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**President: Mr. Salim Ahmed SALIM
 (United Republic of Tanzania)**

AGENDA ITEM 75

**Draft Convention on the Elimination of Discrimina-
 tion against Women**

REPORT OF THE THIRD COMMITTEE (A/34/830)

1. Mr. KOMISSAROV (Byelorussian Soviet Social-
 ist Republic), Rapporteur of the Third Committee
 (interpretation from Russian): I have the honour of
 presenting the report of the Third Committee on agenda
 item 75, entitled "Draft Convention on the Elimination
 of Discrimination against Women" [A/34/830].

2. In paragraph 18 of its report the Third Committee recommends that the General Assembly adopt a draft resolution containing a draft convention on the elimination of all forms of discrimination against women. That text is the result of many years of work within the United Nations, including the work of the Third Committee over three sessions of the General Assembly.

3. The draft resolution and the annexed text of the Convention were adopted by the Third Committee by a recorded vote. I should like to draw attention to the fact that the text of the Convention in various languages contains errors, particularly technical ones, which should be corrected before the final publication of the text.

4. In submitting the last report of the Third Committee at the current session, I should like to take this opportunity of expressing my sincere gratitude to the group of Eastern European States for my nomination to and to the members of the Third Committee for my election as Rapporteur of that Committee. I consider this election as an act of recognition of the contribution that the Byelorussian SSR has made to the activities of the United Nations. At the same time, I should also like to thank all delegations represented in the Third Committee, and all officials and Secretariat staff working in the Committee, for their great spirit of understanding and co-operation in preparing the reports of the Committee.

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

5. The PRESIDENT: The positions of delegations with respect to the recommendation contained in the report of the Third Committee to the Assembly are reflected in the relevant records of the Committee. May I remind members of the decision taken by the General Assembly on 21 September 1979, that:

“... When the same draft resolution is considered in a Main Committee and in the plenary Assembly, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in the plenary Assembly, unless that delegation's vote in the plenary Assembly is different from its vote in the Committee.” [4th meeting, para. 349.]

6. In connexion with the draft resolution recommended by the Third Committee, an amendment has been submitted in document A/34/L.61.

7. I shall now call on those members who wish to explain their vote before the vote.

8. Mr. EDIS (United Kingdom): For reasons which I shall not go into here, my delegation was unable to deliver this explanation of vote in the Third Committee. We shall therefore do so now.

9. As demonstrated by the fact that my delegation, along with the delegation of France, proposed in the Third Committee an alternative preamble to the draft Convention on the Elimination of All Forms of Discrimination against Women [see A/34/830, para. 7(c)]

my delegation has serious reservations about the preamble to the draft Convention. These reservations go wider than the preamble.

10. Whilst no delegation, certainly not my own, wanted to see any unnecessary delay in preparing the draft of an important convention like this one, my delegation remains concerned at the precipitate manner in which the Working Group of the Third Committee hastened through many important aspects of the draft Convention at its last few meetings. As those who participated in the Working Group will be aware, a number of matters could and should have been further discussed and refined.

11. In addition to those reservations that we have indicated about the preamble, I wish to give some examples of our reservations about the substantive part of the draft Convention. During the discussion of article 9 my delegation pointed out that, in accordance with its obligations under the Convention on the Nationality of Married Women [resolution 1040 (XI), annex], the British Government treats women more favourably than men in relation to the acquisition of nationality. The British Government may wish to continue to do so and therefore my delegation asked in the Working Group for clarification about how far privileged treatment of women was compatible with the provisions of article 9. Unfortunately, because of the haste with which the Working Group was proceeding, my delegation was given no answer on this important matter, and our question stands.

12. In addition, we are unable to accept articles 15 and 16 in their present form, since the British system of immigration control, which the British Government considers fair and reasonable, might none the less be argued to be in contravention of these articles as they are at present worded. We remain dissatisfied with the formulation of a number of other articles of the draft Convention—for example article 29 on the judicial settlement of disputes—and we are still concerned about the question of the application of the draft Convention to armed forces.

13. My delegation must therefore make the point that the Working Group's method of work at the present session has inevitably led to the production of a less satisfactory text. I should add that we are also somewhat concerned at the way in which the Third Committee proceeded in taking decisions on a legal instrument.

14. This situation can only increase the number of reservations which States will feel compelled to enter. Still more regrettably, it might even make it difficult for some States to become parties to the Convention, including States which have always made it a practice to become a party to conventions in the human rights field as quickly as possible.

15. Miss ZOURABICHVILI (France) (*interpretation from French*): My delegation participated very actively in the drawing up of the draft Convention and would be pleased if it were adopted at the present session. However, we have requested a separate vote on the tenth and eleventh preambular paragraphs and I should like to explain our abstention in this regard. My delega-

tion considers that the language of these paragraphs is inappropriate and unacceptable in an international instrument of this kind. We should therefore like to reiterate our express reservations with regard to the statements made in those two paragraphs. Moreover, my delegation would like to reaffirm here the opposition in principle of the French Government to the restrictive definition given in the eleventh preambular paragraph of the right of peoples to self-determination. In no case could that right be limited, in clear contradiction of the principles contained in the Charter of the United Nations, solely to peoples under colonial domination or foreign occupation. Thus, my delegation intends solemnly to reaffirm in this Assembly its commitment to the principle set forth in Article 1, paragraph 2, of the Charter of the right of all peoples to self-determination, without any restriction or limitation.

16. Finally, my delegation would like to recall that its vote in favour of the draft Convention and its adoption in no way prejudices the reservations which the French Government might have to make on the substantive articles of the draft Convention.

17. Mrs. LORANGER (Canada) (*interpretation from French*): In the view of my delegation, the adoption by the General Assembly of the draft Convention on the Elimination of All Forms of Discrimination against Women would be one of the highlights of this session of the Assembly.

18. This draft Convention, which is the result of years of effort on the part of many people representing different cultures and civilizations, marks an important stage in the process of recognizing the full equality of the rights and responsibilities of women and men. It will serve to indicate to our Governments the objectives which are to be attained, not only for the remainder of the United Nations Decade for Women, but for many years to come.

19. My delegation has some difficulties with certain provisions of the draft Convention. For example, we believe that the preamble contains many political allusions, which are not proper in a convention of this type and which certainly will have repercussions in 10 or 20 years. Also, the document in question does not seem to us to be strict enough at the legal level. There are many provisions which are open to different interpretations. Perhaps this is inevitable in a text which is the result of so many compromises.

20. None the less, the positive aspects of the draft Convention prevail over the negative ones. Its goals are consistent with the long-standing policies of the Government of Canada and of all the Canadian provinces, namely, the elimination of discrimination against women on the basis of the equality of men and women in all fields. Because a great part of the subjects covered by the draft Convention fall within the competence of the 10 Canadian provinces, we shall have to consult with them to secure their agreement to begin the process of ratification. We intend to begin this process as soon as possible because we believe that this draft Convention can be an extremely useful tool for Canadian women, especially since it does fit very well into the plan of action which we have adopted at

the federal level, within the framework of the United Nations Decade for Women.

