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THIRD COMMITTEE
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at 3 p.m.
New York

SUMMARY RECORD OF THE 30th MEETING

Chairman: Mr. ZADOR (Hungary)

CONTENTS

AGENDA ITEM 92: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE
(continued)

- (a) IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND HALF OF THE UNITED NATIONS DECADE FOR WOMEN: REPORT OF THE SECRETARY-GENERAL
(continued)
- (b) WORLD CONFERENCE TO REVIEW AND APPRAISE THE ACHIEVEMENTS OF THE UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE **(continued)**
- (c) VOLUNTARY FUND FOR THE UNITED NATIONS DECADE FOR WOMEN: REPORTS OF THE SECRETARY-GENERAL **(continued)**
- (d) PREVENTION OF PROSTITUTION **(continued)**

AGENDA ITEM 99: INTERNATIONAL RESEARCH AND TRAINING INSTITUTE FOR THE ADVANCEMENT OF WOMEN: REPORT OF THE SECRETARY-GENERAL **(continued)**

AGENDA ITEM 100: ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
(continued)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN **(continued)**
- (b) STATUS OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: REPORT OF THE SECRETARY-GENERAL **(continued)**

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CONTENTS (continued)

AGENDA ITEM 88: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORTS OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 93: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS: REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 94: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)

AGENDA ITEM 89: INTERNATIONAL YOUTH YEAR: PARTICIPATION, DEVELOPMENT, PEACE: REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 95: POLICIES AND PROGRAMMES RELATING TO YOUTH: REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 90: WORLD SOCIAL SITUATION (continued)

AGENDA ITEM 91: NATIONAL EXPERIENCE IN ACHIEVING FAR-REACHING SOCIAL AND ECONOMIC CHANGES FOR THE PURPOSE OF SOCIAL PROGRESS: REPORTS OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 97: IMPLEMENTATION OF THE WORLD PROGRAMME OF ACTION CONCERNING DISABLED PERSONS AND UNITED NATIONS DECADE OF DISABLED PERSONS: REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 98: CRIME PREVENTION AND CRIMINAL JUSTICE

The meeting was called to order at 3.10 p.m.

AGENDA ITEM 92: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE
(continued) (A/40/3, 188, 239 and Add.1, 365, 703 and Corr.1, 727, 838;
A/CONF.116/28 and Corr.1, 2 and 3)

- (a) IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND HALF OF THE UNITED NATIONS DECADE FOR WOMEN: REPORT OF THE SECRETARY-GENERAL (continued)
- (b) WORLD CONFERENCE TO REVIEW AND APPRAISE THE ACHIEVEMENTS OF THE UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE (continued)
- (c) VOLUNTARY FUND FOR THE UNITED NATIONS DECADE FOR WOMEN: REPORTS OF THE SECRETARY-GENERAL (continued)
- (d) PREVENTION OF PROSTITUTION (continued)

AGENDA ITEM 99: INTERNATIONAL RESEARCH AND TRAINING INSTITUTE FOR THE ADVANCEMENT OF WOMEN: REPORT OF THE SECRETARY-GENERAL (continued) (A/40/3, 707)

AGENDA ITEM 100: ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
(continued) (A/40/3, 45, 623)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
(continued)
- (b) STATUS OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: REPORT OF THE SECRETARY-GENERAL (continued)

1. Mrs. KING-ROUSSEAU (Trinidad and Tobago), referring to item 92, said that the Nairobi Conference had served to strengthen the resolve of women world-wide to advance the cause of equality and justice for all. Although the founders of the United Nations had affirmed, 40 years earlier, that one of the purposes of the United Nations was to encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion, the struggle of women for equality in society received significant impetus only in 1975 with the proclamation of the International Women's Year, and subsequently the United Nations Decade for Women. Those activities had culminated in the adoption of the Forward-looking Strategies, which proposed detailed and sometimes far-reaching measures for attaining the envisaged objectives by the year 2000. The significance of the Strategies lay in their wide application and relevance to diverse societies; at the same time they reflected a unity so central to the attainment of common objectives. It was encouraging to note that that comprehensive document had been adopted by consensus.

2. As a multi-racial, multi-religious and multi-ethnic country, Trinidad and Tobago was sensitive to all manifestations of discrimination, whatever their nature. Hence, even prior to the entry into force of the Convention on the

(Mrs. King-Rousseau, Trinidad and Tobago)

Elimination of All Forms of Discrimination against Women, the Constitution of Trinidad and Tobago ensured women the rights subsequently embodied in that Convention. The elimination of de jure discrimination was only one in a series of hurdles in the quest for a just society based on equality of the sexes. In recognition of that fact, her Government had established, on 1 January 1980, the National Commission on the Status of Women, whose mandate was to specify the new role of women, identify and solve the problems confronting them, encourage them to contribute their creativity to the development effort, act as a consultative organ to government and private enterprise, promote and facilitate inter-agency co-ordination in preparing joint action plans and programmes for the advancement of women and keep legislation under review in order to make appropriate representations to the Government. The recommendations in the Forward-looking Strategies were in accordance with the priorities already established by Trinidad and Tobago for the period up to the year 2000.

