer of Technology". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/33/532/Add.1. The Second Committee adopted that draft resolution without a vote. May I consider that the General Assembly wishes to do likewise?

Draft resolution IX was adopted (resolution 33/157).

100. The PRESIDENT: Draft resolution X is entitled "United Nations Negotiating Conference on a Common Fund Under the Integrated Programme for Commodities". The Second Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution X was adopted (resolution 33/158).

101. The PRESIDENT: We turn now to draft resolution XI entitled "Debt problems of the developing countries". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution XI was adopted by 119 votes to none, with 22 abstentions (resolution 33/159).

102. The PRESIDENT: We turn next to draft resolution XII, entitled "United Nations Conference on a Convention on International Multimodal Transport". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/33/532/Add.1. The Second Committee adopted draft resolution XII without a vote. May I consider that the General Assembly wishes to do likewise?

Draft resolution XII was adopted (resolution 33/160).

103. The PRESIDENT: May I now invite representatives to turn to the draft decision entitled "Review of progress in the implementation of special measures and specific action related to the particular needs of the land-locked developing countries", which has been recommended by the Second Committee in paragraph 64 of its report [A/33/526]. May I take it that the General Assembly adopts that draft decision?

The draft decision was adopted (decision 33/438).

104. The PRESIDENT: I shall now call on those representatives who wish to explain their vote after the vote.

105. Mr. ZACHMANN (German Democratic Republic) (*interpretation from Russian*): The resolution just adopted by the General Assembly on the effects of the world inflationary phenomenon on the development process, draft resolution VII in document A/33/526, meets with the approval of the delegation of the German Democratic Republic, and my delegation believes that the appropriate organs of the United Nations should deal in greater depth with these questions.

106. As is stated in the preamble of this resolution, the inflationary phenomenon distorts international trade. The socialist countries have nothing whatsoever to do with the development of inflationary processes. The socialist planned economy of the German Democratic Republic excludes inflation. However, the inflationary processes of capitalism create difficulties for the development of economic relations between our country and a number of countries within the capitalist economic system. If, in spite of this, the external trade of my country is growing, this is primarily due to the socialist relations of production which exist in my country. It is also the result of the tremendous amount of hard work done by the whole population in solving sometimes quite complicated problems by virtue of the comprehensive mobilization of the internal resources of the German Democratic Republic. In this regard, of great significance is the close and fraternal, mutually advantageous co-operation in the Council for Mutual Economic Assistance, which can now boast 30 years of successful action. On the basis of our stable development, next year, as was stated by the Chairman of the Council of Ministers of the German Democratic Republic, Comrade Stoph, on 15 December in the National Assembly of the German Democratic Republic:

"We shall also develop our economic, scientific and technological relations with the developing countries, especially with the anti-imperialist nation-States, to a considerable extent. We shall attempt to help those countries in the strengthening of their economic independence, in their industrialization and in the expansion of the possibilities of supplying raw materials and manufactured products from those countries."

107. Mr. BENHOCINE (Algeria) (*interpretation from French*): My delegation has just voted in favour of the last paragraph of the preamble and operative paragraph 1 of draft resolution II contained in document A/33/526, concerning the right of access to and from the sea for land-locked countries.

108. We decided to vote in favour of those paragraphs, although we had abstained in the vote on them in the Second Committee, in order firmly to stress our solidarity with land-locked countries with regard to their particular problems. The best expression of that solidarity is to be found in the fact that the trans-Saharan route, which links some of our land-locked neighbours with the Mediterranean Sea through Algeria, has now been completed.

109. It is, however, understood that the right referred to in the resolution is still to be implemented in the context of

appropriate agreements among the parties concerned, and that full account should be taken of the need to respect the principle of the national sovereignty of States.

110. Mr. NAVARRETE (Mexico) (*interpretation from Spanish*): The Mexican delegation voted in favour of draft resolution XI contained in document A/33/526, concerning the debt problems of the developing countries. Having done so, we wish to restate the position maintained by Mexico at the third (Ministerial) part of the ninth special session of the Trade and Development Board, particularly with regard to the exclusive limitation of the scope of the reorganizational operations to interested developing countries which may request them.

111. The PRESIDENT: The General Assembly will now consider part II of the report of the Second Committee on agenda item 60 concerning UNIDO.⁸ The report is contained in document A/33/399/Add.1.

112. We shall now take a decision on the draft resolution entitled "Conversion of the United Nations Industrial Development Organization into a specialized agency", which has been recommended by the Second Committee in paragraph 8 of its report. The report of the Fifth Committee on the administrative and financial implications of that draft resolution is in document A/33/533. The Second Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 33/161).

113. The PRESIDENT: I now call on the representative of Tunisia, who wishes to make an explanation on behalf of the Group of 77.

114. Mr. MESTIRI (Tunisia) (*interpretation from French*): Now that the Assembly has virtually concluded its consideration of the economic questions for this part of the session I should like to make some brief comments on behalf of the Group of 77.

115. Scarcely three months ago, and from this very rostrum [27th meeting], we tried to make an evaluation of the state of affairs prevailing at that time in international economic negotiations and the North-South dialogue in the light, particularly, of the fact that the Committee of the Whole—that is, the Committee Established under General Assembly Resolution 32/174—had suspended its work. That evaluation could not but be dominated by a feeling of uncertainty, and even disquiet, which was amply justified by the lack of any progress in the negotiations to resolve the main problems involved, particularly for the developing countries, in the restructuring of international economic relations.

116. Three months of often very difficult discussion and consultation have not proved adequate to modify the substance of that situation in any significant way. However, the Group of 77 has been very willing to facilitate agreement. Our Group took the initiative in presenting collectively draft resolutions on the main questions on the

agenda, but each of those drafts was prepared bearing in mind the constant desire to arrive, as far as possible, at a "consensus" text, namely, a text which would be accepted by all Member States and all groups, while at the same time making a real contribution to the efforts being made to bring about a new international economic order. We organized ourselves in such a way as to be able to take part in informal consultations and sometimes real negotiations and I think on many occasions we proved that we were prepared to make a special effort to bring about a consensus. Thus it was possible for more than two thirds of our drafts to be adopted without a vote.

117. However, in the case of certain highly important questions we could not give up certain principles which are the very foundation of the new international economic order and we must express our disappointment that our partners were very often categorically opposed to certain reasonable proposals such as those we presented in connexion with world trade, particularly trade involving developing countries. The unfavourable votes cast by most of the developed countries on our proposals on protectionism and multilateral trade negotiations are very disturbing to us because they reflect, in many essential points, a definite retreat from the previous position taken by a number of those countries, whereas we were entitled to expect more understanding from them. The unfavourable votes cast on our proposals on inflation and indebtedness are equally disappointing, because they concern two phenomena that we all regard as extremely dangerous.

118. It should be noted, however, that among the consensus decisions taken there were some which, were they to be followed up by concrete action, would contribute to a resumption of the dialogue on a solid basis. The decisions I am referring to particularly are those on some questions of an institutional nature. The consensus achieved at the beginning of the session under the aegis of the President of the General Assembly on the question of the mandate of the Committee of the Whole undoubtedly helped to improve an atmosphere which was very threatening. Other resolutions adopted without a vote, such as those on the third General Conference of UNIDO [resolution 33/77], on the United Nations Conference on Science and Technology, adopted in the Second Committee, and on the fifth session of UNCTAD have paved the way for detailed negotiations in certain important sectors.

119. Perhaps we should place in a separate category the resolution which the Second Committee adopted by consensus and without reservations on an international development strategy for the 1980s [see A/33/527]. That is in effect an agreement which deals with questions of substance and also with questions of institutional arrangements and we think it is a solid basis for the preparation of the new strategy. We would venture to hope that the spirit which prompted all involved in the consultations on this resolution will be reflected in the effective negotiation of commitments which each and every one of us will have to undertake to ensure the success of the forthcoming decade of action and progress towards the establishment of the new international economic order.

120. Finally, it appears to us that this session of the General Assembly has not made a decisive contribution

⁸ For part I of the report of the Second Committee on agenda item 60, see the 85th meeting, paras. 131 and 137-141.

towards concrete solutions to the most important problems still pending. Let us try to find some consolation in the various decisions of a procedural or institutional nature which have been taken in preparation for future negotiations. We shall be able to make a final judgement on this only when the negotiations have been carried out and completed. At any rate, next year will be crucial in determining whether dialogue can be maintained and speeded up and whether international co-operation for greater justice and co-operation can be reinforced. This will also be a crucial year for reaffirming the place which the United Nations must occupy in this vital process. The General Assembly, for its part, has demonstrated that it can play the central role in these negotiations which belongs to it.

AGENDA ITEM 12

Report of the Economic and Social Council (*continued*)

REPORT OF THE THIRD COMMITTEE (A/33/509)

AGENDA ITEM 75

Draft Convention on the Elimination of Discrimination against Women

REPORT OF THE THIRD COMMITTEE (A/33/468)

AGENDA ITEM 83

Torture and other cruel, inhuman or degrading treatment or punishment: reports of the Secretary-General

REPORT OF THE THIRD COMMITTEE (A/33/471)

AGENDA ITEM 88

United Nations Decade for Women: Equality, Development and Peace: reports of the Secretary-General

REPORT OF THE THIRD COMMITTEE (A/33/479)

121. Miss RICHTER (Argentina), Rapporteur of the Third Committee (*interpretation from Spanish*): I have the honour to introduce the reports of the Third Committee on agenda items 12, 75, 83 and 88.

122. Document A/33/509 on the report of the Economic and Social Council contains 15 draft resolutions. They are contained in paragraph 65 of the report. Draft resolution I deals with migratory labour in southern Africa and was adopted without a vote. Draft resolution II refers to measures to improve the situation and ensure the human rights and dignity of migrant workers. Draft resolution III refers to assistance to South African student refugees and was adopted without a vote. Draft resolution IV refers to the status of persons refusing service in military or police forces used to enforce *apartheid*. It was adopted without a vote. Draft resolution V refers to the question of a convention on the rights of the child. It was adopted without a vote. Draft resolution VI concerns regional arrangements for the promotion and protection of human rights. It was adopted without a vote. Draft resolution VII refers to narcotic drugs. I understand that this includes

psychotropic substances. The draft resolution was adopted without a vote. Draft resolution VIII refers to the protection of human rights of arrested or detained trade-union activists and was adopted without a vote. Draft resolution IX refers to the International Year for Disabled Persons and was also adopted without a vote. Draft resolution X refers to the *United Nations Yearbook on Human Rights* and was adopted without a vote. Draft resolution XI refers to missing persons in Cyprus. Draft resolution XII concerns persons who have disappeared and was adopted without a vote. Draft resolution XIII refers to the establishment of the United Nations Trust Fund for Chile. Draft resolution XIV refers to the protection of human rights in Chile. Draft resolution XV refers to the importance of the experience of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile. I should now like to thank all the delegations which sponsored draft resolutions adopted by the Third Committee without a title and which co-operated with me in suggesting titles before their consideration by the Assembly in plenary meeting.