21. For these reasons, my delegation will vote in favour of the draft Convention.

22. Mrs. RAHMAN (Bangladesh): After due and careful scrutiny and consideration, my delegation has decided to abstain in the vote on the draft Convention on the Elimination of All Forms of Discrimination against Women.

23. In doing so, we should like to emphasize, however, the crucial importance that we attach to the draft Convention and our continuing attention to and concern for the realization of its principles and objectives. In this context, I should like to stress that Bangladesh is constitutionally committed to eliminating discrimination between men and women as part of the fundamental rights of all its citizens. Article 28 of our Constitution specifically states: "The State shall not discriminate against any citizen on grounds of religion, race, caste, sex or place of birth." It adds that: "Women shall have equal rights with men in all spheres of the State and of public life."

24. Our abstention in the vote arises simply out of the practical recognition that certain provisions of the draft Convention are not totally compatible with nor do they conform entirely to existing provisions of our municipal law, which have themselves been evolved through painstaking review of past custom and practice.

Mr Naik (Pakistan), Vice-President, took the Chair.

25. Mr. RODRIGO (Sri Lanka): When the draft resolution set out in paragraph 18 of document A/34/830 was voted upon in the Third Committee, the delegation of Sri Lanka reluctantly abstained. We were constrained to abstain because work on the final draft of the Convention on the Elimination of All Forms of Discrimination against Women had been completed only the previous evening and the draft, which is annexed to the draft resolution, had to be transmitted to the relevant authorities in Sri Lanka for consideration. This was a purely formal but unavoidable requirement, and our abstention in the Third Committee was therefore not in any way an expression of our reticence about the draft Convention.

26. My delegation is happy to state that it is now in a position to vote in favour of the draft resolution. This is, of course, without prejudice to Sri Lanka's own legal and constitutional position on certain articles of the draft Convention.

27. Miss NÚÑEZ (Venezuela) (*interpretation from Spanish*): The Venezuelan delegation feels compelled to speak at this time, since the limited time allowed for statements made it impossible for us fully to explain our vote in the Third Committee, despite the fact that we are dealing with the adoption of a document that contains no less than a draft convention which as a result of that adoption would be open to signature, ratification or accession of States.

28. Because of this we should like to say that our abstention at that time had no substantive basis. We were unable to say that:

“Our abstention is due to the procedure used in putting the draft to the vote and not to the general content of the draft Convention itself. We will try to resolve this problem when the text is considered by the plenary Assembly.”

29. Today we are in a position to vote in favour of the draft resolution when it is put to the vote.

30. Mrs. RESTREPO de REYES (Colombia) (*interpretation from Spanish*): The Colombian delegation would like first of all to congratulate the Working Group which completed the present draft Convention on the Elimination of All Forms of Discrimination against Women, which will be put to the vote in this Assembly. We are aware of the hard work entailed in the preparation of this draft.

31. The Colombian delegation will vote in favour of the draft Convention, since we agree with the general guidelines proposed in it for the benefit of women. Colombian legislation actually has already adopted most of the changes recommended in the document because our country has distinguished itself by its leadership in this field. My delegation would like to make it clear that, in addition to the draft Convention, other machinery exists to help us to succeed in the struggle against discrimination against women. If legal formulas are not supported by social and educational change, they become inoperative.

32. The Colombian delegation wishes to stress that the present draft Convention cannot be interpreted in such a way as to affect any provision that may be more conducive to the achievement of equality between men and women and that may already from part of the legislation of any State party or of any other convention, treaty or agreement adopted under the auspices of the United Nations.

33. AS WE cast our affirmative vote, my delegation would like to state that, in keeping with the legal structure of public authority in Colombia, the executive cannot undertake commitments on behalf of the legislature, so ratification of the draft Convention will be decided upon by the legislative authority of the Republic of Colombia.

34. Mr. GONZÁLEZ de LEÓN (Mexico) (*interpretation from Spanish*): In the Third Committee, which is entrusted with the social, humanitarian and cultural affairs discussed here in the General Assembly, the Mexican delegation stated its support for not adopting at this session the draft Convention on the Elimination of All Forms of Discrimination against Women, prepared by a Working Group of the Third Committee.

35. What we proposed was that on this occasion the General Assembly should confine itself to taking note of the draft Convention and transmitting it to the Governments of Member States, in order to give them an opportunity to submit their final—I repeat, final—comments so that the Assembly might be able to adopt the text of the Convention and open it to signature in 1980 [see A/34/830, paras. 14-16].

36. That position was based on several considerations. First of all, there was the fact that the draft Convention had been completed by the Working Group just two weeks before it was put to the vote, which did not give Governments enough opportunity to consider the draft Convention and all its implications and at that time there was not even a consolidated, completed text. It was only on the eve of the vote that alternative wording was eliminated from certain articles, and that was only possible because several delegations that had submitted amendments withdrew them in the face of existing pressure, so that the draft Convention could be passed.

37. My delegation believes that such an important instrument as a treaty to foster the equality of women with men throughout the world, an issue to which we are the first to grant the highest priority, deserves more serious and thorough treatment. The Mexican Government has been distinguished by its international support for the cause of women, and my delegation cannot permit any misunderstanding of its position in this respect.

38. We voted against having the draft Convention contained in document A/34/830 opened to signature this year out of the conviction that the text is not sufficiently mature, as was stated by the majority of representatives in the Third Committee itself, and contains a series of elements that would make it difficult for a good number of States to accede to it.

39. My delegation, because it sincerely believes that women's rights should be defended by efficient means, deeply regrets the haste and casualness with which we have proceeded in this case. We only hope that this will not lead to the instrument's being ineffective as a result of its not having been given more serious treatment.

40. Therefore, I repeat that my delegation will abstain from voting on this issue not because we have objections to the elimination of all forms of discrimination against women, but rather because of the procedure that was followed in this case, a procedure which undermines many of the achievements of the past three years' work on this draft Convention.

41. Mrs. WARZAZI (Morocco) (*interpretation from French*): The Moroccan delegation did not encounter the desired understanding when it submitted its amendments in the Third Committee [*ibid.*, para. 7]—amendments that were of particular interest, given the importance of this international instrument. We had hoped to find an area of agreement, which is the only way of ensuring success for the broad ratification of an instrument such as this, dealing with women. We regret that delegations failed to understand how vital it is that this Convention strike a fair balance among all existing legal systems. Extremism will never lead to the desired results and goals. We cannot impose certain views merely because they fit within a particular context or within the framework of a particular continent. Thus we regret the lack of understanding which we faced in the Third Committee at the time of the final consideration of this document.

42. While my delegation announces its abstention, I am pleased that this announcement is being made

by a woman, as that will make it possible to prevent any misunderstandings in the matter. Indeed, my Government does not content itself with statements on achievements and progress in all fields. It considers that examples are more convincing than theories or long tirades. That is why my delegation has never engaged in this kind of argument or statement in the General Assembly.

43. Miss de la MAZA VÁSQUEZ (Dominican Republic) (*interpretation from Spanish*): When the Third Committee dealt with agenda item 75 the delegation of the Dominican Republic stated its disagreement over approval of the draft Convention on the Elimination of All Forms of Discrimination against Women, inasmuch as we felt that it should first be sent to the respective Governments for their examination.