AGENDA ITEM 88: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORTS OF THE SECRETARY-GENERAL
(continued) (A/C.3/40/L.7, L.10)

Draft resolution A/C.3/40/L.7 and financial implications (A/C.3/40/L.10)

3. Mr. ONONAIYE (Nigeria), introducing on behalf of the African Group draft resolution A/C.3/40/L.7 and its programme budget implications (A/C.3/40/L.10), said that the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, in particular its implementation, was one of the Committee's principal responsibilities. In the interest of enlisting general support for the draft resolution submitted on the subject, its sponsors, despite the worsening situation in South Africa, had attempted to draft a non-controversial text. Some doubts had been expressed, however, about the global consultation referred to in paragraph 14. The intention was to organize a meeting involving non-governmental and intergovernmental organizations in order to invite them to co-ordinate their activities in the interest of implementing the Programme of Action for the Decade. If the consultation was held, the United Nations could sponsor and direct a much broader programme of activities than it might be able to undertake alone. United Nations activities to combat apartheid were, of course, the core of that programme. It was therefore essential that the Organization, before the 1988 consultation, should prepare a plan of activities for the Programme for the Decade. The additional costs resulting from the draft resolution, over and above conference-servicing requirements, would have to be approved in 1987 or 1988, as explained in document A/C.3/40/L.10. In the months to come, the representatives of the African Group in the Third Committee would very carefully monitor what was done in the United Nations to devise ways and means of fully implementing the Programme for the Decade: the Group therefore strongly urged all members of the Committee to support draft resolution A/C.3/40/L.7 and its financial implications (A/C.3/40/L.10).

AGENDA ITEM 93: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/40/L.5, L.9)

Draft resolution A/C.3/40/L.5

4. Mrs. PANEZAI (Pakistan), introducing the draft resolution on behalf of its sponsors, noted that the text was identical to that of General Assembly resolution 39/18. Only a few minor changes had been incorporated to update it (references to the latest resolutions of the General Assembly and Commission on Human Rights). The draft resolution was intended to stress the importance of the universal observance of the right of peoples to self-determination embodied in the Charter. Some peoples which had hitherto enjoyed the status of sovereign and independent nations were being denied their right to self-determination by foreign military intervention, aggression and occupation. It was to put an end to such practices, and all the inhuman methods used in their execution, and to deplore the plight of the millions of refugees and displaced persons by reaffirming their right to return to their homes voluntarily in safety and honour, that the sponsors had decided to submit the draft resolution to the Committee. She recalled that, at the thirty-ninth session of the General Assembly, both the Third Committee and the plenary Assembly had adopted the draft resolution on the subject without a vote. She hoped that the same would be true in 1985.

Draft resolution A/C.3/40/L.9

5. Mr. ONONAIYE (Nigeria), introducing the draft resolution on behalf of the African Group, recalled that a member of the Group had dissociated itself from the consensus on paragraph 26 because it objected to the reference to General Assembly resolution 39/40. That paragraph in effect merely recorded, and rightly, the recent efforts undertaken by the General Assembly towards achieving a just and durable solution to the problem of Western Sahara. Furthermore, it was on record that, when General Assembly resolution 39/40 had been considered in the Fourth Committee in 1984, the delegation of Morocco had not participated in the vote. It was therefore inappropriate for one delegation to oppose a reference to that resolution which the vast majority of States members of the African Group had supported.

6. The resolution on self-determination, like the one on racism, racial discrimination and apartheid, was vital for all countries which, at one time or another, had lived under foreign subjugation. It was of great concern to the African countries that, despite the progress towards attainment of the right of self-determination, there still existed peoples for whom that right remained a dream. The purpose of the resolution was to reaffirm the rights of all peoples to self-determination; it was therefore surprising that the resolution continued to receive negative votes from certain Member States. The sponsors called upon them to reconsider their position and join the majority. The African Group was convinced that the Namibian people, the South African people and the Palestinians would emerge victorious from their struggle and would ultimately be free to exercise their inalienable rights and manage their affairs as they deemed fit.

(Mr. Ononaiye, Nigeria)

7. He then read out the final preambular paragraph which had been omitted from the draft resolution:

"Deeply shocked and alarmed at the deplorable consequences of the Israeli invasion of Lebanon and recalling all the relevant resolutions of the Security Council, in particular resolution 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982."

That text had already appeared in resolution 30/17. Also, paragraph 10 should be amended as follows: after the words "United Democratic Front" in the third line, the words "National Forum, trade unions" should be added; and after "Nelson Mandela", the words "and Zephania Mothopeng" should be added. In conclusion he hoped that the draft resolution would command wider support than in the past.

AGENDA ITEM 94: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)
(A/C.3/40/L.4, L.6, L.8 and L.14)

Draft resolution A/C.3/40/L.4

8. Mr. TROUVEROY (Belgium) introduced the draft resolution, of which Australia, the Bahamas, Cuba and Nicaragua had become sponsors. Although there had been a pause in the process of ratifying or acceding to the Convention in 1985, of all the human rights conventions of which the Secretary-General was depositary, it was the International Convention on the Elimination of All Forms of Racial Discrimination which still had the most States parties, which demonstrated the will of the international community to eliminate all forms and manifestations of racism. That commitment had been strengthened by the Second Decade to Combat Racism and Racial Discrimination, and it was to express the General Assembly's satisfaction and reaffirm yet again the conviction that the ratification of that Convention, or accession thereto on a universal basis, was necessary for achieving the goals of the Second Decade that the sponsors had decided to submit the draft. They hoped the Committee would have no difficulties in adopting it without a vote.