123. The report of the Third Committee in document A/33/468 on agenda item 75, concerning the Draft Convention on the Elimination of Discrimination against Women contains in paragraph 9 a draft resolution on this item which was adopted by the Committee without a vote.

124. The report of the Third Committee in document A/33/471 on agenda item 83 contains, in paragraph 15, two draft resolutions which were adopted by the Committee without a vote. Draft resolution I refers to torture and other cruel, inhuman or degrading treatment or punishment. Draft resolution II refers to a draft Code of Conduct for Law Enforcement Officials.

125. Document A/33/479 contains the report of the Committee on agenda item 88. In paragraph 27, it contains eight draft resolutions on the United Nations Decade for Women: Equality, Development and Peace. I should like to inform delegations at this time that the report of the Third Committee was submitted by the Rapporteur on 8 December and distributed by the Secretariat on 12 December. Draft resolution I relates to the importance of the improvement of the status and role of women in education and in the economic and social fields for the attainment of equality between men and women, and has no financial implications. Draft resolution II refers to the adoption of the subtheme "Employment, Health and Education" for the World Conference of the United Nations Decade for Women. Draft resolution III refers to the rationalization of the reporting system on the status of women. It was adopted without a vote and has no financial implications. Draft resolution IV refers to the International Research and Training Institute for the Advancement of Women. It was adopted without a vote and has no financial implications. Draft resolution V relates to the Voluntary Fund for the United Nations Decade for Women. It was adopted without a vote and has no financial implications. Draft resolution VI relates to the World Conference of the United Nations Decade for Women: Equality, Development and Peace. Draft resolution VII refers to the preparations for the World Conference of the United Nations Decade for Women: Equality, Development and Peace. It was adopted without a vote and has no financial implications. Draft resolution VIII concerns the venue of the World Conference

of the United Nations Decade for Women: Equality, Development and Peace. It was adopted without a vote and has no financial implications.

126. The PRESIDENT: I should like to inform delegations that with regard to agenda item 88 the report on the financial implications of some draft resolutions has not yet been completed. Agenda item 88 will therefore be considered at the resumed session in January 1979.⁹

127. Pursuant to rule 66 of the rules of procedure, I shall consider that the General Assembly decides not to discuss the reports of the Third Committee with the exception of that on agenda item 12 since an amendment has been submitted in that connexion.

It was so decided.

128. The PRESIDENT: The General Assembly will now consider the report of the Third Committee on agenda item 12, entitled "Report of the Economic and Social Council". The report of the Committee is contained in document A/33/509.

129. In this connexion, an amendment to draft resolution XV has been submitted in document A/33/L.35. I now call on the representative of Italy, who wishes to introduce the amendment.

130. Mr. DANОВI (Italy): The amendment that my delegation is now introducing is a slightly revised version of an operative paragraph which appeared in the original text of draft resolution XV now contained in paragraph 65 of document A/33/509. The paragraph was deleted after an extremely close vote in the Third Committee. The statements made in the aftermath of the vote by a number of delegations, all duly recorded in the report of the Committee on item 12 of the agenda, clearly show that, because of acknowledged mistakes or because of the defective functioning of the voting machine, the result of the vote on the deletion of the paragraph was a rather irregular one. It is mainly for this reason that my delegation decided to submit its text as an amendment to draft resolution XV and to call for a new vote on it in the Assembly.

131. Before proceeding, I should like to inform the members of the Assembly that my delegation has decided to drop the words "resorting to" in the amendment as published in document A/33/L.35.

132. The content of the paragraph is very simple. It invites the Commission on Human Rights to discuss the desirability of the establishment of *ad hoc* working groups or similar bodies, when it has recognized the existence of consistent patterns of gross violations of human rights, including those massive violations of the rights of peoples and persons, such as *apartheid*, racism, racial discrimination, colonialism and so on, referred to in paragraph 1 (e) of General Assembly resolution 32/130. The Commission is also invited to include the result of its debate in the report on the over-all analysis of new ways and means to ensure the protection of human rights which has been requested of it by resolution 32/130 and which is due to be examined by the General Assembly at its thirty-fourth session.

133. Besides the fact that, as I said, the paragraph does not call for any action by the Commission on Human Rights other than a discussion and a report on the conclusions resulting from its discussion, the establishment of investigative bodies is in no way a revolutionary innovation in the United Nations work for the protection of human rights.

134. The Commission on Human Rights has so far established not only the *Ad Hoc* Working Group on Chile, which has just completed its mandate, but also two similar bodies in relation to South Africa and Israel. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples itself is an investigative body with the task of monitoring the implementation of resolution 1514 (XV), and in many respects the activities of the Special Committee against *Apartheid* and other United Nations committees are of an investigative nature. Furthermore, investigative bodies have been established under conventional instruments. I refer in particular to the Committee on the Elimination of Racial Discrimination and the Committee on Human Rights, both of which regularly report on their work to the General Assembly. The proposal submitted by my delegation is therefore in line with a long-standing and consolidated practice of the United Nations in the field of the protection of human rights. It merely tends to promote a study, which so far has not been made, of the conditions under which the establishment of investigative bodies may be deemed desirable, appropriate or useful. We sincerely hope that the General Assembly will be able to support it.

135. The PRESIDENT: We shall now take a decision on the 15 draft resolutions recommended by the Third Committee in paragraph 65 of its report [A/33/509] and the amendment to draft resolution XV [A/33/L.35].

136. I call on those representatives who wish to explain their vote before the vote.

137. Mr. MATELJAK (Yugoslavia): I should like to explain our vote before the vote on the amendment in document A/33/L.35, submitted by the delegation of Italy. My delegation will vote against the amendment for the following reasons.

138. The amendment contains a proposal of a very serious and sensitive nature. As such, it requires careful and thorough consideration before being adopted. We have had no time for consultations on it because it was submitted too late. That is the reason why practically the same proposal was not adopted by the Third Committee. Nothing has happened in the meantime that could justify its reintroduction. We are of the opinion that such important proposals should come as a result of broad consultations among the largest possible number of delegations.

139. We are against general recommendations to the Commission on Human Rights which may prejudice its present work on the over-all analysis.

140. Furthermore, the violation of human rights in Chile is being treated as a special case and, therefore, in the view

⁹ See the 95th meeting.

of my delegation, it cannot be generalized and used as a precedent for future actions by the United Nations in the field of human rights.

141. Finally, any delegation which wishes the Commission on Human Rights to consider any question within the framework of the over-all analysis can communicate its proposal to the Commission directly on the basis of the Commission's resolution 26 (XXXIV).¹⁰ Consequently, in our view, there is no need for the General Assembly to suggest any priorities in this regard.

142. Mr. BYKOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): In connexion with the amendment in document A/33/L.35, which has just been presented by the representative of Italy on the inclusion of a new paragraph in the operative part of draft resolution XV, contained in the report of the Third Committee [A/33/509], the Soviet delegation would like to make the following statement.

143. The amendment of the Italian delegation introducing a new paragraph into the operative part of draft resolution XV represents an obvious attempt to reopen here in the plenary meetings of the General Assembly a discussion on a proposal which, as we know, has already been considered in the Third Committee, which has caused major dissension there and which in the final analysis was in fact rejected.

144. During the discussion of the Italian draft resolution in the Third Committee, a number of delegations pointed out that it bore no resemblance to the relevant resolutions of the General Assembly, the Commission on Human Rights and other United Nations bodies on the question of violations of human rights in Chile. The decision of the Third Committee that operative paragraph 3 of that draft be deleted reflected the opinion of a large number of delegations regarding the invalidity and the incorrectness of what was stated in that paragraph. It appeared that the Italian delegation should have heeded this feeling, particularly since in one of its statements in the Third Committee this year, when speaking about alternative approaches to ways and means of enhancing the effectiveness of the United Nations activities in the field of human rights, that delegation itself stated that questions on human rights should be decided upon by consensus. In these circumstances, a further attempt to force through a previously rejected proposal literally at the eleventh hour of the General Assembly session cannot but cause amazement and serious objections.

145. Many have spoken about the incorrectness of the proposed paragraph 3. In the amendment, reference is twice made to General Assembly resolution 32/130 quite obviously with the aim of giving some sort of superficial acceptability to this proposal. At the same time, if it was merely a question of having the Commission on Human Rights faithfully carry out the instructions of the General Assembly as contained in that resolution, then the amendment, as is quite obvious, would be absolutely unnecessary, since the Commission has already proceeded to act on the instructions of the General Assembly. A careful perusal of

the amendment indicates that in fact it is aimed essentially at circumventing the demands of resolution 32/130.

146. As representatives know, in paragraph 1 (e) of that resolution the General Assembly attaches priority to finding ways and means of solving mass and flagrant violations of human rights of peoples and persons affected by situations resulting from *apartheid*, all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, as well as from the refusal to recognize the fundamental rights of peoples to self-determination and to exercise full sovereignty over their natural resources.

147. By replacing the clear concept contained in resolution 32/130 of "mass and flagrant violations of human rights of peoples and persons" by the terms "consistent" and "gross violations" and by adding the word "including", the author of the amendment is, whether deliberately or not, undermining one of the most important provisions of resolution 32/130. That can hardly be considered as a coincidence if we recall that it was the delegation of Italy and the most active supporters of its amendment which, at the last session of the General Assembly, expressed various reservations on resolution 32/130 and abstained when it was put to the vote.

148. It is also noteworthy that the provisions contained in the amendment are completely at variance with various relevant decisions taken by the United Nations, including Economic and Social Council resolution 1503 (XLVIII), which refers to the procedure for considering communications on the violation of human rights.

149. If the author of the amendment and some of those who support it want to display more concern in the struggle against flagrant and mass violations of human rights, as is required in resolution 32/130, then, as we see it, they should support the activities of bodies such as the Special Committee against *Apartheid*, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and other similar bodies. However, as we know, that is not in fact the case.

150. In view of what I have just said, the amendment contained in document A/33/L.35, as we see it, can be regarded only as an attempt to distract our attention from the flagrant and mass violations of human rights which are occurring and to make it more difficult for the United Nations to fight against such violations.

151. Therefore, as we did in the Third Committee, the Soviet delegation will vote against the amendment contained in document A/33/L.35.

152. Mr. SOBHY (Egypt) (*interpretation from Arabic*): My delegation wishes to explain its vote on the Italian amendment in document A/33/L.35 relating to draft resolution XV recommended in the Third Committee's report [A/33/509].