44. My delegation is also of the view that insufficient time was devoted in the Committee to the analysis of this all-important subject. We recognize the arduous work which the Working Group had to do, and we wish to note our appreciation for its magnificent achievements.

45. The delegation of the Dominican Republic abstained in the vote on draft resolution A/C.3/34/L.75 in the Third Committee, since we had no instructions from our Foreign Ministry. The Dominican Republic, which has always been in the forefront when it comes to women's rights, will vote in favour of the Convention and will ratify it, just as we did in 1957, in the case of the Convention on the Nationality of Married Women.

46. Mr. VOICU (Romania) (*interpretation from French*): The delegation of Romania would like to repeat its congratulations to the Chairman of the Working Group on her fulfilment of the mandate conferred on her by the Third Committee in completing the drafting of the Convention on the Elimination of All Forms of Discrimination against Women.

47. My delegation will vote in favour of the draft Convention contained in document A/34/830. Of course, Romania's final position on the content of various articles of the draft Convention will be established after an additional analysis of this legal instrument, as a whole, by the competent Romanian authorities.

48. Finally, my delegation considers that the remarks made by the Rapporteur of the Third Committee on the need to correct certain errors in the text apply also to the French version, in which there are occasional substantive omissions.

49. My delegation ventures to hope that this final work will be carried out promptly by the Secretariat.

50. Mr. OULD SIDAHMED VALL (Mauritania) (*interpretation from French*): My delegation will abstain in the vote on the draft resolution recommended by the Third Committee in document A/34/830 because we consider the draft Convention contained therein an instrument of great importance and, therefore, one which merits serious, in-depth study.

51. I can say, here and now, that my Government has reservations on certain provisions of this Convention. However, my delegation would like the record to reflect that we leave it to the competent authorities of our country to study the relevant provisions of draft Convention and, if need be, to formulate our comments and reservations thereon.

52. Finally, my delegation regrets that collateral considerations have prompted some to insist that this draft Convention be adopted this year, despite the great number of reservations and difficulties expressed by many countries from all regions of the world.

53. The PRESIDENT: The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 18 of its report [A/34/830]. The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/34/843. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the amendment contained in document A/34/L.61, which proposes to add a new operative paragraph 4. In the absence of a request for a vote, may I consider that the General Assembly adopts that amendment?

The new operative paragraph 4 was adopted.

54. The PRESIDENT: The Assembly will now turn to the draft Convention which is annexed to the draft resolution. Separate votes have been requested on the tenth and eleventh preambular paragraphs, on article 9, paragraph 2, and on article 16, paragraph 1, of the draft Convention.

55. I now put to the vote the tenth and eleventh preambular paragraphs of the draft Convention. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia,¹ Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, 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

¹ The delegation of Australia subsequently informed the Secretariat that it wished to have its vote recorded as an abstention.

Arab Emirates, United Republic of Tanzania, Upper Volta, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

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

The tenth and eleventh preambular paragraphs were adopted by 108 votes to none, with 26 abstentions.²

56. The PRESIDENT: I now put to the vote paragraph 2 of article 9 of the draft Convention. A recorded vote has been requested.

A recorded vote was taken.

In favour: Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Lao People's Democratic Republic, Lesotho, Luxembourg, Madagascar, Mali, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, Sierra Leone, Singapore, Somalia, Spain, Swaziland, Sweden, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: Argentina, Bahrain, Brazil, Djibouti,³ Jordan, Kuwait, Libyan Arab Jamahiriya, Mauritania, Morocco, Qatar, Saudi Arabia, Syrian Arab Republic, Yemen.

Abstaining: Afghanistan, Algeria, Bangladesh, Benin, Cape Verde, China, Comoros, Democratic Yemen, Dominican Republic, Egypt, Guinea, Guinea-Bissau, Guyana, Indonesia, Lebanon, Liberia, Malaysia, Maldives, Oman, Pakistan, Paraguay, Sao Tome and Principe, Senegal, Sudan, Suriname, Togo, United Arab Emirates, Upper Volta.

Paragraph 2 of article 9 was adopted by 92 votes to 13, with 28 abstentions.⁴

57. The PRESIDENT: Next, I put to the vote paragraph 1 (c) of article 16 of the draft Convention. A recorded vote has been requested.

A recorded vote was taken.

In favour: Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Luxembourg, Madagascar, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, Sao Tome and Principe, Sierra Leone, Singapore, Spain, Suriname, Swaziland, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia.

Against: None.

Abstaining: Afghanistan, Algeria, Bahrain, Bangladesh, China, Comoros, Democratic Yemen, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Thailand, United Arab Emirates, Yemen, Zaire.

Paragraph 1 (c) of article 16 was adopted by 104 votes to none, with 32 abstentions.⁵

58. The PRESIDENT: The General Assembly will now take a decision on the draft Convention as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo,

⁴ The delegations of Malawi and the United Republic of Cameroon subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of paragraph 2 of article 9.

⁵ The delegations of Malawi and the United Republic of Cameroon subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of paragraph 1(c) of article 16.

² The delegations of Malawi and the United Republic of Cameroon subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the tenth and eleventh preambular paragraphs.

³ The delegation of Djibouti subsequently informed the Secretariat that it wished to have its vote recorded as an abstention.

Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Sierra Leone, 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 Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Bangladesh, Brazil, Comoros, Djibouti, Haiti, Mali, Mauritania, Mexico, Morocco, Saudi Arabia, Senegal.

*The draft Convention as a whole was adopted by 130 votes to none, with 11 abstentions.*⁶

59. The PRESIDENT: I now put to the vote the draft resolution, as amended, with the annexed draft Convention on the Elimination of All Forms of Discrimination against Women. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria,

Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Sierra Leone, 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 Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Bangladesh, Brazil, Comoros, Haiti, Mali, Mauritania, Mexico, Morocco, Saudi Arabia, Senegal.

*The draft resolution, as amended, with the annex, was adopted by 130 votes to none, with 10 abstentions (resolution 34/180).*⁷

60. The PRESIDENT: I shall now call on those representatives who wish to explain their votes.

61. Mr. von WECHMAR (Federal Republic of Germany): We have just adopted a Convention which, in the opinion of my Government, is a major step forward towards implementing article 2 of the Universal Declaration of Human Rights [resolution 217 A (III)] by banning any discrimination between men and women. It thus helps to give equal rights to all persons.

62. The operative part of the Convention contains significant statements as far as the legal status of women is concerned. This meets my Government's objectives and is basically in keeping with the legal system of the Federal Republic of Germany. Except for certain aspects of their legal implementation, we wish to endorse those statements and have therefore voted in favour of the draft resolution as a whole.

63. Yet we regret the fact that several rather surprising last-minute amendments were introduced in the Third Committee. This is true in particular for the eleventh preambular paragraph of the Convention, which, in any case, seems of little relevance to the subject matter. In our view, the reference in that paragraph to the right of self-determination is too narrowly conceived. This is why my delegation abstained in the separate vote on that paragraph.