Amendments in document A/C.3/40/L.8

9. Mr. MORELLI (Uruguay) introduced the amendments to draft resolution A/C.3/40/L.4 on behalf of the sponsors. The first amendment was to add a new preambular paragraph, and the second was to add a new paragraph 5 after paragraph 4, the subsequent paragraphs to be renumbered accordingly.

Draft resolution A/C.3/40/L.6

10. Mr. POERSCHKE (German Democratic Republic), introducing the draft resolution on behalf of the sponsors, whom Angola and the Syrian Arab Republic had joined, said that in the year of the United Nations fortieth anniversary, the apartheid régime had assumed an even more dangerous and inhuman character. Concrete actions

(Mr. Poerschke, German
Democratic Republic)

to eliminate that scourge were therefore imperative and, with the International Convention on the Suppression and Punishment of the Crime of Apartheid, the international community had an effective legal instrument with which to act. The main concern of the draft resolution submitted was, as in previous years, to enhance the universality and effectiveness of the Convention. The new element in it was that it drew the attention of States to the opinion expressed by the Group of Three that article III could be applied to the transnational corporations operating in South Africa. The sponsors held the view that the struggle against any form of collaboration was one of the crucial elements of the struggle to eliminate apartheid. Paragraphs 6, 7 and 8 were aimed at supplementing and widely distributing the progressive list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention. That was an essential contribution towards world-wide condemnation and unveiling of the collaborators who shared the guilt for the crime of apartheid.

Draft resolution A/C.3/40/L.14

11. Mr. MATELJAK (Yugoslavia), introducing the draft resolution, of which Nigeria had become a sponsor, said that two amendments had been introduced in the text: in the fifth line of paragraph 3, the word "all" should be added before the words "the administering Powers"; and, in the fourth line of paragraph 5, the words "in violation of" should be deleted and replaced by the clause "unless such information is in accordance with".

12. The draft resolution reflected the work of the Committee on the Elimination of Racial Discrimination and included questions already raised in previous resolutions as well as new ones discussed recently in the Committee. Paragraph 3 recalled that that Committee was continually unable to carry out its responsibilities with regard to the Territories to which resolution 1514 (XV) applied; the attention of the competent United Nations bodies was drawn to the opinion and to the recommendations of that Committee on the matter (which appeared in para. 619 of its report in document A/40/18); and all the administering Powers were urged once again to co-operate with those bodies by providing all the necessary information. Since some delegations had expressed the fear that consideration of the implementation of the Convention in the Territories in question might prejudice their legal status, that point was referred to in paragraph 4. Paragraph 5 answered a question raised regarding the validity of information provided in violation of article 15 of the Convention. States parties to the Convention were again invited to provide the Committee with information on the demographic composition of their population (para. 14) and to submit their reports in due time (para. 15).

13. Responding to the desires of some delegations that wished to consult with their Governments before deciding on the draft resolution, the sponsors proposed that no decision be taken on it for the time being. They hoped that the draft resolution would receive broad support because the Committee on the Elimination of Racial Discrimination could be guided by it in conducting its work.

AGENDA ITEM 89: INTERNATIONAL YOUTH YEAR: PARTICIPATION, DEVELOPMENT, PEACE: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/40/L.3, L.11 L.15).

AGENDA ITEM 95: POLICIES AND PROGRAMMES RELATING TO YOUTH: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/40/L.17)

Draft resolution A/C.3/40/L.3

14. Mr. VOICU (Romania) introduced the draft resolution, of which the following countries had become sponsors: Angola, Argentina, Cameroon, Canada, Cape Verde, Central African Republic, Cuba, Finland, Gambia, Ghana, Madagascar, Malaysia, Mali, Niger, Norway, Oman, Peru, Saint Christopher and Nevis, Saint Lucia, Singapore, Swaziland, Thailand, Trinidad and Tobago and Viet Nam. The very number of sponsors showed that the international community on the whole was concerned about the problems of youth and the means of solving them. He therefore hoped that the draft resolution, as in the past, would be adopted by consensus.

Draft resolution A/C.3/40/L.11

15. Miss BROŠŇÁKOVÁ (Czechoslovakia), introducing the draft resolution, of which Guinea-Bissau and Mozambique had become sponsors, said that it emphasized the fact that all States must codify in their legislation the exercise, by youth, of human rights, in particular the rights to education and to employment. Such a legal codification would offer youth a guarantee against unemployment, which was rampant in some States. She hoped that the draft resolution would be as widely accepted as resolutions adopted on the same subject at previous sessions.

Draft resolution A/C.3/40/L.15

16. Mr. CERMAK (Austria), introducing the draft resolution, said that Governments should become better aware of the problems of youth education and vocational training - dealt with by the draft resolution - and should favour, in the creation of employment, the human aspect over the technological. Two amendments had been made to the text of the draft. In the second to last line of paragraph 5, the word "so-called" should be deleted. In paragraph 7, the text should be amended to read:

"7. Requests the Secretary-General to include in his report on the implementation of the long-term plan of action on youth, to be submitted to the General Assembly at its forty-second session, a detailed analysis of the results of the above-mentioned symposium."

He hoped that those amendments would be accepted by the sponsors that he had not been able to contact. On behalf of the sponsors, to which should be added Bangladesh, France, Gambia, Guinea-Bissau, Indonesia, Philippines, Spain, Swaziland and Zaire, he hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/40/L.17

17. Mr. DARWISH (Egypt), introducing the draft resolution, of which Finland, Guinea, Lebanon and Peru had become sponsors, said that Egypt had always attached great importance to the question of channels of communication between the United Nations and youth and youth organizations, channels which it wished to see developed. His delegation hoped that the draft resolution would be adopted by consensus.