153. My delegation supported the deletion of the paragraph proposed by Italy during the discussion of the item in

¹⁰ See *Official Records of the Economic and Social Council, 1978, Supplement No. 4, chap. XXVI, sect. A.*

question in the Third Committee. My delegation will now vote against the addition of the proposed paragraph for the following reasons.

154. First, a study should be made of the implications of the visit made by the *Ad Hoc* Working Group to Chile last summer before any decision is taken about a generalized resort to such means on a large scale. Therefore, we feel that the proposed paragraph is premature, especially in view of the fact that the Commission on Human Rights itself has not yet studied the report of the Working Group on its visit to Chile which took place a few months ago.

155. Secondly, my delegation does not approve of confusing the comprehensive study requested by the General Assembly from the Commission on Human Rights in resolution 32/130 and the request made in the paragraph proposed by Italy, because the comprehensive study relates to the general principles that should govern United Nations work in that field, while the proposed paragraph concerns a matter of detail.

156. Thirdly, the proposed paragraph implies that the General Assembly would be exercising a sort of pressure on the Commission on Human Rights—and that is very unnecessary. Moreover, the proposed procedure is a controversial matter on which there is no consensus.

157. Fourthly, extreme caution should be exercised before a decision is taken about the generalized use and establishment of working groups such as the one established in respect of Chile—and that in order to prevent certain States or groups of States using such groups against other States or groups of States to serve objectives alien to the protection of human rights. That is particularly so if we notice that during recent years the majority of accusations in this respect have been directed against developing States.

158. Fifthly, the subject of the proposed paragraph is extremely important. Like matters of similar importance it should have been preceded by consultations and exchanges of views for a lengthy period of time before the proposal was submitted either to the Third Committee or to the General Assembly.

159. In opposing the proposed paragraph, in addition to the objections that I have already mentioned, my delegation wishes to express its dissatisfaction at the way in which the matter has been dealt with.

160. Mr. BEKELE (Ethiopia): The amendment in document A/33/L.35, just introduced, has already been the subject of intensive debate in the Third Committee resulting in its rejection. In our view, there were ample and legitimate reasons for that rejection.

161. First, a number of delegations felt that inadequate time was given for serious consideration of the basic issues raised by the original draft resolution.

162. Secondly, many delegations were convinced that the insistence on establishing a so-called *ad hoc* working group in such undisguised haste was nothing but an attempt to formalize, or even legitimize, the unwarranted interference of some Western States in the internal affairs of small and,

in many cases, non-aligned countries, under the guise of humanitarian interest in questions of human rights

163. Thirdly, the original draft resolution containing this same amendment was rejected in the Third Committee because the whole exercise represented by the original draft was correctly perceived by many delegations as being nothing but a calculated, if somewhat innocent-looking, manoeuvre to blunt the force of the collective struggle of the international community against the most inhuman oppression and degradation that mankind has ever known—namely, the violation by the racist régimes in southern Africa of the most basic human rights of the African people.

164. Those were among the reasons that motivated my delegation to reject the original proposal last week. There is nothing new this week that would convince us to change our position on the amendment under consideration. We shall therefore vote against it.

165. Mr. HASSAN (Pakistan): When draft resolution A/C.3/33/L.78 was debated in the Third Committee on 8 December 1978, the Pakistan delegation expressed the view that it contained matters of substance and importance and that, therefore, delegations should be given an opportunity to study further the implications and ramifications of that resolution.

166. Since the Third Committee decided to proceed to a vote on the draft resolution, my delegation had no alternative but to support the deletion of its operative paragraph 3.

167. We feel that many delegations have not had an opportunity fully to study the report of the *Ad Hoc* Working Group on Chile [A/33/331]. To us, therefore, it is premature to suggest the creation of further *ad hoc* working groups along the lines of the one on Chile. The matter requires, in our opinion, more consultations and serious reflection. For these reasons, the Pakistan delegation will maintain its position and vote for the rejection of the proposed operative paragraph 3 contained in document A/33/L.35.

168. Mr. ERALP (Turkey): I should like to explain our vote on draft resolution XI, "Missing persons in Cyprus". As representatives may recall, during the discussion of the question of missing persons in Cyprus in the Third Committee on 12 December 1978, my delegation sought the opinion of the Legal Counsel on the following questions. First, does the Legal Counsel think that a General Assembly resolution can confer the role of compulsory arbitrator upon the Secretary-General or his representative in the absence of the explicit consent of both sides and even of the Secretary-General himself? Secondly, has there been any precedent to this effect? Thirdly, will such a provision be in conformity with established international practice?

169. At that time, no answer was given, and the representative of the Secretary-General informed the Third Committee then that the Legal Counsel would be in a position to provide replies at a later stage.

170. Thereupon, I wrote to the Secretary-General, on 13 December, requesting that the Legal Counsel furnish replies

to those questions. On 15 December I received a letter from the Legal Counsel, to which was attached the text of his answers. The letter, dated 15 December 1978, reads as follows:

“Dear Mr. Ambassador,

“In reply to your letter of 13 December 1978 to the Secretary-General, in which you requested an answer by the Legal Counsel to several questions, I have the honour to attach these answers.”

The answers read as follows:

“Before responding to the questions raised by the Permanent Representative of Turkey in his letter addressed to the Secretary-General dated 13 December 1978, it is useful first of all to characterize the particular procedure which is envisaged in the resolution adopted by the Third Committee. The ‘investigatory body’ to be established by this resolution is in the nature of an *ad hoc* body of inquiry or fact-finding rather than of arbitration or judicial settlement. The procedure, in other words, is diplomatic, not judicial, in nature. It follows from this that the assimilation of this body to a process of arbitration is not appropriate. It is clear, however, that the procedure envisaged has the purpose of settling a dispute, a term which in its widest sense may be understood as a disagreement on a point of law or fact. All dispute settlement procedures, whether diplomatic or judicial, are based on the consent of the parties. In the light of the foregoing, it is possible to formulate the following answers to the questions raised:

“1. In the absence of the explicit consent of both sides, the General Assembly cannot confer upon the Secretary-General the role of a compulsory arbitrator.

“2. There is no precedent for conferring such a role upon the Secretary-General in the absence of the consent of the parties.

“3. Established international practice in the matter of dispute settlement attaches primacy to the consent of the parties. Such consent must be express and not implied.”

171. I should like to extend to the Legal Counsel the appreciation of my delegation for his clear and authoritative opinion on the provisions of the draft resolution concerning “Missing persons in Cyprus”.

172. My delegation explained, at some length, in the Third Committee¹¹ why the Turkish side was strongly opposed to the draft in question. Therefore, I do not intend to go into detail once again and take the time of the General Assembly. However, I should like to draw the attention of representatives to the crucial importance of the statement of the Legal Counsel that we have just heard. The Legal Counsel explains in no uncertain terms that, in the absence of the explicit consent of both sides, the General Assembly

cannot confer upon the Secretary-General—or, for that matter, upon his representative—the role of a compulsory arbitrator; that there is no precedent for conferring such a role upon the Secretary-General in the absence of the consent of the parties; and, finally, that established international practice in the matter of dispute settlement attaches primacy to the consent of the parties. He also underlined the fact that such consent must be expressed, and not implied.

173. I am confident that all representatives realize the seriousness of this matter. Trying to dictate formulas which contradict the most elementary rules of international practice in the field of dispute settlement and which impose compulsory arbitration in the face of the explicit dissent of one of the parties, can in no way be conducive to solution of the problem.

174. The most constructive contribution that this Organization can make in this respect is to encourage the parties to come to the negotiating table—and not to adopt a resolution that will have no practical consequences, be they legal or moral.

175. This draft, if adopted, will no doubt undermine irreparably the authority and credibility of the General Assembly and will impede rather than facilitate the process of a settlement.

176. Furthermore, the Fifth Committee has adopted a resolution [*see A/33/531*], on the financial aspects of this absurd exercise, setting aside a sum of \$80,000 for its financial implications. One of the parties to the dispute having categorically declared that it will have no part in this attempt at imposing compulsory arbitration, the allocation of any sum for such a still-born operation is, to say the least, lacking in seriousness.

177. On the other hand, there should be no doubt that the rejection of this draft resolution will not—I repeat, will not—affect the pursuit of a just solution of this humanitarian question. Resolution 32/128, which was adopted without a vote last year, is still valid and the Turkish community has declared its intention of participating in the workings of the investigatory body set up under that resolution.

178. If the Greek Cypriot administration desists from its delaying tactics and proceeds to take part in good faith in establishing the modalities for the functioning of that body, this problem can be seriously tackled.

179. I therefore strongly appeal to all those delegations that voted for this draft in the Third Committee to consider once again, as a matter of conscience, whether it is in their interests, in the interests of the United Nations or in the interests of the peoples of Cyprus to lend support to such a futile and still-born exercise. We respect the spirit of solidarity among the members of various political groupings within and outside the United Nations; but if that solidarity assumes such proportions as to be equal to saying, “I shall support my fellow-member of the group whether he is right or wrong” or if it induces them to vote for a draft resolution in flagrant contradiction with the most basic principle of international law, then a grave disservice will be done to the Organization.

¹¹ See *Official Records of the General Assembly, Thirty-third Session, Third Committee, 74th meeting, paras. 190-200, 207-213 and 221-223, and ibid., Third Committee, Sessional Fascicle, corrigendum.*

180. I request a recorded vote on this draft resolution.

181. Mr. MOYILA NGONDA BEMPU (Zaire) (*interpretation from French*): We stated in the Third Committee that the defence of human rights assumes a selective character according to whether it refers to one country or another, to one race or another. That is true in the case of Chile, where the situation of the Chilean refugees is given particular attention, whereas there are other peoples in the Middle East, in southern Africa and elsewhere which are suffering in worse conditions than are the people of Chile. Zaire has always supported efforts to abolish discrimination in all its forms. That is why we would wish the concern of the international community to be extended to all victims of the violation of human rights, without distinction, and not only to the victims in Chile.

182. Therefore, while we support the efforts of the United Nations on behalf of the victims of that country, we shall abstain in the vote on the draft resolution concerning the protection of human rights in Chile.

183. In conclusion, my delegation would like to make known to the General Assembly that it abstained in the vote on draft resolution A/C.3/33/L.73 on the protection of human rights in Chile. We do not understand why our recorded vote is shown in the documents as having been "yes". The delegation of Zaire would like to emphasize that its position on this question has not changed. We have always abstained, as we are going to do now, for the reasons which I have just cited. We should like to have this statement appear in the record of this meeting.

184. Mr. DJIGO (Senegal) (*interpretation from French*): My delegation will vote in favour of the amendment in document A/33/L.35. We consider that the protection of human rights, in order to be credible, must not be selective. Actually, the violation of human rights must remain the constant concern of the international community, especially this year when we are celebrating the thirtieth anniversary of the adoption of the Universal Declaration of Human Rights.