64. According to article 1 of each of the two International Covenants on Human Rights [resolution 2200 A (XXI)], which are expressly quoted in the third preambular paragraph, "All peoples have the right of self-determination". This should have been clearly stated also in the eleventh preambular paragraph. Or else the mention of the International Covenants on Human Rights contained in the third preambular paragraph should have been considered sufficient reference to this idea.

⁶ The delegations of Malawi and the United Republic of Cameroon subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft Convention.

⁷ The delegations of Malawi and the United Republic of Cameroon subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution.

65. Mr. GÜRAKAN (Turkey): Since its foundation Turkey has attached the utmost importance to the role of women in society and has exerted every effort in policy and in practice to ensure full respect for the rights of women and to eliminate discrimination of all kinds against them. The founder of the Turkish Republic, Atatürk, regarded women as the pillars of the society he was building. More than 50 years ago he recognized and underlined the fact—and I quote from his own works—that “peace and development necessitate the equal participation of women in every field”.

66. The fact that women in Turkey were granted the right to vote and to be elected in municipal and parliamentary elections in 1930 and 1934 respectively—that is to say, more than 40 years ago—suffices to demonstrate the degree of progress in my country in the field of women’s rights. According to our present Constitution and legislation, women in Turkey enjoy all rights and opportunities in every field on an equal footing with men. Therefore, my delegation welcomes the adoption of the Convention on the Elimination of All Forms of Discrimination against Women, which we consider to be an important step for the realization of the equality of women throughout the world and we have naturally voted in favour of the draft resolution contained in document A/34/830. However, since certain provisions of the Convention do not fully accord with our national legislation, my Government would like to maintain its right to express reservations when adhering to this Convention.

67. Mr. CALERO-RODRIGUEZ (Brazil): The Brazilian delegation favours an international convention on the elimination of discrimination against women, a sound convention that, through widespread support and full application, improves the condition of women.

68. We have a text before us with the recommendation that it be opened for signature as a convention. Much effort went into the preparation of that text. Yet the commendable enthusiasm that prevailed during the work was not matched by a careful consideration of the far-reaching legal implications of the text. Furthermore, additional financial responsibilities for the United Nations budget were unnecessarily attached to the establishment of implementation machinery.

69. Most of the delegations that endorsed the draft resolution and accepted the idea that it should be opened for signature as a convention at the present session of the General Assembly indicated their awareness of its imperfections. They reserved the positions of their Governments either on some of the articles of the draft resolution or on all of them taken as a whole. The prospects are, therefore, that the signatures and ratifications necessary to make the proposed convention an effective international instrument will not come easily. Even if it comes into force in its present form, the convention is likely to be accompanied by so many reservations that it will be of doubtful value.

70. Efforts were made in the Third Committee to prevent this. It was suggested that we might delay final approval and submit the text to Governments for their ultimate consideration before taking the

decision to open it for signature as a convention. This prudent appeal was not heeded, and we were called upon to decide here and now that the text is indeed final and that it should be opened for signature.

71. We associated ourselves with the efforts made in the Third Committee, and we regret that this approach was not followed. Without prejudging the position that my Government will take regarding the proposed convention, I did not feel prepared at this stage to lend support to the course of action recommended in the report of the Third Committee, and my delegation therefore abstained.

72. Mr. ERRÁZURIZ (Chile) (*interpretation from Spanish*): The Chilean delegation has voted in favour of the draft resolution contained in document A/34/830, through which the Convention on the Elimination of All Forms of Discrimination against Women is adopted and opened for signature, because we feel, following a careful analysis of the text of the Convention, as finally worded at the end of the work of the Third Committee, that this instrument is one further step on the path towards eliminating the delays and injustices suffered by women—a cause which my Government has always enthusiastically supported.

73. None the less, the document which we adopted does contain certain political elements, imbalances and provisions with which my delegation has difficulties. For that reason, our vote in favour does not prejudice the freedom of the Chilean authorities to adopt my country’s final position and to express whatever reservations are deemed fit at the proper time.

74. Mrs. de GUELMAN (Uruguay) (*interpretation from Spanish*): The Uruguayan delegation would like to express its satisfaction at the adoption during this session of the Convention on the Elimination of All Forms of Discrimination against Women. None the less, we would have preferred that a text of such universal significance be adopted by consensus.

75. We should also like to state for the record our reservations of a general nature with regard to some of the paragraphs of that text, in particular the tenth and eleventh preambular paragraphs, for which we would have preferred wording more consistent with the very objective of the Convention, which is equality of rights for men and women.

76. That is why my delegation abstained in the separate vote on those two paragraphs.

77. Mr. ALAKWAA (Yemen): My delegation voted in the Third Committee in favour of the Convention that we have just adopted and, at the same time, expressed its reservations with regard to some articles and paragraphs embodied in it which, in our view, require further study by the appropriate authority in my country.

78. In this connexion, my delegation reiterates its view expressed in the Third Committee that the draft Convention should have first been sent to our respective Governments for consideration and comments before its final adoption by the General Assembly. Nevertheless, my delegation has joined in the vote by

which the Assembly adopted the Convention as a whole, on the understanding that our reservations with regard to article 9, paragraph 2, and article 16 will be recorded.

79. Ms. COOPERSMITH (United States of America): My delegation has made known its pleasure at the completion of the Convention on the Elimination of All Forms of Discrimination against Women, after the many years of work in the Third Committee. Although my Government is not happy with certain portions of the preamble, which to us seem extraneous, we support whole-heartedly the basic principles of the Convention.

80. Our Government agencies will be reviewing the final instrument to determine the terms for submission to our Senate. Certain substantive provisions of the Convention may present for us difficulties of a constitutional nature, particularly in relation to our Federal-State system. We hope that this will not be the case, but we must raise the possibility, pending comprehensive review of the various provisions by our Government agencies.

81. Miss ABOUL NAGA (Egypt) (*interpretation from Arabic*): Despite the fact that the delegation of Egypt voted in favour of the Convention on the Elimination of All Forms of Discrimination against Women in the Third Committee and in the plenary Assembly, we should like to point out that Egypt has some reservations concerning certain provisions of that Convention.

82. Mrs. CASTRO de BARISH (Costa Rica) (*interpretation from Spanish*): Costa Rica would like to express for the record its appreciation to the Working Group for the efforts it made in preparing the document we have adopted today, a document which is no doubt a very important step in all the work that has been done and is still being done to ensure that women may play their proper role in society, throughout the world and in all spheres of human activity. In Costa Rica most of the concepts and provisions of the Convention are already part of our political Constitution and of the Family Code which entered into force in 1976.

83. My delegation abstained in the vote on the tenth preambular paragraph because that paragraph has no specific relation to the elimination of discrimination against women. The concepts expressed in the paragraph are relevant to other United Nations documents, and we have voted in favour of them in the appropriate context.

84. My delegation abstained also in the vote on the eleventh preambular paragraph because, although it contains a long list of factors which, according to the paragraph, "will contribute to the attainment of full equality between men and women", there is an incredible omission—namely, respect for and implementation of human rights and fundamental freedoms. When there is such a long list of factors, it is illogical not to mention an element that is decisive for the attainment by women of equal rights with men.

