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SUMMARY RECORD OF THE 39th MEETING

Chairman: Mr. DIALLO (Guinea)

CONTENTS

TRIBUTE TO THE MEMORY OF HIS EXCELLENCY MR. ALEKSEY FEDOSSEEVICH VATCHENKO,
PRESIDENT OF THE PRESIDUM OF THE SUPREME SOVIET OF THE UKRAINIAN SOVIET SOCIALIST
REPUBLIC

AGENDA ITEM 72: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE:

- (a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE
- (b) IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECOND UNITED NATIONS
CONFERENCE ON THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE: REPORT
OF THE SECRETARY-GENERAL

AGENDA ITEM 71: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS
OF THE SECRETARY-GENERAL (continued)

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The meeting was called to order at 10.55 a.m.

TRIBUTE TO THE MEMORY OF HIS EXCELLENCY MR. ALEKSEY FEDOSSEEVICH VATCHENKO,
PRESIDENT OF THE PRESIDUM OF THE SUPREME SOVIET OF THE UKRAINIAN SOVIET SOCIALIST
REPUBLIC

1. The CHAIRMAN, on behalf of the Committee, expressed heartfelt condolences to the delegation of the Ukrainian Soviet Socialist Republic, and through it to the Government and people of the Ukrainian Soviet Socialist Republic, on the death of Mr. Aleksey Fedosseevich Vatchenko, President of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic.

2. At the proposal of the Chairman, the members of the Committee observed a minute of silence in tribute to the memory of Mr. Aleksey Fedosseevich Vatchenko, President of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic.

3. Mr. NOWAK (Poland), on behalf of the Eastern European States, Mr. IRTEMCELIK (Turkey), on behalf of the Western European and other States, Mr. VALLE (Brazil), on behalf of the Latin American and Caribbean States, Mr. TABAPSSI (Cameroon), on behalf of the African States and Mr. AOKI (Japan) on behalf of the Asian States, paid tribute to the memory of Mr. Aleksey Fedosseevich Vatchenko.

4. Mr. MISHCHENKO (Ukrainian Soviet Socialist Republic), speaking on behalf of his delegation and the people and Government of the Ukrainian Soviet Socialist Republic, expressed his profound gratitude to the Chairman and the members of the Committee for their kind words of sympathy and their tribute to Mr. Aleksey Fedosseevich Vatchenko.

AGENDA ITEM 72: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE:

(a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/39/20)

(b) IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECOND UNITED NATIONS CONFERENCE ON THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE: REPORT OF THE SECRETARY-GENERAL (A/39/515)

5. The CHAIRMAN drew the attention of the members of the Committee to the report of the Committee on the Peaceful Uses of Outer Space (COPUOS) (A/39/20) and the report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (A/39/515). As the focal point for international co-operation in the peaceful uses of outer space within the framework of the United Nations, the Committee on the Peaceful Uses of Outer Space had taken the lead in ensuring that space science and technology would benefit all mankind. COPUOS was currently in the process of formulating additional international instruments which would further enhance the comprehensiveness of that new area of international law.

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6. Mr. JANKOWITSCH (Austria), speaking as the Chairman of COPUOS, introduced the report of the Committee on the Peaceful Uses of Outer Space (A/39/20). The report contained the report of the Scientific and Technical Sub-Committee on the work of its twenty-first session and the report of the Legal Sub-Committee on the work of its twenty-third session. Among the items dealt with by the Scientific and Technical Sub-Committee, priority had been given to the United Nations Programme on Space Applications and co-ordination of outer space activities within the United Nations system; the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE 82); remote sensing of the earth by satellites; and the use of nuclear power sources in outer space. The Committee had endorsed the programme of activities of the United Nations Programme on Space Applications and had noted with appreciation the assistance and financial contributions provided to the Programme by a number of Governments. Those contributions formed part of a voluntary effort by Member States and international agencies to implement the recommendations of UNISPACE 82, which was a major focal point at each session of the Committee.