185. Senegal, for its part, considers that the amendment submitted by Italy is timely and, consequently, should be taken into account by the General Assembly. It will be understood that my country's concern is part and parcel of its determination to defend human rights. We consider, therefore, that the Commission on Human Rights should be in a position to establish a committee of inquiry whenever it has information to the effect that human rights are being systematically and flagrantly violated. What is at stake is the credibility of the United Nations, which should not give precedence to action against one country over that against another. It is this logic which justifies our participation in the *Ad Hoc* Working Group on Chile, and it is on the basis of this logic that we support the amendment of Italy, which, if it is adopted, would be the best means of preventing any violation of human rights.

186. Mr. LAMB (Australia): The Australian delegation will vote in favour of the amendment to draft resolution XV, submitted by Italy in document A/33/L.35. Like many other delegations which have spoken today to explain their votes, we remember very well the events in the Third

Committee when it was successfully proposed that this paragraph should be deleted from the original draft resolution submitted by Italy.

187. Perhaps it would help if, in explaining my vote, I recalled now what happened then, because there have been some statements in explanation today which have rather skimmed over those events. The proposal to delete the paragraph was adopted by a vote of 47 to 45, with a large number of abstentions. After that vote, it was found that three delegations had voted in error and that the voting machine itself had created another error. The result of the vote, had none of those errors taken place, would have been in favour of the retention of the paragraph. However, as it happened, the paragraph was deleted because of those errors. We firmly believe that the delegation of Italy is fully justified in seeking the opinion of the General Assembly as a whole as to whether the paragraph should be reinstated. We very much trust that it will be reinstated, because it adds a certain balance to the draft resolution as a whole, and it certainly does nothing either illegal or unconstitutional, either undesirable or invalid in any way for the purposes of the protection and promotion of human rights.

188. The paragraph suggested by the delegation of Italy, as introduced by the representative of Italy, invites the Commission on Human Rights, within the framework of the over-all analysis of alternative approaches and ways and means for ensuring the effective improvement of human rights and fundamental freedoms, to consider whether the experience which has been gained from the investigation of the situation of human rights in Chile might be profitably applied if similar situations should arise elsewhere. It also says, by reference to paragraph 1 (e) of resolution 32/130, that the Commission on Human Rights should bear in mind mass and flagrant violations of human rights of peoples and persons affected by situations such as those resulting from *apartheid*, all forms of racial discrimination, colonialism and a number of other very important violations of human rights. But in its operative paragraph 1 (e), resolution 32/130 says, "such as those resulting from *apartheid*" and other violations of human rights. The Italian proposal says, "consistent patterns of gross violations of human rights, including those referred to in paragraph 1 (e) of resolution 32/130". And one delegation, in explaining its vote today, has suggested that the words "including those" purport to invest the Commission on Human Rights with responsibilities beyond its normal call of duty.

189. Perhaps it might be wise to remind the General Assembly that resolution 32/130, for all its good points—and it has very many, and my delegation has consistently supported it—does not mention every single gross and consistent mass violation of human rights. How could it? For example, one that it does not mention is genocide. I find it difficult to believe that, if a case of genocide arose, the delegations would wish the Commission on Human Rights not to take it into account and consider whether it might be desirable to set up an *ad hoc* working group or a similar investigative body.

190. Some delegations have also mentioned the question of lack of time to consider the proposal put forward by Italy. My delegation had occasion to refer to this question when the matter was debated in the Third Committee.

Perhaps it might be useful, in explanation of my vote and of how my delegation has had enough time to consider this question, to say that we voted on it with exactly the same amount of time available to consider the question as we had to consider the draft resolution submitted on the protection of human rights in Chile. That draft resolution is four times as long as the draft submitted by Italy; it contains at least four times as much substance, and it requires the reading of the report of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile [A/33/331] in order for one to be able to vote on it with a clear mind. That report is, if I might remind delegations, 779 paragraphs long, and has 82 annexes. I doubt whether all delegations have read it in detail. My delegation had plenty of time to read and fully understand the Italian draft resolution.

191. My delegation is only able to conclude from these events that those delegations that have in the past consistently voted in favour of examining the situation of human rights in Chile through the institution of a working group but that now have difficulty in envisaging the creation of similar working groups if similar situations should occur must have been motivated by considerations not wholly concerned with the promotion and protection of human rights.

192. My delegation is not one of those. My delegation has consistently supported the need for an *ad hoc* working group to inquire into the situation in Chile, and, just as consistently, it supports the need for similar working groups should similar situations ever arise again. We join with Italy in commending the paragraph in document A/33/L.35 to the General Assembly.

193. Mr. SHERIFIS (Cyprus): The recommendation of the Third Committee on the question of missing persons in Cyprus is the outcome of an elaborate debate in the course of which all the differing viewpoints were advanced and the various positions were clarified. In its wisdom the Third Committee decided, by 67 votes in favour to 5 against, to present to the Assembly for consideration and adoption the text contained in draft resolution XI. It is not therefore my intention to enter into a lengthy repetition of arguments, for indeed that would serve no useful purpose. I shall simply explain my vote.

194. We do not need polemics or lengthy legalistic debates or legal sophistries. What we need is a meaningful and substantial resolution, an action-oriented resolution which will mean the establishment of an investigatory body that will be in a position to take decisions when required and have freedom of movement as needed with a view to accomplishing its purely humanitarian task. We do not need a fragile body ready to collapse at the slightest disagreement among its members, destroying with it the hopes and trust placed in it by the relatives of more than 2,000 missing persons in Cyprus. And yet that would be the result if we were not to empower the eminent and impartial personality who will be the third member of the group with the right to express an independent opinion that will prevail in case of disagreement between the other two members.

195. Why should anyone be afraid of the unbiased view of such a third party? If we did not have that safeguard how could the body avoid deadlock, with all the frustration and

the agony such a negative development would entail? The Third Committee has given the solution to these problems with the recommendation it has presented to the General Assembly for adoption.

196. Let me make the following two points.

197. First, the Government of Cyprus earnestly requests the establishment of the investigatory body envisaged in the recommendation of the Third Committee. It does so for the benefit of all Cypriots, both those who are missing and those who have relatives missing. Such a body does not constitute an infringement of sovereignty. On the contrary, it is in exercise of our sovereignty that we request its establishment.

198. Secondly, we emphasize the provision contained in operative paragraph 1 concerning the co-operation of the International Committee of the Red Cross, a task that becomes the International Committee of the Red Cross and is much more acceptable to it, as is described in paragraph 43 of the Secretary-General's report in document S/12946, dated 1 December 1978.¹²

199. On behalf of my Government, but also on behalf of the relatives of missing persons in Cyprus I appeal to this Assembly to adopt by an overwhelming majority the draft resolution presented by the Third Committee. It has been said that no one can really understand poverty until he has been impoverished himself, that no one can really understand the plight of a displaced person until he has been displaced himself, that no one can really understand the meaning of the loss of home and land until he has lost his own. But we all understand the anguish, the agony and the misery of a mother who yearns to know whether her son is alive or dead. It is in the name of such a Cypriot mother that I ask the representatives to give us their support and to vote for the draft resolution presented by the Third Committee.

200. We sincerely regret the fact that instead of co-operating with us, with the Chairman of the Third Committee and with several well-meaning delegations which tried to help in the drafting of a meaningful compromise text which would still permit the establishment of workable machinery, the representative of Turkey resorted to all kinds of different tactics with a view to frustrating the adoption of an action-oriented draft resolution dictated by the prevailing sad situation of the missing persons. He could not accept the proposals of the Secretary-General. He wanted time to think about them, he said. Let us ask him anew, since perhaps in the meantime he has thought about them, or has received instructions, does he or does he not accept the proposals of the Secretary-General contained in paragraph 68 of the report of the Secretary-General issued on 1 December 1978?

201. I wish to reiterate my Government's stand. Although the proposals of the Secretary-General were not exactly what we would have wished and what the situation warrants, in a spirit of goodwill and as further proof of our readiness for compromise and for results on this humani-

¹² See *Official Records of the Security Council, Thirty-third Year, Supplement for October, November and December 1978*.

tarian problem, we accept the proposals of the Secretary-General with the proviso that the Turkish side do the same. In its wisdom, the Third Committee accepted the view of the 20 delegations of developing and non-aligned countries which put forward the proposals providing not for talks and expressions of sympathy, but for action and results. But Mr. Eralp could not agree. He wanted to know whether the Legal Counsel thought that a General Assembly resolution could "confer the role of compulsory arbitrator upon the Secretary-General . . . in the absence of the explicit consent of both sides" [see above, para. 168]—a very interesting legal question indeed. But this is not the issue. It is not relevant to the question now before us. We are not examining reports of the Legal Committee or the International Law Commission. We are examining the reports of a humanitarian affairs Committee. We are dealing with the human suffering of the relatives of missing persons in Cyprus. We want to alleviate their plight and establish an investigatory body to find out about them. There is no arbitration here, no question of settlement of disputes. But Mr. Eralp would not believe us; he wanted legal advice.

202. So now Mr. Eralp has it from the highest authority in the United Nations. He has been told that this is not an issue of arbitration, let alone compulsory arbitration. What we are concerned with is an *ad hoc* committee of inquiry, or a fact-finding group, shall we say, so the theoretical aspects of the question are of no relevance to the problem now before us. Members of the Assembly have it before them. The Legal Counsel said:

"The 'investigatory body' to be established by this resolution is in the nature of an *ad hoc* body of inquiry or fact-finding rather than of arbitration or judicial settlement. The procedure, in other words, is diplomatic, not judicial, in nature." [See above, para. 170.]

203. But Mr. Eralp produced another argument: he said that we should not adopt this draft resolution because one of the sides does not agree. If we were to follow his logic, we should never adopt a draft resolution on *apartheid* because South Africa does not agree. For that matter, we should never adopt a draft resolution on Namibia or Zimbabwe, to mention only two examples. I say that it is the responsibility of the General Assembly to adopt resolutions on those important items, just as it is the responsibility of the General Assembly to deal with the issue now before us.

204. Mr. Eralp laid stress on the fact that there is no precedent for such a resolution, but what Turkey did to Cyprus, and what the occupation forces did to the people of Cyprus are without precedent also.

205. In conclusion, I say: let us stop theorizing. Rather let us be sincere in our endeavours on behalf of the missing persons. Let us not resort to procedural fireworks, legalistic arguments and delaying tactics. Let us work together to establish the facts about missing persons in Cyprus. In this respect, let us acknowledge the necessity for an effective decision-making process to be carried out by the investigatory body as the only way of avoiding deadlock and of carrying out this humanitarian task. Let us alleviate the human tragedy. Let us vote for the recommendation of the Third Committee. Let us cease stalling.