85. Our affirmative votes on article 9, paragraph 2, and article 16, paragraph 1 (c), are explained by the

fact that those provisions are already, as I have said, incorporated in Costa Rica's political Constitution and Family Code.

86. Mr. DJIGO (Senegal) (*interpretation from French*): The General Assembly has just adopted a document whose importance need not be emphasized, particularly at this stage in the United Nations Decade for Women, and above all on the eve of the Copenhagen Conference.⁸

87. Nevertheless, we had to reserve our Government's position on the question because, in view particularly of the importance of the document, the text must be transmitted to the Senegalese authorities for their evaluation. We think, however, that that will be without prejudice to the welcome that will certainly be given to this text—especially since the Government of Senegal has spared no effort to ensure the protection of the rights of women. Indeed, our legislation on the subject gives eloquent proof of that fact.

88. Those were the reservations we wished to make. They relate simply to the fact that we believe that, for the time being, the Government of Senegal should have an opportunity to study this text and eventually to take the necessary decision on it in terms of national legislation.

AGENDA ITEM 53

Questions relating to information:

- (a) **Co-operation and assistance in the application and improvement of national information and mass communication systems for social progress and development: report of the Director-General of the United Nations Educational, Scientific and Cultural Organization;**
- (b) **International relations in the sphere of information and mass communications: report of the Director-General of the United Nations Educational, Scientific and Cultural Organization;**
- (c) **United Nations public information policies and activities:**
 - (i) **Report of the Committee to Review United Nations Public Information Policies and Activities;**
 - (ii) **Report of the Secretary-General;**
- (d) **Freedom of information:**
 - (i) **Draft Declaration on Freedom of Information;**
 - (ii) **Draft Convention on Freedom of Information**

REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/34/808)

89. Mr. COTTON (New Zealand), Rapporteur of the Special Political Committee: I have the honour to present the report of the Special Political Committee on agenda item 53 [A/34/808].

90. In the course of 10 meetings many representatives expressed their views on this important subject. After informal discussions between groups, in which a spirit of compromise was very evident, it proved

⁸ World Conference of the United Nations Decade for Women: Equality, Development and Peace.

possible to agree on two draft resolutions, which were adopted without a vote. One of these resolutions establishes and defines the mandate of the United Nations Committee on Information, which is to examine United Nations public information policies and activities in the light of the imperatives of, *inter alia*, a new world information and communication order. I should like to stress that it was the intention of the Special Political Committee that the name of the Committee should be the United Nations Committee on Information.

91. The Special Political Committee commends these resolutions to the General Assembly.

92. As this is the final report from the Special Political Committee for this session, I should like to take this opportunity on behalf of the Committee to thank and congratulate the President on the guidance and leadership he has shown during this thirty-fourth session.

Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the report of the Special Political Committee.

93. The PRESIDENT: The positions of delegations with respect to the recommendations contained in the report of the Special Political Committee to the General Assembly are reflected in the relevant summary records of the Committee.

94. I would remind members of the decision on explanations of vote taken by the General Assembly at its 4th plenary meeting, on 21 September 1979, cited at the beginning of this meeting [*see para. 5 above*].

95. The Assembly will now take a decision on the recommendations of the Special Political Committee in paragraph 15 of its report.

96. Draft resolution I is entitled "Co-operation and assistance in the application and improvement of national information and mass communication systems for social progress and development". The Committee adopted that draft resolution without a vote. May I take it that the General Assembly adopts draft resolution I?

Draft resolution I was adopted (resolution 34/181).

97. The PRESIDENT: Draft resolution II is entitled "Questions relating to information". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is contained in document A/34/841. Since the Special Political Committee adopted draft resolution II without a vote, may I take it that the General Assembly wishes to do the same?

Draft resolution II was adopted (resolution 34/182).

98. The PRESIDENT: I call on the representative of Chile, who wishes to explain his delegation's position on draft resolution II.

99. Mr. DÍEZ (Chile) (*interpretation from Spanish*): The Chilean delegation associated itself with the

consensus on the draft resolution on questions relating to information, submitted by the Group of 77, after having participated actively from the very outset in the work of the drafting group, which carried out time-consuming and difficult work which was crowned with success.

100. We would recall that, together with 14 other countries, from the group of Latin American States and Egypt, we contributed a few additions to the draft in order to deal adequately with issues which we felt were basic. Among them the most important is that of the principle of freedom of expression, with all its implications: freedom of opinion, freedom of information, freedom of access to sources of information, the free flow of information and the exclusion of the possibility of State control of the social communication media. During the work carried out by the drafting group, and subsequently in the discussions in the Group of 77 itself, we noted with a certain concern that the true dimensions of that principle might be underestimated or that it might be relegated to a secondary place in a draft of such importance. A clear reference to article 19 of the Universal Declaration of Human Rights, as well as to articles 19 and 20 of the International Covenant on Civil and Political Rights, which affirm the principle of freedom fully and precisely, dispel our fears. Nevertheless, we should have preferred the inclusion of an explicit reference to those principles as a prerequisite to the creation of a more just world information order—an item which will be dealt with by the Committee on Information, of which my country has the honour to be a member.

AGENDA ITEM 56

United Nations Conference on Trade and Development (continued):

- (a) Report of the Conference on its fifth session;
- (b) Report of the Trade and Development Board;
- (c) Action programme in favour of developing island countries: report of the Secretary-General;
- (d) Reverse transfer of technology:
 - (i) Report of the Secretary-General;
 - (ii) Report of the Secretary-General of the United Nations Conference on Trade and Development;
- (e) Assistance to Antigua, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent: report of the Secretary-General;
- (f) Multilateral trade negotiations: report of the Secretary-General of the United Nations Conference on Trade and Development

REPORT OF THE SECOND COMMITTEE (A/34/538/ADD.1 AND 2)

AGENDA ITEM 60

United Nations Environment Programme:

- (a) Report of the Governing Council;
- (b) Co-operation in the field of the environment concerning natural resources shared by two or more States: report of the Secretary-General;
- (c) Measures to be taken for the benefit of the Sudano-Sahelian region:
 - (i) Report of the Governing Council;
 - (ii) Report of the Secretary-General;

- (d) **Additional measures and means of financing for the implementation of the Plan of Action to Combat Desertification: report of the Secretary-General**

**REPORT OF THE SECOND COMMITTEE
(A/34/837)**

AGENDA ITEM 69

Acceleration of the transfer of real resources to developing countries:

- (a) **Increased transfer of resources: report of the Secretary-General;**
(b) **Finance for development: report of the Secretary-General**

**REPORT OF THE SECOND COMMITTEE
(A/34/778)**

AGENDA ITEM 71

United Nations Conference on New and Renewable Sources of Energy: report of the Secretary-General

**REPORT OF THE SECOND COMMITTEE
(A/34/767)**

AGENDA ITEM 55

**Development and international economic co-operation
(continued):**

- (b) **Report of the Preparatory Committee for the New International Development Strategy;**
(c) **Network for the exchange of technological information and the industrial and technological information bank: report of the Secretary-General;**
(d) **Multilateral development assistance for the exploration of natural resources: report of the Secretary-General;**
(e) **Economic co-operation among developing countries: report of the Secretary-General;**
(f) **Preparations for the special session of the General Assembly in 1980: report of the Secretary-General;**
(g) **Effective mobilization of women in development: report of the Secretary-General;**
(h) **Restructuring of the economic and social sectors of the United Nations system: report of the Secretary-General**

**REPORT OF THE SECOND COMMITTEE
(A/34/676 AND ADD.1 AND 2)**

AGENDA ITEM 70

United Nations Conference on Science and Technology for Development

**REPORT OF THE SECOND COMMITTEE
(A/34/779)**

AGENDA ITEM 12

Report of the Economic and Social Council (continued)

**REPORT OF THE SECOND COMMITTEE
(A/34/635/ADD.3)**

101. Miss GARCÍA-DONOSO (Ecuador), Rapporteur of the Second Committee (*interpretation from Spanish*): I have the honour to present to the General Assembly the reports of the Second Committee on the following agenda items.