7. Progress had been made with regard to the three priority study projects carried out in accordance with the procedures endorsed by the General Assembly. The final drafts of those three studies would be submitted early in 1985 to the Scientific and Technical Sub-Committee for consideration and evaluation and, through it, to COPUOS for recommendations on appropriate action.

8. Unfortunately, however, there was a growing gap between the substantial range of new or expanded activities suggested by UNISPACE 82 and the resources available to put them into practice. The General Assembly had clearly recognized that the implementation of the recommendations of UNISPACE 82 called for a substantial increase in the financial support available to the Outer Space Affairs Division, particularly in connection with the United Nations Programme on Space Applications.

9. The recommendations of UNISPACE 82 had increased the hope of Member States to participate in and derive significant benefits from space science and technology. As a consequence, 47 Member States had requested technical assistance under the Programme in different areas of space applications. In order to meet those requests, there was an urgent need to substantially increase the regular budget. The General Assembly should realistically review the funding procedure for the newly mandated activities of the Programme. Because of their unpredictability, voluntary contributions could be used only to enhance the scope of the Programme and should not be seen as the sole basis on which the Organization could guarantee the full implementation of the recommendations of UNISPACE 82.

10. The discussions on remote sensing of the earth by satellites and the use of nuclear power sources in outer space had not produced new initiatives. The Committee had decided, however, to recommend to the General Assembly that the Working Group on the Use of Nuclear Power Sources in Outer Space should continue its work in 1985.

11. The Legal Sub-Committee had given priority consideration to the legal implications of remote sensing of the earth from space. Lack of meaningful

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(Mr. Jankowitsch, Austria)

progress, however, had prompted the Committee to emphasize the importance of intensifying efforts to complete the drafting of principles. The Committee had recommended to the General Assembly that that item should be retained as a matter of priority on the agenda of the Legal Sub-Committee at its next session. Although there had been constructive discussion of some of the procedural and substantial aspects of the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space, no real progress had been made in that regard.

12. The Legal Sub-Committee and the Committee itself had continued the discussion of matters relating to the definition and the delimitation of outer space and to the character and utilization of the geostationary orbit. Although a variety of views had been expressed on substantive and procedural matters, no major progress had been made. The Committee had only been able to reach agreement on retaining those items on the agenda. Accordingly, the General Assembly would have to decide on the precise way in which the Legal Sub-Committee should deal with those items at its next session.

13. The strong divergence of opinion among the members of COPUOS on the questions relating to the militarization of outer space had overshadowed the entire twenty-seventh session. Although most members shared concern regarding the prospect of the militarization of outer space, there was no common ground as to a more specific role of the Committee in that regard. There had been very strong disagreement on the mandate of COPUOS in that crucial area of international relations.

14. The strong divergence of opinion on a number of questions posed a particular problem to the smooth functioning of COPUOS and its two Sub-Committees because experience had showed that progress could best be achieved on the basis of consensus. The structure of the decision-making machinery with regard to the peaceful uses of outer space within the framework of the United Nations was at a critical turning point. There were a number of crucial questions which required the special attention of the General Assembly at its current session. It was hoped that delegations would demonstrate flexibility and a spirit of compromise in order to overcome the difficulties facing COPUOS.

AGENDA ITEM 71: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued) (A/39/339, A/39/501, A/39/527, A/39/532, A/39/591, A/39/620, A/39/665; A/SPC/39/L.22-29)

15. Mr. BARROMI (Israel), speaking in exercise of the right of reply, pointed out that, although the representative of Lebanon had requested, at the Committee's 37th meeting, that his (Mr. Barromi's) words should be erased from the record, no speaker could invalidate the fact that the Israeli administration in Judea, Samaria and Gaza was guided by the rule of law, including open access to judicial redress, that the educational system in the territories was expanding, that there was full employment and economic development, that Israel and the territories received more

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(Mr. Barromi, Israel)

than a million visitors each year, including 150,000 visitors from Arab countries - many of whom came to Israel for medical treatment, as the representative from Iraq could see, if he so desired, in every major Israel hospital - and, lastly, that all questions related to that administration were constantly scrutinized by the Israeli press and parliament.