206. Mrs. HOUNGAVOU (Benin) (*interpretation from French*): The amendment contained in document A/33/L.35 introduced by the delegation of Italy was discussed in the Third Committee and was rejected, first of all because it was introduced late and secondly because it represented a dangerous manoeuvre. In fact, the establishment of groups of inquiry is the favourite weapon of imperialist countries, which themselves are gross violators of human rights against the progressive countries of the third world which have committed the crime of adopting a socio-economic policy not to the liking of those imperialist countries.

207. Those countries apply a double standard in their policies and place the so-called violations of human rights in third-world countries in the forefront, whereas they remain silent with regard to massive and flagrant violations of human rights in southern Africa, in Palestine and in other parts of the world whose strategic situation they consider vital for the safeguard of their interests.

208. For these reasons and for those we mentioned in the Third Committee,¹³ my delegation will vote against the Italian amendment.

209. Mr. PIZA-ESCALANTE (Costa Rica) (*interpretation from Spanish*): The delegation of Costa Rica wishes to explain its vote before the vote on draft resolutions XIII, XIV and XV under agenda item 12, which are contained in the report of the Third Committee [A/33/509] and which in general refer to the situation of human rights in Chile.

210. My delegation will abstain in the vote on draft resolutions XIII and XIV, and will vote in favour of draft resolution XV if, as we hope, the amendment proposed by the representative of Italy is adopted; otherwise we shall abstain in the vote on draft resolution XV also.

211. Our abstention with reference to the question of human rights in Chile does not in any way mean that our delegation, our Government and our people in general are indifferent to the situation in Chile. We are not indifferent to any case of violation or alleged violation of human rights anywhere in the world. Neither does this mean any approval of the attitudes or actions of the Chilean Government in that field, attitudes and actions that we have been the first to single out and censure.

212. Our abstention, on the contrary, is for two basic reasons, one relating to Chile itself and the other to the international struggle for the defence and protection of human rights.

213. With regard to the first, the report of the *Ad Hoc* Working Group itself, a group which was established by the Commission on Human Rights to study the situation in Chile, expressly recognizes that there have been important improvements in the field of respect for human rights in that country, to the point where it states that during 1978 there have been no reports or indeed any knowledge of missing persons and that the other causes for concern which led to its establishment have considerably diminished.

¹³ See *Official Records of the General Assembly, Thirty-third Session, Third Committee, 74th meeting, para. 182, and ibid., Third Committee, Sessional Fascicle, corrigendum.*

However, the wording retained in the draft resolutions and their scope imply that practically no improvements have taken place.

214. With regard to the general or international aspect, my delegation wishes to state very clearly that, for Costa Rica, any serious violation of human rights, wherever it may occur, justifies United Nations intervention—as we have stated many times—and just as vehemently we reject the reservations and the resistance of some delegations whenever an initiative is forcefully taken in favour of human rights in general. With greater vehemence still, we reject the constant claims of those who call for action by our Organization in the field of human rights or in other fields in the case of countries which do not belong to their political or ideological orbit, while they reject and resist it when those involved are in their sphere of influence or friendship.

215. We believe that what most destroys the prestige of the United Nations and most undermines people's faith in the Organization is that policy of biased applause and censure, that view of human rights as a one-way street which makes our Organization appear as one party involved in the game of world politics, instead of being the champion of the creation of a new world for all mankind.

216. It is that very commitment on our part to the cause of human rights, without qualifications or false attitudes concealing flagrant partiality, that leads us to vote in favour of the Italian amendment to draft resolution XV, which tries to re-establish the importance of human rights everywhere, and to that extent, restores to the draft resolution its sense of balance and justice.

217. Furthermore, we could have supported a much more specific and aggressive amendment. In this connexion, from the outset we thought that the wording proposed by Italy was so moderate and general that no delegation would venture to oppose it. However, we have all seen with regret how objections have been made to it and how those objections are being maintained. There were negative votes—and may be negative votes again—by delegations which pay lip service to the struggle for human rights and which consistently do their utmost to block any action that seeks to make that struggle effective and that is not a simple tool of propaganda.

218. For those reasons, we not only support the amendment proposed by the delegation of Italy but, were it to be rejected, we should abstain in the vote on draft resolution XV, which, in the absence of that amendment, would lack meaning and justification.

219. Concerning the other draft resolutions under item 12, my delegation confirms that it will vote affirmatively on all of them, as it did in the Third Committee.

220. Mr. BAROODY (Saudi Arabia): With all due respect and, I should add, affection for my friends from Italy, I am opposed to the Italian amendment with regard to human rights, because it would create a lot of trouble in the world, were we to adopt it. In order to be specific, instead of talking in the abstract: if this amendment succeeds, it will aid many States which want to divert attention from

violations of human rights inside their own borders. They will use it as a ploy in order, if not to interfere directly in the affairs of other countries, then as a means of diverting the attention of their own people from such violations. No country is immune from violations of human rights. I am not going to mention countries, lest I exacerbate matters, but I will mention the violations—and they are not merely alleged violations—before those countries come forward with such an idea. We have postponed the creation of the post of United Nations High Commissioner for Human Rights; we have at least postponed it until next year or the year after. I have been instrumental in burying that post for the past 10 years, but it has been resurrected as if it were Jesus Christ, though he was resurrected only once.

221. The examples are the following. There are countries which have drug addicts and violations of human rights occur because of the presence of certain narcotics dealers who bribe Governments and judges. There are countries where the number of child suicides is increasing year after year because mothers cannot take care of their children; they have to work in order to supplement the incomes of their husbands, and the children are left in the streets. There are States where rape is becoming an ordinary matter; let them protect their women from rape, for the right of women to be protected in the streets is being violated.

222. Now, do not think that I am going to mention any country by name. Most countries—including my own—sometimes suffer from aberrations, because no country is perfect. But we have never claimed to be “holier than thou”, presuming that we could do something about the situation on a global basis.

223. We have regional commissions of human rights; I applauded the establishment of the commission in Strasbourg. In the Arab countries we have a regional place. We are dealing with violations of human rights as seriously as we can, but even if my country gave me instructions, I would tell it, “Please do not even evoke the suspicion that we may be doing this in order to divert the attention of our own people from their ills by trying to find fault with other countries, where perhaps there are small violations of human rights”.

224. Let each Member State exert efforts in order to reform its own country and see that violations of human rights progressively diminish; let us not use human rights as a ploy in order to divert the attention of the people of their respective countries and make them feel how fortunate they must be by saying, “See what is happening in Saudi Arabia”, or “in the Soviet Union” or sometimes “in England” or whatever country one likes, and using the human rights question as a diversionary manoeuvre. If we refrain from doing that, we shall be on the threshold of a new departure. We would be trying not to meddle in the affairs of others.

225. That does not mean we should not gently warn others who have committed flagrant violations on a large scale, but if we warn them in public it is like saying to somebody who has lied, “You are a liar”. That person would either fight with you or tell you “You are a liar yourself”. This is a simple matter. You are telling off a

person—or a country in this case—that has dignity. Although there is mention in the Charter of human rights, the Charter does not tell us how to go about the matter, because this is a very delicate question. I know, because I have been dealing with human rights since 1948, when we met at the Palais de Chaillot for the third session of the General Assembly.

226. This is not a policy of the Arabs, or the Asians, or the Africans, who most likely will be the butt of violations of human rights when it suits certain countries; and some of our Latin American friends will be made the butt, with all due respect to the representative of Costa Rica, and whoever has the idea of establishing some mechanism for reducing violations of human rights. Instead of such a mechanism being a deterrent, a lot of trouble and ill-feeling will be created between delegations. I am not speaking on the basis of any ideology. The Creator of the Universe, not the traditional God, is my witness. I am speaking from my humble experience in these matters.

227. There were times when outside the gate of the United Nations for six or seven years, under pressure, the host country allowed not only demonstrations but the distribution of tracts saying how bad the Soviet Union was. I, as a representative of a monarchy, asked representatives of that Government quietly time and again—this was during the cold war—“How can we improve relations with one another, between one ideology and another when we allow this under the aegis of ‘freedom of thought and information’?” That was what I would call license. This went on for several years, until finally the American people realized that this was not the way to defend human rights, whether they are truly violated in the socialist countries or only allegedly violated.

228. Let us be practical. If, instead of mending things in our respective countries and setting our own house in order, we go and meddle in the affairs of other people it will mean alienation; it may mean friction; in the end it may mean war. Let each State therefore clean its house and set it in order; set itself up as an example; remove violations of human rights as much as is humanly possible—do not be done overnight—so that others may emulate it. That would be acting with restraint, not through propaganda, not through meddling by a group, whatever it may be, with all due respect to those who will be elected. I am not talking about persons here. Now, almost everybody is brainwashed. We live in the age of activism, unfortunately. I have witnessed such activism in 30 or 40 years as I never saw in my life. . . .

229. The PRESIDENT: May I appeal to the representative of Saudi Arabia. It is very late and we do have quite a lot of work to do. Please be as brief as you can, Sir.

230. Mr. BAROODY (Saudi Arabia): I will be brief, but not under any rule that sets limits for explanations of vote. One of your colleagues—I shall not name him—tried to stop me. He was wrong and I kept silent. Nobody can stop me when I am within my rights, with all due respect.

231. The PRESIDENT: Very well. I appeal to you.

232. Mr. BAROODY (Saudi Arabia): I take your appeal into account, but this is a very important question. I speak

perhaps longer than others. Someone said today in the General Committee—I shall not mention his name—“I want to speak before Baroody, because Baroody speaks at length”. When my friend, Yakov Malik, spoke for an hour and a half or two hours sometimes, I never objected. Nobody told him anything, because he represented a major Power. What power do we small Powers wield? Do we wield power? What is left to us if we do not make ourselves understood by words? That is what we can do. We cannot change the picture.

233. Winding up, I appeal to everyone here to vote against the Italian amendment because it would open the door to many dangerous situations; and if it should be adopted by an action of solidarity not based on common sense and justice, everyone will have a duty later to raise his voice and not allow such a committee to enter his country.

234. Forgive me, Mr. President; I did not mean to be rude, but I wanted to be emphatic.

235. The PRESIDENT: The General Assembly will now take a decision on the 15 draft resolutions recommended by the Third Committee in paragraph 65 of its report [A/33/509] and on the Italian amendment to draft resolution XV [A/33/L.35], as orally revised by its sponsor [see above, para. 131].

236. Draft resolution I is entitled “Migratory labour in southern Africa”. The Third Committee adopted draft resolution I without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 33/162).

237. The PRESIDENT: Draft resolution II is entitled “Measures to improve the situation and ensure the human rights and dignity of migrant workers”. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of

Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Australia, Burma, France, Gabon, Germany, Federal Republic of, Israel, Italy, Ivory Coast, Luxembourg, Malawi, Netherlands, Singapore, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution II was adopted by 124 votes to none, with 14 abstentions (resolution 33/163).¹⁴

238. The PRESIDENT: Draft resolution III is entitled "Assistance to South African student refugees". The Third Committee adopted draft resolution III without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 33/164).