102. The report on item 56, on the United Nations Conference on Trade and Development, is contained in document A/34/538/Add.1 and 2. In paragraph 28 of document A/34/538/Add.1, the Committee recommends to the General Assembly the adoption of four draft resolutions which were adopted in the Second Committee without a vote. However, with regard to draft resolution IV, entitled "Report of the United Nations Conference on Trade and Development on its fifth session", a separate vote was held on operative paragraph 3, which was adopted by the Committee by 114 votes to none, with 5 abstentions.

103. Paragraph 33 of document A/34/538/Add.2 contains four draft resolutions which are recommended to the General Assembly for adoption. Three of them—draft resolutions I, II and III—were put to the vote in the Second Committee. There was a separate vote on the last preambular paragraph and the first operative paragraph of draft resolution III. Draft resolution IV was adopted without a vote. In paragraph 34 of this report, the Second Committee also recommends to the Assembly the adoption of a draft decision which was adopted by the Committee without a vote.

104. The report on agenda item 60, concerning UNEP, is contained in document A/34/837, in which the Committee recommends that the General Assembly adopt six draft resolutions. Draft resolutions I, III, V and VI were adopted by the Committee without a vote. Draft resolution II was adopted by the Committee by 100 votes to none, with 21 abstentions. Draft resolution IV was adopted by the Second Committee by a recorded vote by 94 to none, with 23 abstentions.

105. The report on agenda item 69, dealing with the acceleration of the transfer of real resources to developing countries, is contained in document A/34/778, in paragraphs 9 and 10 of which the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote and of a draft decision.

106. The report on item 71, dealing with the United Nations Conference on New and Renewable Sources of Energy, is contained in document A/34/767. In paragraph 11 the Committee recommends that the General Assembly adopt a draft resolution which was adopted by the Committee without a vote.

107. The report on item 55, which concerns development and international economic co-operation, is contained in document A/34/676 and Add.1 and 2. In paragraph 38 of document A/34/676/Add.1, the Committee recommends to the General Assembly the adoption of five draft resolutions which were adopted by the Committee without a vote. In paragraph 39 of the same document, the Committee also recommends the adoption of a draft decision which was adopted by a vote of 106 to 10.

108. Paragraph 67 of document A/34/676/Add.2 contains 12 draft resolutions which the Committee recommends that the Assembly adopt. Draft resolutions II, III, V, VII, VIII, IX, X and XII were adopted by the Committee without a vote. Draft resolutions I, IV, VI and IX were put to the vote.

109. In paragraph 68 of this same document, the Committee recommends to the General Assembly the adoption of four draft decisions adopted without a vote.

110. The report of the Committee on agenda item 70, concerning the United Nations Conference on Science and Technology for Development, is contained in document A/34/779, in which the Committee recommends that the General Assembly adopt a draft resolution. I should like to draw the attention of the Assembly to section III of this draft resolution, which was adopted by a recorded vote of 97 to none, with 20 abstentions. None the less, the draft resolution as a whole was adopted by the Second Committee without a vote.

111. In connexion with agenda item 12, concerning the report of the Economic and Social Council, I should like to submit to this Assembly part IV of the report of the Second Committee contained in document A/34/635/Add.3, in paragraphs 11 and 12 of which the Committee recommends that the Assembly adopt a draft resolution and a draft decision which were adopted by the Committee without a vote.

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

112. The PRESIDENT: The positions of delegations with respect to the recommendations contained in the reports of the Second Committee to the Assembly are reflected in the relevant records of the Committee.

113. May I remind members of the decision on explanations of vote taken by the General Assembly at its 4th plenary meeting, on 21 September 1979, cited at the beginning of this meeting [*see para. 5 above*].

114. As members are aware, the recommendations and decisions were made after a series of long and arduous consultations and negotiations among the entire membership of the United Nations. May I therefore appeal to those who have inscribed their names on the list of speakers to be as brief as possible in view of the limited time before us.

115. The report of the Fifth Committee on agenda item 56 is not available in all the languages. Therefore, the Assembly will consider item 56 this afternoon.

116. The Assembly will now take a decision on the draft resolutions recommended by the Second Committee in paragraph 38 of its report on agenda item 60 [A/34/837].

117. Draft resolution I is entitled "Marine pollution". The Second Committee adopted it without a vote. May I consider that the General Assembly adopts draft resolution I?

Draft resolution I was adopted (resolution 34/183).

118. The PRESIDENT: I now put to the vote draft resolution II, entitled "Plan of Action to Combat Desertification". 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 Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, 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 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, 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 II was adopted by 120 votes to none, with 21 abstentions (resolution 34/184).⁹

119. The PRESIDENT: We now turn to draft resolution III, entitled "Restoration and improvement of the Fouta-Djallon massif". It was adopted by the Second Committee without a vote. May I take it that it is also the wish of the General Assembly to adopt draft resolution III?

Draft resolution III was adopted (resolution 34/185).

120. The PRESIDENT: Draft resolution IV is entitled "Co-operation in the field of the environment concerning natural resources shared by two or more States". May I take it that the General Assembly adopts this draft resolution?

⁹ The delegations of Madagascar, Mozambique and the United Republic of Cameroon subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution.

Draft resolution IV was adopted (resolution 34/186).

121. The PRESIDENT: We turn now to draft resolution V, entitled "Implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification". The Second Committee adopted it without a vote. May I take it that it is also the wish of the General Assembly to adopt draft resolution V?

Draft resolution V was adopted (resolution 34/187).

122. The PRESIDENT: Finally, draft resolution VI, entitled "International co-operation in the field of the environment", was adopted in the Second Committee without a vote. May I consider that the General Assembly adopts draft resolution VI?

Draft resolution VI was adopted (resolution 34/188).

123. The PRESIDENT: I shall now call on those representatives wishing to explain their vote after the vote.

124. Mr. AKTAN (Turkey) (*interpretation from French*): The initiative taken by the Governing Council of UNEP to adopt draft principles of conduct in the field of the environment for the guidance of States in the conservation and harmonious utilization of natural resources shared by two or more States [*see resolution 34/186*] was considered by Turkey, from the outset, to be premature. Since each natural resource has its own special historical, social, geographic and hydrological qualities, the law relating to this question is still being formed. The Turkish delegation believes that the work which is being done within the framework of UNEP is likely to affect the work already undertaken on certain aspects of this subject by other highly competent bodies, such as the International Law Commission, which, as is well known, is in the process of following up the work on the law relating to the use of international waterways for purposes other than navigation in order to ensure the progressive development and codification of that law.