AGENDA ITEM 90: WORLD SOCIAL SITUATION (continued) (A/C.3/40/L.12, L.13, L.19)

Draft resolution A/C.3/40/L.12

18. Ms. ILIĆ (Yugoslavia) read out the main paragraphs of draft resolution A/C.3/40/L.12, which she introduced on behalf of the Group of 77, and said the Group hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/40/L.13

19. Mr. POLICHTCHOUK (Ukrainian Soviet Socialist Republic), introducing the draft resolution on behalf of its sponsors, said that the importance of the question of social development was such that not only the activities of Governments but also the role of the United Nations in that field should be strengthened. The Economic and Social Council should study practical ways of improving the work of the United Nations on the different aspects of social development.

Draft resolution A/C.3/40/L.19

20. Mr. MATELJAK (Yugoslavia), introducing the draft resolution, said that the sponsors were convinced that it would be adopted by consensus. In paragraph 4, the words "forty-third session" should be replaced by "forty-fourth session".

AGENDA ITEM 91: NATIONAL EXPERIENCE IN ACHIEVING FAR-REACHING SOCIAL AND ECONOMIC CHANGES FOR THE PURPOSE OF SOCIAL PROGRESS: REPORTS OF THE SECRETARY-GENERAL (continued) (A/C.3/40/L.16)

Draft resolution A/C.3/40/L.16

21. Mr. OLZVOY (Mongolia), introducing the draft resolution, of which Madagascar and Mozambique had become sponsors, said that since 1974, the General Assembly had, every two years, taken up the question of national experience in achieving far-reaching social and economic changes for the purpose of social progress, and that the report of the Secretary-General (A/40/65 and Add.1), submitted in accordance with Assembly resolution 38/25, had served as a basis for Economic and Social Council resolution 1985/32. The purpose of the draft resolution was to support the activities of the Secretariat aimed at implementing the provisions of Council resolution 1985/32 and it retained in its preamble the wording of previous resolutions adopted by the General Assembly. Reading out the operative part, he emphasized that paragraph 2 reflected the relevant provisions of the Declaration on

(Mr. Olzvoy, Mongolia)

Social Progress and Development and the International Development Strategy, paragraph 4, reaffirmed the provisions of Council resolution 1985/32 providing for the organization in 1986 of an interregional seminar, and paragraph 5 was directly inspired by paragraph 5 of Council resolution 1985/22. He hoped that, in 1985 again, the draft resolution would receive the support of delegations.

AGENDA ITEM 97: IMPLEMENTATION OF THE WORLD PROGRAMME OF ACTION CONCERNING DISABLED PERSONS AND UNITED NATIONS DECADE OF DISABLED PERSONS: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/40/L.18)

Draft resolution A/C.3/40/L.18

22. Mrs. TIRONA (Philippines), introducing the draft resolution, welcomed the fact that the United Nations had recently taken practical steps to solve some pressing humanitarian problems which transcended national borders, such as that of disabled persons, and that the international community had agreed that those questions should be void of political considerations and deserved universal support.

23. She announced that the following countries had become sponsors: Botswana, Burkina Faso, Canada, Central African Republic, Chile, Costa Rica, Guinea, Jordan, Nigeria, Oman, Pakistan, Paraguay, Peru, Senegal, Sudan, Swaziland, Uruguay and Zaire. She pointed out that in paragraph 11 of the draft resolution the words "Centre for Social Development and Humanitarian Affairs" should be replaced by "Secretary-General"; and that in paragraph 15, the words "General Assembly resolution 36/27" should be replaced by "and paragraph 17 of General Assembly resolution 36/77".

24. The draft resolution recognized the progress made so far in implementing the World Programme of Action and underscored the need to pursue the efforts undertaken. The draft resolution was based mainly on similar resolutions adopted by the General Assembly in 1982, 1983 and 1984. By providing for the possibility of bilateral assistance in the areas of prevention of disabilities, rehabilitation and equalization of opportunities of disabled persons, the draft resolution facilitated the implementation of the World Programme of Action within the framework of the Decade. After outlining the thrust of the second preambular paragraph, she welcomed the fact that the Secretary-General had completed the formulation of the terms of reference and guidelines for the Voluntary Fund for the United Nations Decade for Disabled Persons. She requested that, as had been done in the past, the draft resolution should be adopted by consensus as a testimony to the international community's will to pursue humanitarian co-operation.

AGENDA ITEM 98: CRIME PREVENTION AND CRIMINAL JUSTICE (continued)
(A/C.3/40/L.20-25)

Draft resolution A/C.3/40/L.24

25. Mr. PERUGINI (Italy) announced that Bolivia, France and Uruguay had become sponsors of draft resolution A/C.3/40/L.24. The object of the draft was to approve the conclusions adopted by consensus at the Seventh United Nations Congress on the

(Mr. Perugini, Italy)

Prevention of Crime and the Treatment of Offenders, and to ensure that those conclusions would be properly taken into account in the programmes of the United Nations system by inviting the Committee on Crime Prevention and Control, at its ninth session, to make specific recommendations on their implementation. Those recommendations would then be examined by the Economic and Social Council at its first regular session of 1986, which would provide overall policy guidance within the United Nations system on the subject. He noted that, at the request of one delegation and with the consent of the sponsors, paragraph 11 of the draft resolution had been amended by the insertion of the phrase ", in particular to the developing countries," after the phrase "projects of technical assistance".