239. The PRESIDENT: Draft resolution IV is entitled "Status of persons refusing service in military or police forces used to enforce *apartheid*". The Third Committee adopted draft resolution IV without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 33/165).

240. The PRESIDENT: Draft resolution V is entitled "Question of a convention on the rights of the child". The Third Committee adopted draft resolution V without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 33/166).

241. The PRESIDENT: We turn now to draft resolution VI, entitled "Regional arrangements for the promotion and protection of human rights". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/33/531. The Third Committee adopted draft resolution VI without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution VI was adopted (resolution 33/167).

242. The PRESIDENT: Draft resolution VII is entitled "Narcotic drugs". The Third Committee adopted draft resolution VII without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution VII was adopted (resolution 33/168).

243. The PRESIDENT: Draft resolution VIII is entitled "Protection of human rights of arrested or detained trade union activists". The Third Committee adopted draft

resolution VIII without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution VIII was adopted (resolution 33/169).

244. The PRESIDENT: Draft resolution IX is entitled "International Year for Disabled Persons". The Third Committee adopted draft resolution IX without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution IX was adopted (resolution 33/170).

245. The PRESIDENT: Draft resolution X is entitled "United Nations Yearbook on Human Rights". The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution X was adopted (resolution 33/171).

246. The PRESIDENT: We now come to draft resolution XI, entitled "Missing persons in Cyprus". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/33/531. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Bahamas, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Burundi, Cape Verde, Central African Empire, Colombia, Congo, Costa Rica, Cuba, Cyprus, Democratic Yemen, Dominican Republic, Ecuador, Equatorial Guinea, Fiji, Gambia, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Ivory Coast, Jamaica, Jordan, Kenya, Lebanon, Lesotho, Madagascar, Malawi, Maldives, Mali, Malta, Mauritius, Mozambique, Nepal, Niger, Nigeria, Panama, Papua New Guinea, Paraguay, Peru, Rwanda, Samoa, Sao Tome and Principe, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Trinidad and Tobago, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Viet Nam, Yugoslavia, Zambia

Against: Bangladesh, Malaysia, Morocco, Pakistan, Saudi Arabia, Turkey

Abstaining: Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, Czechoslovakia, Denmark, Egypt, El Salvador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Hungary, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Japan, Lao People's Democratic Republic, Luxembourg, Mauritania, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Oman, Philippines, Poland, Portugal, Qatar, Romania, Singapore, Somalia, Spain, Suriname, Sweden, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zaire

Draft resolution XI was adopted by 69 votes to 6, with 55 abstentions (resolution 33/172).

¹⁴ The delegation of Bangladesh subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

247. The PRESIDENT: We turn now to draft resolution XII, entitled "Disappeared persons". The Third Committee adopted draft resolution XII without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution XII was adopted (resolution 33/173).

248. The PRESIDENT: Draft resolution XIII is entitled "Establishment of the United Nations Trust Fund for Chile". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Austria, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Mozambique, Netherlands, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia

Against: Argentina, Brazil, Chile, Guatemala, Paraguay, Uruguay

Abstaining: Australia, Bahamas, Barbados, Bolivia, Burma, Central African Empire, Chad, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Haiti, Honduras, Indonesia, Israel, Japan, Malaysia, Mauritania, Morocco, Nepal, New Zealand, Nicaragua, Oman, Peru, Philippines, Saudi Arabia, Singapore, Somalia, Suriname, Thailand, Uganda, United States of America, Upper Volta, Zaire

Draft resolution XIII was adopted by 98 votes to 6, with 35 abstentions (resolution 33/174).

249. The PRESIDENT: Draft resolution XIV is entitled "Protection of human rights in Chile". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Equatorial Guinea, Ethiopia, Finland, France, Gabon, Gambia, German Democratic

Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Niger, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia

Against: Argentina, Brazil, Chile, Guatemala, Lebanon, Paraguay, Uruguay.

Abstaining: Bahamas, Bolivia, Burma, Central African Empire, Chad, Costa Rica, Djibouti, Ecuador, Egypt, El Salvador, Fiji, Haiti, Honduras, Indonesia, Israel, Ivory Coast, Jordan, Kenya, Malawi, Malaysia, Mauritania, Morocco, Nepal, Nicaragua, Nigeria, Oman, Panama, Papua New Guinea, Peru, Philippines, Samoa, Saudi Arabia, Singapore, Somalia, Suriname, Thailand, Upper Volta, Zaire

Draft resolution XIV was adopted by 96 votes to 7, with 38 abstentions (resolution 33/175).

250. The PRESIDENT: We now come to draft resolution XV, entitled "Importance of the experience of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile". In this connexion, the Assembly has before it an amendment contained in document A/33/L.35. This amendment was changed orally by the representative of Italy earlier in the meeting, and for purposes of clarification I shall quickly read it out:

"Add the following operative paragraph:

"3. Invites the Commission on Human Rights to consider, within the framework of the over-all analysis requested of it under General Assembly resolution 32/130 of 16 December 1977, the desirability of the creation of *ad hoc* working groups or similar investigative bodies in those cases in which it has recognized the existence of consistent patterns of gross violations of human rights, including those referred to in paragraph 1 (e) of resolution 32/130, and to report on the subject to the Assembly at its thirty-fourth session".

In accordance with rule 90 of the rules of procedure, we shall vote first on the amendment contained in document A/33/L.35, as orally revised. A recorded vote has been requested.

A recorded vote was taken.

In favour: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Iceland, India, Iran, Ireland, Italy,

Ivory Coast, Japan, Lebanon, Lesotho, Luxembourg, Malawi, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Norway, Panama, Portugal, Rwanda, Samoa, Senegal, Sierra Leone, Somalia, Spain, Suriname, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela

Against: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republics, Cape Verde, Chad, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Guinea, Guinea-Bissau, Guyana, Hungary, Indonesia, Iraq, Lao People's Democratic Republic, Madagascar, Malaysia, Maldives, Malta, Mongolia, Mozambique, Oman, Pakistan, Philippines, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Sudan, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yemen, Yugoslavia

Abstaining: Bahamas, Barbados, Bhutan, Bolivia, Botswana, Central African Empire, Cyprus, Haiti, Israel, Jamaica, Jordan, Kenya, Mali, Mauritania, Nepal, Nicaragua, Niger, Nigeria, Papua New Guinea, Paraguay, Peru, Singapore, Sri Lanka, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Zaire, Zambia

The amendment was rejected by 53 votes to 52, with 34 abstentions.

251. The PRESIDENT: A separate vote has been requested on operative paragraph 1 of draft resolution XV. We shall therefore take a vote on that paragraph. A recorded vote has been requested.

A recorded vote was taken.

In favour: Australia, Austria, Bangladesh, Belgium, Canada, Colombia, Denmark, Ecuador, Egypt, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guyana, Iceland, India, Iran, Ireland, Italy, Jamaica, Japan, Lesotho, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Mexico, Netherlands, New Zealand, Norway, Pakistan, Papua New Guinea, Portugal, Rwanda, Samoa, Senegal, Sierra Leone, Spain, Sri Lanka, Suriname, Sweden, Syrian Arab Republic, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zambia

Against: Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, German Democratic Republic, Honduras, Hungary, Lao People's Democratic Republic, Mongolia, Paraguay, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Viet Nam, Yugoslavia

Abstaining: Algeria, Angola, Bahamas, Barbados, Benin, Bhutan, Bolivia, Botswana, Burma, Burundi, Cape Verde, Central African Empire, Chad, Congo, Costa Rica, Cuba, Democratic Yemen, Djibouti, Dominican Republic, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Guatemala, Guinea, Guinea-Bissau, Haiti, Indonesia, Iraq, Israel, Ivory

Coast, Jordan, Kenya, Lebanon, Malaysia, Maldives, Mauritania, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Panama, Peru, Philippines, Poland, Qatar, Sao Tome and Principe, Saudi Arabia, Singapore, Somalia, Sudan, Swaziland, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Zaire

Operative paragraph 1 of draft resolution XV was adopted by 53 votes to 18, with 65 abstentions.

252. The PRESIDENT: We shall now vote on draft resolution XV as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour: Australia, Austria, Bangladesh, Belgium, Bhutan, Botswana, Canada, Colombia, Cyprus, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guyana, Iceland, India, Iran, Ireland, Italy, Ivory Coast, Jamaica, Japan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Malta, Mauritius, Mexico, Netherlands, New Zealand, Norway, Pakistan, Papua New Guinea, Portugal, Samoa, Senegal, Sierra Leone, Spain, Sri Lanka, Suriname, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela

Against: Afghanistan, Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Viet Nam, Yugoslavia

Abstaining: Algeria, Angola, Bahamas, Barbados, Benin, Bolivia, Burma, Burundi, Cape Verde, Central African Empire, Chad, Congo, Costa Rica, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Indonesia, Iraq, Israel, Jordan, Kenya, Malawi, Malaysia, Maldives, Mauritania, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Panama, Paraguay, Peru, Philippines, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Zaire, Zambia

Draft resolution XV as a whole was adopted by 54 votes to 17, with 66 abstentions (resolution 33/176).¹⁵

253. The PRESIDENT: I shall now call on those representatives who wish to explain their vote after the vote.

254. Mr. DIEZ (Chile) (*interpretation from Spanish*): The delegation of Chile wishes to make the following statement with regard to the resolutions that the General Assembly has just adopted relating to the establishment of the United

¹⁵ The delegation of El Salvador subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

Nations Trust Fund for Chile and relating to the situation of human rights in Chile.

255. In the first place, it is a source of satisfaction to the Government of Chile, that the Third Committee a few days ago and the General Assembly today should have stated expressly and significantly that the visit of the *Ad Hoc* Working Group was a valuable experience. In fact, it is the first time there has been a precedent of this kind in the history of this Organization.

256. In this regard, now that the work of the *Ad Hoc* Working Group has been concluded, my Government wishes to emphasize that that visit could not take place before because the *Ad Hoc* Working Group itself was unwilling to accept the minimum essential procedural conditions that any country in Chile's situation would have requested to protect its sovereignty and its dignity.

257. The Government of Chile is also pleased at the fact that the conditions which were agreed upon with the *Ad Hoc* Working Group and which are specified in the memorandum of 26 May of this year [A/33/331, annex VII], further constitute a legal precedent of general applicability and value in connexion with United Nations action in the field of human rights.

258. Secondly, the Government of Chile wishes to analyse and present its views concerning two types of question contained in the aforementioned resolutions. The first are substantive matters in connexion with the situation of human rights in my country; and the second relate to the procedure which the United Nations has followed and will continue to follow in the case of Chile.