125. The Turkish delegation has frequently pointed out that, if we wish the international community effectively to solve the many problems brought about by shared natural resources, we should above all codify and progressively develop the principles of international law on the subject and establish the procedures that must regulate their application.

126. My delegation has always insisted, throughout the drafting of the principles in question, on the fact that without a definition of shared natural resources, without taking due account of the general rules of customary law which exist on the question and without studying the many treaties and the practice of States in the fields of navigation, pollution, irrigation, the production of energy and waste disposal, the drafting and adoption of principles on such a scale could never lead to the desired goal. The resolution that we have just adopted has fully justified my delegation's position. Indeed, in the draft resolution in question: first, the principle of full permanent sovereignty of every State over its natural resources is reaffirmed unequivocally; secondly, the competency of States freely to conclude agreements in order to find specific solutions, while

taking due account of the special circumstances and the particular nature of a given shared resource, is fully recognized; thirdly, the Second Committee, in paragraph 2 of the resolution, not wishing to submit the draft principles to the Assembly for adoption, instead, fully aware of what was involved, merely took note of them as guidelines concerning the conservation and harmonious utilization of shared natural resources. From the point of view of the procedure and practice followed within the United Nations, my delegation considers that the term "and recommendations" in the paragraph 2 was inserted in the text to highlight the fact that the principles in question would have no binding legal effect; fourthly, fully aware of the fact that it was not and obviously is not possible to get rid of the natural existing inequalities among States concerning natural resources or to minimize the importance of the principle of national sovereignty over natural resources, we had to content ourselves with stressing co-operation among States in the utilization of resources in good faith and in a spirit of good neighbourliness.

127. Bearing the foregoing in mind the Turkish delegation in the Second Committee voted in favour of draft resolution A/C.2/34/L.24/Rev.2, contained in document A/34/837, and endorses the consensus decision just taken in the Assembly.

128. On this occasion, my delegation would like once again to repeat and reaffirm that the effective, equitable, optimal and rational use of natural resources is not necessarily incompatible with protection of the interests of States sharing the same resources.

129. We also consider it essential that neither the resolution nor the draft principles to which it refers be in any way interpreted as limiting the rights of States to utilize their natural resources, or the developing countries' right to development.

130. Mr. HANKFY (Canada): Canada has participated in the consensus adoption of the resolution on co-operation in the field of the environment concerning natural resources shared by two or more States [*ibid.*]. While we regret that the Assembly has not seen fit to give the draft principles referred to a stronger endorsement, we are encouraged that it has requested all States to use the principles as guidelines and recommendations in the formulation of bilateral or multilateral conventions.

131. We hope that Member States will heed the General Assembly's request and that the widespread use of these principles will promote the progressive development of international law in this field.

132. Canada supports the resolution on international co-operation in the field of the environment [*resolution 34/188*] and wishes to record its view that paragraph 5 of that resolution does not envisage any change in the current balance between global and regional programmes of UNEP. We understand that the reference in this paragraph to relevant decisions of the Governing Council applies in particular to decision 7/3, paragraph 7, of the seventh session of the Governing

Council of UNEP,¹⁰ which established balanced criteria to guide the evolution of UNEP's programme, while recognizing the unique responsibilities of the organization. We believe that the effectiveness of UNEP will be determined primarily by its ability to catalyse and to co-ordinate global and regional efforts to contend with environmental problems common to the international community as a whole.

133. Mr. VELLOSO (Brazil): The Brazilian delegation has joined the consensus adoption of resolution 34/186 as it had voted in favour of the text contained in document A/C.2/34/L.24/Rev.2, as amended, in the Second Committee. It will be recalled that on the initiative of my delegation, paragraph 2 was amended in order that the General Assembly should limit itself to taking note of the set of principles, instead of adopting them [*see A/34/837, para. 20*].

134. The proposal made by my delegation, and accepted by the Second Committee, sought to eliminate the one major difficulty which remained in the text after informal consultations during which the sponsors showed a very constructive spirit. Our attitude relied, to a large extent, on the assumption that a consensus could be reached on a text which reflects the appropriate level of co-operation in this field at the present stage, despite the fact that other difficulties are still present—namely, in the second and fifth preambular paragraphs and in paragraph 8. At the same time, however, my delegation reaffirms that our position on the substantive questions regarding the utilization of shared natural resources remains unchanged, as do our reservations in relation to the draft principles, as expressed on previous occasions.

135. Mr. BODDENS HOSANG (Netherlands): The Netherlands delegation has joined in the consensus on resolution 34/186. My delegation wishes to put on record its disappointment at the fact that the original draft resolution, of which my country was a sponsor [*ibid., para. 18*] was drastically changed in scope through a vote on an amendment in the Second Committee. My delegation regrets that in this way a formal adoption by the General Assembly of the draft principles referred to in paragraph 2 was not possible, but we should like to underline the fact that the General Assembly now has decided to request all States to use the said principles as guidelines and recommendations in the formulation of bilateral or multilateral conventions regarding natural resources shared by two or more States, on the basis of the principle of good faith and in the spirit of good neighbourliness and in such a way as to enhance and not adversely affect development and the interests of all countries in particular the developing countries. My delegation hopes that it will be possible for the General Assembly at a future session to adopt the said principles.

136. The Netherlands delegation also joined in the consensus on resolution 34/186 and wishes to put on record its disappointment that it was not possible for the sponsors to incorporate in the text a number of ideas put forward in the debate by several delegations,

including my own. My delegation regrets in particular the fact that this omnibus resolution on UNEP, which provides important guidance by this General Assembly of the work of the UNEP Governing Council for the coming year, does not give more explicit directions as to the role of the Governing Council in the elaboration of instruments for the integration of environmental factors in the development process during the third United Nations development decade.

137. My delegation hopes that the Governing Council will none the less give due priority to its input in the preparation and implementation of the new international development strategy.

138. Mr. HERRERA VEGAS (Argentina) (*interpretation from Spanish*): The Argentine declaration joined in the adoption by consensus of resolution 34/186 because the resolution does not contain any principle which is contrary to our own policies in this field.

139. In accordance with what was stated at the Second Committee by the delegation of Pakistan when it introduced, on behalf of the sponsors, draft resolution A/C.2/34/L.24/Rev.2,¹¹ we would have preferred that the General Assembly endorse the draft principles referred to in paragraph 2. Moreover, that had been the recommendation of the Governing Council of UNEP and of the Secretary-General, in paragraph 12 (b) of his report contained in document A/34/557 and Corr.1.

140. My delegation would like to point out that, in spite of this, this resolution contains positive elements which constitute a step forward in the progressive development of international law in accordance with the principles of the Charter of the United Nations. In particular, paragraphs 2 and 3, in requesting all States to use the principles as guidelines and recommendations in the formulation of conventions regarding and in the harmonious utilization of shared natural resources, will in a significant way make it possible for those principles to be applied and to become binding norms through their incorporation in bilateral or multilateral conventions.