26. Noting that the Committee on Crime Prevention and Control was invited, in paragraph 8, to review not only the resolutions but also the recommendations of the Seventh Congress, he observed that, because the Committee, when making its recommendations, would have to take account also of the other draft resolutions on the subject, the sponsors of draft resolution A/C.3/40/L.24 hoped that draft resolutions A/C.3/40/L.20, L.21, L.22 and L.23 would not be put to a vote until after the vote on draft resolution A/C.3/40/L.24.

Draft resolution A/C.3/40/L.25

27. Mr. RUSI (Finland) announced that Canada and Indonesia had become sponsors of the draft resolution. He said that the aim of the resolution was to express appreciation to Italy for having so cordially hosted and effectively organized the Seventh Congress, thus helping to ensure its success. He was confident that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/40/L.7 and statement of financial implications in document A/C.3/40/L.10

28. Mr. DUGUAY (Canada), speaking in explanation of position, said that Canada would join the consensus on draft resolution A/C.3/40/L.7, particularly because it favoured the organization of a training course focusing on the preparation of national legislation against racism and racial discrimination (para. 11). It was, indeed, through concrete steps of that kind that the Decade could become fully meaningful. Activities within the framework of the Decade should, preferably, be organized at the national level, with the role of the United Nations being confined to co-ordination. With regard to paragraph 15, which referred to Economic and Social Council decision 1985/141, Canada was concerned that funds allocated to the programme of advisory services in the field of human rights were to be used to organize the 1986 seminar, which would absorb almost the entire advisory service budget, and it hoped that in future preference would be given to technical assistance activities of the kind provided for in paragraph 11.

29. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.7 without a vote.

30. It was so decided.

Draft resolution A/C.3/40/L.5

31. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.5 without a vote.

32. It was so decided.

Draft resolution A/C.3/40/L.9

33. Mrs. WARZAZI (Morocco), speaking in explanation of vote before the vote, expressed regret that the traditions of consensus within the regional groups had been called into question, thus creating a dangerous precedent for the Committee's work, and said that she was amazed at the statement that it was not proper for a delegation to oppose the reference to General Assembly resolution 39/40 in paragraph 26 of draft resolution A/C.3/40/L.9. Morocco was a sovereign country which took instructions from no one. When it came to self-determination, which was the general theme of the draft resolution, Morocco, which had taken an active part in the drafting of General Assembly resolution 1514 (XV), adopted in 1960, had always defended the right of all peoples to self-determination. In her delegation's view, the reference to resolution 39/40 ran counter to that objective, because certain provisions of that resolution limited the application of the principle of consulting the people. That was why her delegation had asked for a separate vote on paragraph 26 of the draft resolution. However, in order to show once again its solidarity with the peoples of South Africa, Namibia and Palestine, Morocco would vote in favour of the draft resolution as a whole, since it believed that the African Group must act in unison on any genuine problem of self-determination not open to doubt, dispute or erroneous interpretation among its members.

34. Mr. LAHIRE (Luxembourg), speaking on behalf of the member States of the European Economic Community, said that the Ten supported the principle of self-determination set forth in the Charter and the international human rights instruments. They were, however, unable to support draft resolution A/C.3/40/L.9 because it contained several elements which they considered unacceptable or disputable. Once again, the sponsors had submitted the draft resolution to the Committee without consulting the various groups. The text was unbalanced in several respects, and while it referred specifically to certain situations, it neglected to mention the situations in Afghanistan and Kampuchea. The Ten EEC countries denounced apartheid but believed that the United Nations should promote above all else the peaceful settlement of international disputes, in accordance with the Charter. They also could not accept the assertion that the fact of maintaining relations with a State was tantamount to approving the policies of its Government.

35. The Ten believed that the Namibian people must be allowed to exercise their right to self-determination without delay, through free elections under the supervision of the United Nations, in accordance with Security Council resolution 435 (1978). They further believed that peace would not be possible in the Middle East unless the security and legitimate interests of all the States of the

(Mr. Lahire, Luxembourg)

region were taken into consideration, together with their right to exist within secure and recognized borders, just as the right of the Palestinian people to self-determination had to be recognized, with all that that implied. The Ten endorsed the appeal in paragraph 10 of the draft resolution for the release of Nelson Mandela and other political prisoners, a release which they themselves had called for on repeated occasions, as, for example, during the mission to South Africa undertaken by a delegation of the Community's Council of Ministers.

36. Mr. YEDID (Israel) said that, once again, Israel was being singled out for attack by the sponsors of draft resolution A/C.3/40/L.9. The draft resolution, which bore no relation to reality, reflected the prejudices of certain delegations and reflected the diktats of the automatic majority at the United Nations. It made no mention of the links between the Arab States and South Africa, despite the evidence that existed. In 1984, 76 per cent of South Africa's oil imports had come from the Arab States, and the proportion would probably reach 95 per cent in 1985. The statement by the representative of the United Arab Emirates, made before the Third Committee on 17 October 1985, to the effect that the United Arab Emirates sold oil to a consortium which might be reselling it to South Africa, and that the United Arab Emirates was not able to inspect every vessel leaving its ports, was tantamount to a confession. Yet, draft resolution A/C.3/40/L.9 did not condemn those trade relations with South Africa. Whereas the Arab States lay low and continued to collect the profits, the State of Israel followed a consistent policy in condemning the apartheid system.