259. Concerning the substantive judgements on the Chilean situation contained in the draft resolution, my Government wishes to state that it is pleased at the fact that for the first time in the treatment of this question in the United Nations the considerable improvement of the situation of human rights in Chile in all its aspects has been recognized. Concerning other opinions about the Chilean situation, my Government wishes publicly and clearly to express its rejection of them, not only because they are unfair, exaggerated and false, but also because some of them relate to matters which fall within the exclusive internal jurisdiction of States and constitute an open violation of the principle of non-interference in the internal affairs of States.

260. Concerning the procedure followed by the United Nations in dealing with the situation of human rights in Chile, my Government wishes to state the following. In the first place, it must publicly express its satisfaction at the completion of the *Ad Hoc* Working Group's work. It does so basically because the *Ad Hoc* Working Group was distinguished by an absolute lack of understanding of the meaning of co-operation among States, as provided for in the United Nations Charter. In this regard it did not even admit the suggestions of the Government of Chile for the establishment of minimum rules of procedure. Such rules were obtained only after many years of discussion with the *Ad Hoc* Working Group. In the second place, the *Ad Hoc* Working Group, on repeated occasions, both in its reports and when presenting those reports, trespassed into areas

that are totally outside its jurisdiction and which relate to the internal sovereignty of my country. I draw the Assembly's attention to the fact that such a broad application of the concept of "human rights", which the *Ad Hoc* Working Group in fact carried to an unbelievable extreme by analysing in its report everything human and consequently, submitting it to the attention of this international body, is equivalent to an attempt to replace all the internal authorities; that, instead of enriching the experience of the United Nations in this field, creates the counter-productive and logical effect of arousing mistrust on the part of Member States. In the third place, the *Ad Hoc* Working Group has made exaggerated and false judgements concerning my country and, perhaps unwittingly, has become a sounding-board of far more political than humanitarian significance. In the fourth place, I should like to make it clear that, despite the fact that during its visit to my country the *Ad Hoc* Working Group enjoyed the most absolute freedom to investigate and the most complete co-operation on the part of the Government of Chile; that all guarantees offered to its members and Secretariat staff were respected; that it was allowed to move freely throughout the national territory; that we accepted the prolongation of the visit to the date requested by the *Ad Hoc* Working Group; and that there was complete respect for the guarantees which had been offered to all informants and witnesses coming before the Working Group and in the total absence of any complaints in that regard—despite all these guarantees and actions on the part of the Chilean Government, the *Ad Hoc* Working Group did not do its part, as we have pointed out in the Third Committee at this session of the General Assembly. It did not fulfil its moral commitment; what is more, it did not fulfil the commitment contained in the memorandum itself, a memorandum that was prepared by the *Ad Hoc* Working Group and the Government of Chile and that was the basis for our acceptance of the visit. For those reasons, the Government of Chile must this afternoon in the General Assembly state its satisfaction with the termination of the mandate of the *Ad Hoc* Working Group.

261. Thirdly, concerning the procedure laid down in the resolution for the future, which means a return to discriminatory or *ad casum* practices and the non-application of the general standards of the United Nations, my Government wishes to state that it will carefully study the situation, not only in the light of this resolution but also bearing in mind other resolutions and votes of this General Assembly in the field of human rights. On substance, as well as on procedure, it will act in accordance with the existing rules of the United Nations of general applicability and with international agreements to which my country is a party.

262. The attitude of my Government will basically be guided by the principle of co-operation established in the United Nations Charter, with the understanding that such co-operation is an arrangement between equals. My country has furthermore offered the United Nations such co-operation by allowing the only visit of a group of inquiry in the history of this Organization. If the future reveals that the co-operation that we have lent has not been appreciated and that the relevant United Nations bodies have disregarded the mandate set forth in the Charter to seek such co-operation and have not taken the Government of Chile

into account in adopting their resolutions, my Government firmly states this evening that, in this field, it will not lend its co-operation because it sees no seriousness on the part of the world Organization and because it has a right to seek the protection of the basic principles enshrined in the Charter.

263. Fourthly, my Government wishes to state that the appointment of the Special Rapporteur as well as the establishment of a United Nations Trust Fund exclusively for Chile are a clear violation of the principle of the legal equality of States. Faced with this discrimination, my country wishes to state that it is extremely happy with the debates which have taken place in the Third Committee and this afternoon here in the General Assembly, for they have shown the inconsistency, the hypocrisy and the double standards of some States which, for ideological and political reasons, have become Chile's main accusers and which then are terrified by the very bodies they themselves have set up, thus revealing their real motives and their desire never to be the subject of international attention. There is a popular and very graphic saying: "They have thrown mud at the skies and now it is falling in their faces."

264. Fifthly, I also wish to state, with regret, that even those countries which in their statements have called for the universal implementation of human rights, did not, in analysing the report of the Commission on Human Rights on the thirtieth anniversary of the Universal Declaration of Human Rights,¹⁶ make any proposal in this General Assembly that would open up the field of the investigation and promotion of human rights in other countries. In this connexion, they have merely engaged in verbal exercises; their initiatives and votes have focused once again on my country alone. Those Governments have, through their votes, contributed to the adoption of the draft resolutions on Chile and have not made any proposal concerning the human rights situation in the countries which they themselves have denounced in meetings of the General Assembly and of the Committees. They are thus casting doubt on their humanitarian motives and are showing that they as well—to a lesser extent, perhaps—are politicizing human rights.

265. Sixthly, to those who have in one way or another shared our views, in addition to expressing our gratitude we wish to say that the experience of these years has made us believe that a much more precise meaning and content must be given to Article 56 of the Charter which sets forth the co-operation of States as a basic principle in the field of human rights, so that in its action this Organization will show respect for the dignity and the sovereignty of States and will truly aim to promote respect for human rights, not to adopt resolutions inspired by political or ideological motivations.

266. Mr. NARANCIO (Uruguay) (*interpretation from Spanish*): My delegation voted against the draft resolutions based on document A/33/331 of the so-called *Ad Hoc* Working Group on the Situation of Human Rights in Chile, since we disagree with many of its conclusions and because of the procedures used or that it has reasonably been

inferred were used in that case. We believe that, among other things, it is an *ultra petitio* case. The Group has gone beyond the purposes and terms of reference assigned to it in an agreement with the Chilean State—on some occasions, to the detriment of what falls within the purview of Chilean sovereignty and what is without exception recognized as sovereign in the case of other States.

267. In like manner, we believe that, having finished its work with the production of a voluminous report, the *Ad Hoc* Working Group has ceased to exist without any express statement. It therefore considers that its ostensible or surreptitious survival through the appointment of a Special Rapporteur—or whatever he may be called—violates the termination of the Group's mandate. Such an "inquisitor", moreover, as has been stated, does not have the indispensable prior consent of the State in question.

268. Furthermore, my delegation cast a negative vote because, over and above the specific case which has given rise to this discussion, we feel that a disproportionate amount of attention is paid to Chilean matters, while the gross violations of human rights which almost daily shock our consciences in this world ridden by hunger and disease and tormented by war, aggression, discrimination, terrorism and the violence of Governments and hate groups have been met with blindness and silence.

269. Far be it from us to try and characterize the *Ad Hoc* Group since that would be overstepping the bounds of moderation we have set ourselves in dealing with such delicate questions. But we are seriously concerned that this so-called world forum should apply different standards in its reproach of some and praise of others.

270. The history we have forgotten would show us that this sort of "justice" is short-lived and that sooner or later it becomes a lethal instrument turned against its advocates.

271. Our vote on this item reflects our endeavour to guard against the consequences of what we consider to be a false and dangerous victory.

272. Scarcely more than 30 years ago, Benedetto Croce, upon being consulted on the Universal Declaration of Human Rights, which was being prepared, voiced scepticism about the possibility of harmonizing the radically opposed philosophical concepts in this field. Finally, despite the discreet observations of that illustrious Italian thinker, practical formulas were worked out. However, in their application over the course of three decades of following the dominant political trends and fashions—an illuminating preview of the future—there has been a loss of impartiality and of that general harmony that for Croce represented the basic difficulty to be overcome. Experience since he first formulated his ideas casts sombre clouds over our immediate future, notwithstanding the progress made.

273. Yet we should not be disheartened by our present setbacks. My Government, in keeping with its prestigious tradition in this field, has linked its recent celebration of the one hundred and fiftieth anniversary of the first Uruguayan Constitution with that of the thirtieth anniversary of the Universal Declaration of Human Rights.

¹⁶ See *Official Records of the Economic and Social Council, 1978, Supplement No. 4, chap. IX.*

274. In accordance with these observations our vote has been cast in defence of universality, as embodied in the title of the Declaration and in the paragraph which immediately precedes article 1.

275. In these meetings, which are of such importance to peoples, much time and effort is spent on sterile accusations. Perhaps, when the time comes for the traditional prayer or meditation, we might ponder the passage in the Gospel where Jesus says to the scribes and the Pharisees, "Let him that is without sin among you, be the first to throw a stone . . .". [John 8:7.]

276. Mr. KEILAU (German Democratic Republic): The delegation of the German Democratic Republic would like to explain its vote on draft resolution XIV, "Protection of human rights in Chile", as contained in the report of the Third Committee [A/33/509].

277. At the Third Committee's meeting on 12 December 1978 when voting on that draft resolution, my delegation voiced reservations on some preambular paragraphs¹⁷—in particular, the fourteenth preambular paragraph—pointing out that the delegation of the German Democratic Republic could not go along with the conclusion reflected in that paragraph.

278. Recent reports that a large number of corpses have been discovered in an abandoned limestone mine near the town of Lonquen, 25 kilometres south of Santiago, reports which indicate that those corpses bear traces of the use of violence, of torture and violent death, add substance to our belief that there has been no improvement in the situation of human rights in Chile. Moreover, the question has to be asked emphatically, What has happened to other missing persons?

279. Thus we consider it the objective of draft resolution XIV, which has just been adopted, to obtain satisfaction, without delay, for this and other demands of the international community calling for a full restoration of human rights and fundamental freedoms in Chile. Therefore, the delegation of the German Democratic Republic voted in favour of that resolution.

280. Mr. SOBHY (Egypt) (*interpretation from Arabic*): My delegation wishes to explain its vote on draft resolution XI in the report of the Third Committee, on the question of missing persons in Cyprus. In the Third Committee my delegation abstained in the vote on the amendments to the Turkish draft because of reservations with regard to the composition and methods of work of the proposed investigatory body. However, my delegation voted in favour of the draft as amended in the Third Committee.

281. Nevertheless, in the light of the reply given by the Legal Counsel to the questions raised by the representative of Turkey regarding the proposed investigatory body [see above, para.170] my delegation has considered it wiser to abstain in the vote on the draft resolution in the plenary Assembly.