141. Of course, some of the principles are already binding, because they are norms recognized as such in international law, as explicitly stated in paragraph 2 of the resolution.

142. Mr. JÖDAHL (Sweden): My delegation joined in the consensus on resolution 34/186. However, we regret that we are now, by adopting a resolution which "takes note of" the draft principles, still only at the point we reached last year. That means that we have lost a year in the ongoing work in the important field of international environmental law, a field in which so much still needs to be done.

143. We also regret that so few Governments had the time to study and give their comments on the principles in reply to the note circulated by the Executive Director of UNEP in April this year. We can only

¹⁰ See *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 25*, p. 96.

¹¹ *Ibid.*, *Thirty-fourth Session, Second Committee*, 57th meeting, and *ibid.*, *Second Committee, Sessional Fascicle*, corrigendum.

hope that the lengthy discussions on this subject during the last as well as the present session of the General Assembly have made more Governments aware of and interested in this question. We hope that in the year to come Governments will study the principles and apply them in the conventions and treaties that they negotiate and conclude with neighbouring countries.

144. As we pointed out when the draft resolution was originally introduced in the Second Committee, the principles form a recommendatory and guiding basis for negotiations between States in the preparation of such treaties and conventions. The principles thereby constitute a valuable input to the treaty-making process. They can be used and made legally binding if countries so decide, and thereby a pattern of implementation will form which in the long run will serve the interest of the creation of international environmental law. So, whether we adopt the principles or merely take note of them, the final test of those principles is at the level of Governments in their conclusion of bilateral or multilateral agreements, treaties or conventions.

145. We hope that during the coming years Governments, by using the principles in practice, will recognize their usefulness and value, and that, as a consequence, the General Assembly will finally be in a position to adopt them.

146. Mr. WORKU (Ethiopia): My delegation sincerely feels that the General Assembly has taken the more realistic and sincere decision on the issue concerning resources shared by two or more States. It is wise in that it has avoided entering into an area which has great potential for conflict. In our opinion the objective of protecting shared natural resources can be better advanced if it is left to States to solve the problem in a spirit of good neighbourliness without any infringement of their sovereignty over their natural resources. In our opinion, an amicable solution is more effective than one imposed by resolution. Ethiopia has always expressed its desire and willingness to co-operate on the basis of equity and justice with its neighbours.

147. Although my delegation joined in the consensus, unfortunately it still has some difficulty with paragraph 3 of the resolution. We shall therefore continue to reserve our position on the substance of the issue.

AGENDA ITEM 16

Elections to fill vacancies in subsidiary organs (continued):*

(b) Election of nineteen members of the Governing Council of the United Nations Environment Programme

148. The PRESIDENT: The General Assembly will now proceed to the election of 19 members of the Governing Council of UNEP Programme to replace those members whose terms of office expire on 31 December 1979. The nineteen outgoing members are: Argentina, Bangladesh, Bulgaria, Canada, Chad, China, France, Ghana, Guatemala, Indonesia, Ivory

Coast, Jamaica, Norway, Philippines, Senegal, Spain, Syrian Arab Republic, United Republic of Tanzania and Yugoslavia. Those members are eligible for immediate re-election.

149. I should like to remind members that, after 1 January 1980, the following States will still be members of the Governing Council: Algeria, Australia, Austria, Botswana, Brazil, Burundi, Byelorussian Soviet Socialist Republic, Colombia, Denmark, German Democratic Republic, Germany, Federal Republic of, Guinea, India, Iran, Iraq, Italy, Japan, Kenya, Kuwait, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Mexico, Netherlands, Pakistan, Panama, Romania, Thailand, Trinidad and Tabago, Tunisia, Turkey, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela and Zaire. Therefore, those 39 States are not eligible for election.

150. Under rule 92 of the rules of procedure, all elections must be held by secret ballot and there shall be no nominations. May I, however, recall the recommendations of the General Committee, adopted by the General Assembly at its 4th plenary meeting, on 21 September 1979, to the effect that

“ . . . the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard . . . unless a delegation specifically requests a vote on a given election.” [A/34/250, para. 16.]

151. I should like to announce that the chairmen of the regional groups have informed me of the following candidatures: for five seats from Africa: Ethiopia, Gabon, Mauritania, Sierra Leone and Sudan; for five seats from Asia: Bangladesh, China, Indonesia, Saudi Arabia and United Arab Emirates; for two seats from Eastern Europe: Bulgaria and Yugoslavia; for three seats from Latin America: Argentina, Chile and Peru; for four seats from Western European and other States: Belgium, France, New Zealand, Spain and Sweden.

152. That means that there is one extra candidate in the group of Western European and other States.

153. Since the number of candidates from Africa, Asia, Eastern Europe and Latin America corresponds to the number of seats to be filled in those groups, I declare those candidates elected members of the Governing Council of UNEP for a three year term beginning on 1 January 1980 [see para. 158 below].

154. With regard to the four seats to be filled from the group of Western European and other States, there are five candidates. Therefore, the Assembly will hold a ballot for that group.

155. In accordance with existing practice, the required number of candidates which receive the largest number of votes and not less than the majority will be declared elected. In case of a tie vote for the last place, there will be a restricted ballot limited to those candidates that have obtained an equal number of

* Resumed from the 104th meeting.

votes. May I take it that the General Assembly agrees to that procedure?

It was so decided.

156. The PRESIDENT: The ballot papers will now be distributed. May I request members of the Assembly to use only those ballot papers and to write the names of the countries for which they wish to vote. The ballot paper indicates the number of members to be elected. Ballot papers containing more than that number will be declared invalid. The candidates for the four seats from the group of Western European and other States are: Belgium, France, New Zealand, Spain and Sweden.

At the invitation of the President, Mr. Vidal (Dominican Republic) and Mr. Zaini (Morocco) acted as tellers.

A vote was taken by secret ballot.

157. The PRESIDENT: I propose now to suspend the meeting while the ballots are being counted.

The meeting was suspended at 12.55 p.m. and resumed at 1.30 p.m.

158. The PRESIDENT: The result of the voting in the election to fill the four seats from Western European

and other States on the Governing Council of UNEP is as follows:

<i>Number of ballot papers:</i>	145
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	145
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	145
<i>Required majority:</i>	73
<i>Number of votes obtained:</i>	
Sweden	122
Belgium	118
New Zealand	112
France	103
Spain	100

Argentina, Bangladesh, Belgium, Bulgaria, Chile, China, Ethiopia, France, Gabon, Indonesia, Mauritania, New Zealand, Peru, Saudi Arabia, Sierra Leone, the Sudan, Sweden, the United Arab Emirates and Yugoslavia were elected members of the Governing Council of the United Nations Environment Programme for a three-year term beginning on 1 January 1980.

159. The PRESIDENT: I wish to congratulate the countries that have been elected members of the Governing Council of UNEP, and I thank the tellers for their assistance in this election.

The meeting rose at 1.35 p.m.