37. Paragraph 33 of the draft resolution reiterated the call for support for the Palestine Liberation Organization (PLO), as the "sole and legitimate representative" of the Palestinian people. The PLO had destroyed any chance of a solution to the Palestinian problem; it sowed murder wherever it went and brought a curse on every country which harboured it, whether Jordan or Lebanon. Speaking in the United Kingdom, the "moderate" wing of the PLO had not even been able to claim that the PLO had renounced terrorist action. The PLO had shown itself in its true colours: a terrorist organization led by a hypocrite. Those facts had obviously not worried the sponsors of draft resolution A/C.3/40/L.9. Israel would vote against the draft resolution.

38. The CHAIRMAN said that a separate recorded vote had been requested on operative paragraph 26.

39. A recorded vote was held on operative paragraph 26.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Barbados, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gambia, German Democratic Republic, Ghana, Guinea-Bissau, Haiti, Hungary, India, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Malawi, Malaysia,

Maldives, Mali, Mexico, Mongolia, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Peru, Poland, Romania, Rwanda, Sao Tome and Principe, Senegal, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: El Salvador, Equatorial Guinea, Morocco, Zaire.

Abstaining: Antigua and Barbuda, Bangladesh, Belgium, Burma, Cameroon, Canada, Central African Republic, China, Colombia, Denmark, Finland, France, Gabon, Germany, Federal Republic of, Greece, Guatemala, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Luxembourg, Netherlands, Norway, Oman, Pakistan, Philippines, Portugal, Saudi Arabia, Somalia, Spain, Suriname, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

40. Operative paragraph 26 was retained by 74 votes to 4, with 39 abstentions.

41. A recorded vote was held on draft resolution A/C.3/40/L.9 as a whole, as amended.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, El Salvador, Greece, Guatemala, Ireland, Japan, Malawi, Portugal, Spain.

42. Draft resolution A/C.3/40/L.9, as amended, was adopted by 105 votes to 17, with 9 abstentions.

43. Mrs. ALVAREZ (Dominican Republic) said that her delegation had intended to vote in favour of draft resolution A/C.3/40/L.9.

Draft resolution A/C.3/40/L.4 and amendments contained in document A/C.3/40/L.8

44. The CHAIRMAN said that he would first put to the vote the amendments to draft resolution A/C.3/40/L.4, which were contained in document A/C.3/40/L.8.

45. A recorded vote was held on the amendments contained in document A/C.3/40/L.8.

In favour: Afghanistan, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Bolivia, Botswana, Brazil, Brunei Darussalam, Burma, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Cyprus, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea-Bissau, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Malawi, Maldives, Mali, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Paraguay, Peru, Portugal, Qatar, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Togo, Trinidad and Tobago, Tunisia, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zaire, Zambia, Zimbabwe.

Against: Bahrain.

Abstaining: Algeria, Angola, Bahamas, Bangladesh, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, China, Cuba, Czechoslovakia, Democratic Yemen, Fiji, German Democratic Republic, Guatemala, Hungary, India, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kenya, Lao People's Democratic Republic, Madagascar, Malaysia, Mexico, Mongolia, Pakistan, Philippines, Poland, Romania, Rwanda, Syrian Arab Republic, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam, Yugoslavia.

46. The amendments contained in document A/C.3/40/L.8 were adopted by 79 votes to 1, with 41 abstentions.

47. Miss AL-ZAYANI (Bahrain) said that her delegation had intended to abstain in the vote on the amendments.

48. Mrs. CAMARA (Guinea) said that her delegation's vote had not been recorded but that she wished to vote in favour of the amendments.

49. The CHAIRMAN said that, if there were no objections, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.4, as amended, without a vote.

50. It was so decided.

Draft resolution A/C.3/40/L.6

51. Mr. SANTER (Luxembourg), speaking on behalf of the ten Member States of the European Economic Community, Spain and Portugal, said that their intention to abstain in the vote on draft resolution A/C.3/40/L.6 did not alter their position on apartheid, which their Governments had condemned as a flagrant violation of human rights. However, they considered that the International Convention on the Suppression and Punishment of the Crime of Apartheid made no real contribution to the elimination of apartheid and, although they supported its ultimate objective, they still had serious reservations concerning the envisaged methods, owing to the legal problems posed. At the time of the Convention's adoption, legal objections had been raised concerning the fundamental characteristics of the crime, the territorial application rules and the international jurisdictional competence of States, and those difficulties still prevented many States from acceding to the Convention.

52. Draft resolution A/C.3/40/L.6 also presented some problems, particularly in the third preambular paragraph, since the Group of Three set up under article IX of the Convention was not competent to formulate the conclusions in question and the crime of genocide had clearly been defined by the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. The Ten considered that a text without the force of a treaty, like draft resolution A/C.3/40/L.6, by means of which the General Assembly would extend the field of application of the Convention, had no basis in law. Only the Contracting States or competent international bodies could express themselves on the interpretation of international conventions. The Ten also had difficulty in accepting operative paragraphs 5 and 8 of the draft resolution, since it seemed inadmissible that treaties should have a legal effect on third States and still more unacceptable that restrictions of competence should be imposed on them without their consent. Some paragraphs had been introduced which were out of place in such a resolution and of a controversial nature; it was regrettable that the suggestions made on the subject had not been taken into account.

53. The CHAIRMAN said that separate recorded votes had been requested on the third preambular paragraph, operative paragraph 5 and operative paragraph 8 of draft resolution A/C.3/40/L.6.