282. Mr. MOMJIAN (United States of America): The United States abstained in the vote on draft resolution II, on migrant workers, because of the reference to the Declaration and Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination, contained in the sixth preambular paragraph.

283. Further, the ILO Convention referred to in operative paragraph 6 has never been supported by the United States Government.

284. Miss DE LA MAZA (Dominican Republic) (*interpretation from Spanish*): The delegation of the Dominican Republic voted in favour of draft resolution XIV in document A/33/509, but we wish to state that our delegation does not agree with operative paragraph 7 (a), which invites the appointment of a Special Rapporteur on the situation of human rights in Chile. Also we are not in agreement with operative paragraph 8.

285. Mr. CUEVAS CANCINO (Mexico) (*interpretation from Spanish*): The delegation of Mexico co-operated actively in the Third Committee in the discussions which led to the formulation of draft resolution XI, which has been submitted for the consideration of the General Assembly in document A/33/509.

286. Mexico, throughout its history as an independent nation, has considered the law its best support, as behoves any State which has emerged from a colonial system and which wishes to develop its natural resources. Consequently, we attach special importance to the opinions of the legal bodies of the United Nations, including those of the Legal Counsel to the Secretary-General.

287. The representative of Turkey has brought to this plenary meeting an opinion of the Legal Counsel according to which the last part of operative paragraph 1 of that draft resolution is not in conformity with jurisprudence. That opinion was not available to the Third Committee.

288. Since we were not able to express our views specifically on that part, my delegation felt compelled to abstain in the vote on the draft as a whole.

289. Mr. URQUIA (El Salvador) (*interpretation from Spanish*): I shall be as brief as the circumstances require. I shall explain my vote only with respect to the amendment submitted by Italy [A/33/L.35] to draft resolution XV.

290. We were inclined to vote in favour of that paragraph because we believed that its contents would clarify the meaning of the resolution we have adopted and make it applicable to all members of the United Nations, since to judge from the title of draft resolution XV, "Importance of the experience of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile" it would seem that this resolution was exclusively devoted to one country and not to all. In as much as the amendment of Italy was rejected—and I repeat that we voted in favour of it—we felt that we should abstain in the vote on draft resolution XV.

291. With respect to the draft resolutions referring to the situation of human rights in Chile—and not to lengthen our meeting by unnecessary explanations—I shall simply say

¹⁷ See *Official Records of the General Assembly, Thirty-third Session, Third Committee, 74th meeting, paras. 112 and 115, and ibid., Third Committee, Sessional Fascicle, corrigendum.*

that I fully endorse the statement made by the representative of Costa Rica, Mr. Piza-Escalante. We abstained in the vote for the same reasons that Costa Rica did on those two draft resolutions, and especially because of their partiality, since they refer exclusively to one country and not to all countries, in general, where human rights are violated. I also agree with the representative of Uruguay that the passage from the Bible which he quoted could generally be applied, since there is probably no country in the world in which in one way or another human rights are not to a greater or to a lesser extent violated.

292. I should like to speak briefly about draft resolution XI, which refers to missing persons in Cyprus.

293. With all due respect to the representative of Cyprus, I must say that I could not agree with his explanation on this subject. However, I did agree with the explanation given by the representative of Turkey. I did so purely for reasons of principle. My delegation at this time can express a legal opinion with respect to paragraphs 1 and 2 of the resolution. We believe that the opinion given by Mr. Suy, the Legal Counsel to the Secretary-General, is not only a model of a concise statement but has a profound legal content. For us that opinion has legal validity.

294. Operative paragraph 1 of that draft resolution reads:

“Urges the establishment of an investigatory body under the chairmanship of a representative of the Secretary-General, with the co-operation of the International Committee of the Red Cross, which would be in a position to function impartially, effectively and speedily so as to resolve the problem without undue delay; the representative of the Secretary-General shall be empowered, in case of disagreement, to reach a binding independent opinion which shall be implemented”.

Operative paragraph 2 adds the following:

“Calls upon the parties to co-operate fully with the investigatory body and, to this effect, to appoint their representatives thereto forthwith”.

295. We were told that this person who would be appointed by the Secretary-General would not act as an arbiter or as a judge because there would be no parties. However, that is totally in contradiction with what I have just read out, since the parties—and we know who the parties are—are urged “to co-operate fully with the investigatory body and, to this effect, to appoint their representatives thereto forthwith”. Thus, these are parties. Furthermore, the investigatory body is asked to resolve the problems which may arise. If it is to resolve problems, it will act as a judge. Above all there is paragraph 1 which says that “in case of disagreement”—that is disagreement between the parties or between the members of the investigatory body—“the representative of the Secretary-General shall be empowered to reach a binding independent opinion which shall be implemented”. Now those are the functions of a judge or of an arbiter.

296. From a legal standpoint, there is something here which surprises me. I did not know that opinions could be binding and that they had to be implemented. I have not

seen the French text, but the English text uses the word “opinion”. Opinions are not binding. We actually mean a decision which would have to be implemented, and it is euphemistic to say that an opinion will be reached. It is a decision that will be reached and that will be binding and will have to be implemented.

297. This terminology is euphemistic and totally unacceptable. For that reason, while we deeply regret, as we have said many times, that there are missing persons in Cyprus and in other parts of the world, for the reasons which I have stated we found it necessary to abstain in the vote on the draft resolution.

298. Mr. GOMEZ ANZARDO (Cuba) (*interpretation from Spanish*): The delegation of Cuba voted in favour of resolution XIV in document A/33/509, on the violation of human rights in Chile, in keeping with my Government's traditional policy concerning the situation in that brother country.

299. Cuba has always sponsored the various resolutions adopted by the General Assembly in past years that have been important and relevant in condemning the Fascist junta in Chile and have expressed the international community's repudiation of the massive and flagrant violations of human rights that have occurred in that nation—for instance, resolutions 3219 (XXIX), 3448 (XXX), 31/124 and 32/118, adopted in the years 1974, 1975, 1976 and 1977 respectively.

300. This year, however, Cuba is not among the sponsors of the draft resolution the Assembly has just adopted, because in the drafting group, in which we participated, differences of opinion emerged concerning two basic questions, namely, the approach to the so-called “improvement” of the situation concerning human rights in Chile and the future method to be adopted for continuing the investigation of the situation concerning such rights.

301. The report submitted by the Working Group—while on some aspects of the present situation reflecting a so-called “improvement”—substantially, clearly and precisely reiterates what we all know and what has been said year after year at the United Nations: that there remains in force a system of arbitrary action, persecution, incarceration, assassination, torture and deportation that was established on that fatal day 11 September 1973; that the suspension of the state of emergency decreed on that date is an illusion because the state of emergency instituted in March of this year is merely the same thing in a different guise and there is no other justification for its remaining in force save Pinochet's need to act with impunity; that the DINA [*Dirección de Inteligencia Nacional*] was dissolved because the Fascists themselves could not bear the burden of their innumerable crimes, but their crimes are now the responsibility of the Ministry of the Interior and the so-called National Information Council; that the legal branch of Government is a farcical institution that lacks autonomy and is manipulated by the junta; and that the rights to protection and to *habeas corpus* are mere fictions except when they are used to protect the assassins and hangmen in Pinochet's pay; and so on.

302. We agree with the report that international pressure has compelled the junta to make some changes, albeit purely cosmetic, in its sinister appearance. But that does not mean that there have been any qualitative changes in the oppressive and criminal nature of the régime.

303. By a thoroughly immoral use of arithmetic one might allege that the assassinations can no longer be characterized as mass murders, that there are fewer torturers, that there are only a few concentration camps and places of detention—that is, that we know of because there are also secret ones—and that there are fewer instances of deportation of political enemies of the junta, and so on. This in itself would show that the junta has been able to suppress, detain or deport such a large number of its opponents that it is now difficult for it to maintain the same level of terror as when thousands of Chileans were murdered in a 24-hour period through the use of the most vile and degrading systems of torture—for example, the severing of hands with hatchets, as was the case with Víctor Jara, a singer, who was later shot to death.

304. It is furthermore incontrovertible that that Government has converted crime into State policy, that it has followed a course of injustice with total impunity, and this in open and clear violation of the United Nations Charter, the Universal Declaration of Human Rights and the most elementary rules of coexistence.

305. While once again, in yet another year, in this United Nations world forum, we are considering the interminable violations of human rights by the Fascist junta, more evidence is coming to light of horrendous crimes and tortures, missing persons and oppression.

306. Even today, according to the international press, there continue to be discovered in various parts of the fatherland of O'Higgins and Salvador Allende ovens like those of Hitler's Nazis and the Fascists containing corpses, broken skulls and vilely mutilated bodies, while the families of thousands of missing persons are kept in constant sorrow and uncertainty. And new persons are reported missing every day, such as Marcela Otero, a Chilean journalist.

307. For all those reasons the delegation of Cuba disagrees with the fourteenth preambular paragraph and wishes to make its position known.

308. On the other hand, the Cuban delegation is in favour of extending the *Ad Hoc* Working Group's mandate for one more year, since we believe that the causes that led to its establishment and its initial mandate, as contained in resolution 8 (XXXI) of the Commission on Human

Rights,¹⁸ still exist. The visit of only three members of the *Ad Hoc* Working Group to Chile does not, in our view, mean compliance with that mandate, and therefore the initial mandate has been fulfilled only in part.

309. The proposal to appoint a Special Rapporteur to continue the investigation of the violations of human rights in Chile is one we accept only on the understanding that this is a very specific and justified situation in that country. But we should like to make it perfectly clear that, as we noted in the Third Committee, this should not establish a precedent for other cases in which it is not justified.

310. The PRESIDENT: The General Assembly will now consider the report of the Third Committee on agenda item 75 [A/33/468]. We shall now take a decision on the draft resolution entitled "Draft convention on the elimination of discrimination against women" which has been recommended by the Third Committee in paragraph 9 of its report. The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/33/535. The Third Committee adopted that draft resolution without a vote. May I consider that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 33/177).

311. The PRESIDENT: The General Assembly will now consider the report of the Third Committee on agenda item 83 [A/33/471]. We shall now take a decision on the two draft resolutions recommended by the Third Committee in paragraph 15 of its report.

312. Draft resolution I is entitled "Torture and other cruel, inhuman or degrading treatment or punishment". The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 33/178).

313. The PRESIDENT: Draft resolution II is entitled "Draft Code of Conduct for Law Enforcement Officials". The report of the Fifth Committee on the administrative and financial implications of the draft resolution is contained in document A/33/523. The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 33/179).

The meeting rose at 8.55 p.m.

¹⁸ See *Official Records of the Economic and Social Council, Fifty-eighth Session, Supplement No. 4, chap. XXIII, sect. A.*