54. A recorded vote was taken on the third preambular paragraph of the draft resolution.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, 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 (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Federal Republic of, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Canada, Central African Republic, Costa Rica, Denmark, Finland, Greece, Iceland, Ireland, Japan, New Zealand, Norway, Spain, Sweden.

55. The third preambular paragraph was adopted by 108 votes to 10, with 15 abstentions.

56. A recorded vote was taken on paragraph 5.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Comoros, 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 (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic,

Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Federal Republic of, Ireland, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Canada, Central African Republic, Denmark, Finland, Greece, Iceland, Jamaica, Japan, New Zealand, Norway, Philippines, Rwanda, Spain, Sweden.

57. Paragraph 5 was adopted by 104 votes to 11, with 16 abstentions.

58. A recorded vote was taken on paragraph 8.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, 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 (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Federal Republic of, Ireland, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Canada, Denmark, Finland, Greece, Iceland, Japan, New Zealand, Norway, Spain, Sweden.

59. Paragraph 8 was adopted by 107 votes to 11, with 12 abstentions.

60. A recorded vote was taken on draft resolution A/C.3/40/L.6 as a whole.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, 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 (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

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

61. Draft resolution A/C.3/40/L.6 as a whole was adopted by 111 votes to 1, with 23 abstentions.

62. Mrs. UMAÑA (Colombia) said that her delegation's vote had not been recorded; it had intended to vote in favour of the draft resolution as a whole.

Draft resolution A/C.3/40/L.14

63. The CHAIRMAN reminded the Committee that, in accordance with Yugoslavia's proposal, the decision on draft resolution A/C.3/40/L.14 had been postponed. The Committee had thus completed the voting on the first cluster of items.

64. Mr. SCHWANDT (Federal Republic of Germany), speaking in explanation of vote after the vote, said that his delegation welcomed the adoption of draft resolution A/C.3/40/L.7 by consensus. That would make it possible to move forward along the course prepared by the adoption of General Assembly resolutions 38/14 and 39/16. Although the Federal Republic of Germany, as could be seen from its previous statements and from joint statements by the Ten, was deeply committed to the objectives of the Second Decade to Combat Racism and Racial Discrimination and had clearly condemned apartheid as a flagrant violation of human rights, it had some reservations on paragraphs 1, 2 and 6 of draft resolution A/C.3/40/L.7. The United Nations had the obligation to encourage peaceful solutions. The expression "combated by all available means" in paragraph 1 could therefore be interpreted only in accordance with the provisions of the Charter. The Federal Republic of Germany could not accept any implicit approval of armed struggle in General Assembly resolutions. It would have preferred, moreover, not to see any reference in paragraph 2 to situations other than that of South Africa. As to paragraph 6, his delegation believed that the status of migrant workers was not in itself a criterion for racial discrimination.

65. Miss BYRNE (United States of America) pointed out that her delegation had not participated in the adoption of draft resolution A/C.3/40/L.7. She recalled that the United States had supported the launching in 1973 of the Decade for Action to Combat Racism and Racial Discrimination; however, since the adoption in 1975 of General Assembly resolution 3379 (XXX), in which zionism was equated with racism, the United States had not taken part in the activities of either the first or the second Decade.

66. Her delegation expressed its concern, nevertheless, about the financial implications, as stated in document A/C.3/40/L.10, of draft resolution A/C.3/40/L.7. The United States had made an exception to its policy of non-participation by voting against Economic and Social Council decision 1985/141, which authorized the organizing of an international seminar on international assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and apartheid. The United States considered the enormous financial implications of holding the seminar away from Headquarters to be completely unacceptable and found it shocking that the resources necessary to finance the meeting were to be taken from the limited funds allocated to human rights advisory services.

67. As to the decision, referred to in paragraph 14 of the draft resolution, to authorize a global consultation on racial discrimination to focus on the co-ordination of international activities to combat racism and racial discrimination, the United States was confident that the Secretary-General, in presenting a consolidated statement of the total conference-servicing costs at the forty-second session of the General Assembly, would announce that financing could come entirely from existing resources.

68. Despite its firm opposition to racism and apartheid, and its traditional support of the right of peoples to self-determination, the United States regretted the politicizing of United Nations activities in that area and the extremist vocabulary which had prevented it from accepting some of the resolutions submitted.

69. Mr. VILLAGRA DELGADO (Argentina) said that his country had voted in favour of draft resolution A/C.3/40/L.9, which called upon all States to implement fully and faithfully all the resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination, because it attached great importance to that right. His delegation expressed reservations, however, with regard to the wording of some of the paragraphs of the draft resolution.

70. Mr. ZURIDA (Spain) said that his country supported the principle of self-determination set forth in the United Nations Charter and recognized as a right in all the relevant international legal instruments. Nevertheless, it had been obliged to abstain during the vote on draft resolution A/C.3/40/L.9 for the reasons behind its earlier abstention and because of the further polemics introduced during the current year. His delegation could not accept the reference in paragraph 2 to armed struggle as one of the legitimate means employed to support a cause. Spain had always strongly condemned racism and racial discrimination, and the revolting system of apartheid. Nevertheless, it had reservations about paragraph 22, since it believed that political relations with South Africa could not in themselves be deemed support for the South African Government, far less an endorsement of its racist policy. It had abstained during the separate vote on paragraph 26 of the draft, since the text reaffirmed resolutions of a regional organization, OAU, of which Spain was not a member, and all those adopted by various United Nations bodies on the question of Western Sahara - resolutions which had not all been approved by his country.

71. Mr. JOSSE (Nepal) said that his delegation had been absent during the vote on draft resolution A/C.3/40/L.9 and the separate vote on paragraph 26 of that text. It would participate in the vote on the draft resolution when it was subsequently submitted to the Assembly.

72. Mr. GLAIEL (Syrian Arab Republic) and Miss AL-TURAIHI (Iraq) both welcomed the adoption by consensus of draft resolution A/C.3/40/L.7; their delegations understood the expression "occupied territories" in paragraph 2 to mean the occupied Arab territories.

73. Mr. HAMER (Netherlands) said he was pleased that it had been possible to adopt draft resolution A/C.3/40/L.7 without a vote, thus showing that the spirit of consensus still prevailed; he thanked the representative of the Secretary-General, and the African and other delegations, for their efforts.

74. His delegation stressed, however, that the term "by all available means" in paragraph 1 covered only those means that were compatible with the Charter, which would rule out any form of armed struggle. Moreover, the reference, in paragraph 2, to racism in the occupied territories did not imply that racism and racial discrimination were inevitably practised in occupied territories or territories under alien domination.

75. Mrs. BORGES (Uruguay) said that her delegation had voted in favour of draft resolution A/C.3/40/L.9. However, although Uruguay approved the principle set forth in paragraph 2 and fully supported any people struggling for independence,

(Mrs. Borges, Uruguay)

such as the people of Namibia, and any country defending its territorial integrity, such as Argentina in regard to the Malvinas, it did not support armed struggle as a means of securing rights. Although her delegation endorsed the struggle of the Lebanese people, it would have preferred the text of paragraph 31 to reflect more clearly all the reasons for the conflict that was tearing the country apart and to stress that all foreign forces should be withdrawn from the territory. With regard to paragraph 33, it was up to the Palestinian people to choose its representatives once it could freely exercise its right to self-determination; her country meanwhile regarded the PLO as a legitimate provisional spokesman.

76. Mr. AKYOL (Turkey) said that his delegation had voted in favour of draft resolution A/C.3/40/L.6 because Turkey was firmly opposed to apartheid. However, it had reservations about certain provisions of the International Convention on the Suppression and Punishment of the Crime of Apartheid, which raised legal difficulties for his country. Likewise, although his delegation had voted in favour of draft resolution A/C.3/40/L.9, it was opposed in principle to singling out Member States and groups of countries for criticism and condemnation, and found the reference to Western States in paragraph 22 unwelcome.

77. Miss FRANCO (Portugal) said that although her delegation supported the general lines of draft resolution A/C.3/40/L.9, it had been obliged to abstain from voting since it could not accept certain controversial provisions and incorrect statements in the text. In particular, it objected to the wording of the eighth, ninth and twenty-third preambular paragraphs and operative paragraphs 2, 5, 21, 22, 24 and 31. As pointed out on many occasions, her Government did not view armed struggle as either the sole or the best means of correcting injustices; that course could entail serious consequences for all, including innocent people. With regard to paragraph 5, she recalled the reservations her delegation had expressed at international conferences on the questions of Namibia and Palestine. Portugal reserved its position relating to paragraphs 21 and 24, since it had not participated in the conferences referred to. Her Government still believed that a peaceful solution to the serious problems faced by the Palestinian people, Lebanon, Israel and Namibia was still possible and that efforts to that end should be pursued.

78. Mr. JATIVA (Ecuador) said that his delegation had voted in favour of draft resolution A/C.3/40/L.9 since it supported the underlying issue, which was fundamental to the safeguarding of human rights, the elimination of all forms of racial discrimination, the right to self-determination, territorial integrity, and the sovereign equality of States. However, his delegation could not support the text of certain paragraphs, which were phrased selectively and referred to Conferences in which his country had not taken part.

79. The CHAIRMAN said that, since the Committee had interpretation services for only a limited time, explanations of vote should be suspended and resumed at the next day's meeting, when action would be taken on the next cluster of items.

(The Chairman)

80. If there was no objection, he would take it that the Committee agreed to his proposal.

81. It was so decided.

Draft resolution A/C.3/40/L.3

82. The CHAIRMAN said that, if there was no objection, he would take it that the Committee agreed to adopt draft resolution A/C.3/40/L.3 without a vote.

83. It was so decided.

Draft resolution A/C.3/40/L.11

84. The CHAIRMAN said that, if there was no objection, he would take it that the Committee agreed to adopt draft resolution A/C.3/40/L.11 without a vote.

85. It was so decided.

Draft resolution A/C.3/40/L.15

86. The CHAIRMAN said that, if there was no objection, he would take it that the Committee agreed to adopt draft resolution A/C.3/40/L.15, as amended, without a vote.

87. It was so decided.

88. Miss BYRNE (United States of America), referring to the documentation submitted under agenda items 89 and 95, said it was regrettable that the members of the Secretariat responsible for preparing documents did not give due heed to repeated requests about the limitation of documentation. She again urged the utmost effort towards clarity and conciseness, in the interests of readers and for the sake of and progress in the Committee's work.

Draft resolution A/C.3/40/L.17

89. The CHAIRMAN said that, if there was no objection, he would take it that the Committee agreed to adopt draft resolution A/C.3/40/L.17 without a vote.

90. It was so decided.

The meeting rose at 6.40 p.m.