16. His Arab colleagues knew that the gloomy picture which they painted of the situation in the territories was not true. They were unable to dispute the facts and figures he had provided from such sources as ILO, WHO, the International Commission of Jurists and Amnesty International.

17. Referring to the complaint by the representative of Jordan that the publication of the Karp report had been delayed for two years, he asked whether the Jordanian Ministry of Justice had ever established a commission of inquiry on police methods during the 19 years of its rule in Judea-Samaria, a time of harsh repression and police brutality, or whether such a commission even existed currently.

18. Although the representative of Iraq had said that Security Council resolution 237 (1967) did not refer to the Jewish communities in Arab lands, he drew attention to the Yearbook of the United Nations, 1967, which, on page 242, indicated that the Secretary-General had informed his Special Representative that the provisions of that resolution might properly be interpreted as having application to both Arab and Jewish persons in the States which had been directly concerned because of their participation in the 1967 war. That text proved that, under General Assembly resolution 2443 (XXIII), which was based on Security Council resolution 237 (1967), the Special Committee was responsible for investigating the plight of Jews in Arab lands. By refusing to do so, the Special Committee had revealed the bias and irregularity of its procedures.

19. Referring to the comments made by the representative of Iraq in connection with the issuance of white papers by the Government of the United Kingdom, he suggested that that representative should consult reliable sources, not carelessly prepared anti-Israel and often anti-Semitic propaganda. Such propaganda was also evident in his slick contention that the Jews had forfeited their right to their ancestral land, because they had had to live in many countries and to speak different languages. The people of Israel had a legitimate title, which could not be quashed by conquest or exile.

20. The representative of the Libyan Arab Jamahiriya, the spokesman of a ruler who emulated the deeds of the Roman Emperor Caligula, had dubious authority to speak on human rights. On the same subject, with reference to Iraq, the 1984 report of Amnesty International cited hundreds of executions and disappearances from 1976 to 1981, and the International Committee of the Red Cross had complained of the harassment of civilians of Iranian origin.

21. In conclusion, he observed that, although the Palestine Liberation Organization had been split asunder, it could still provoke disturbances, such as that which had regrettably cost the lives of two students recently in Ramallah.

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22. The CHAIRMAN informed the representative of Israel that he had exhausted the time allotted for his first right of reply.

23. Mr. IRTEMCELİK (Turkey), speaking in exercise of the right of reply, said that his delegation had noted with regret that certain delegations habitually took advantage of every agenda item in order to engage in unilateral propaganda in connection with the problem of Cyprus. The repetition of that exercise in connection with agenda item 71 was an insult to the Palestinian Arab people: their ordeal should not be exploited for selfish purposes.

24. However, in view of the forthcoming resumption of the third round of talks, held under the auspices of the Secretary-General and directed towards finding a solution to the Cyprus problem, he would refrain from making any comment which might undermine the climate necessary for success. Nevertheless, he expressed the hope that the spurious comments to which he had referred did not reflect the attitude of that speaker's superiors, and he drew attention to the statement made by Archbishop Makarios and reproduced in document S/PV.1780, which, if the Greek Cypriot representative had the courage to examine it, would surely be edifying.

25. Mr. BURAYZAT (Jordan) said that he wished merely to clarify that the statement which his delegation had made on Wednesday, 21 November, had contained no reference to any delay in the publication of the Karp report, and he drew attention to the carelessness with which the Israeli statements were prepared.

26. Mr. FARTAS (Libyan Arab Jamahiriya), speaking in exercise of the right of reply, pointed out that a large number of the Arabs wounded by the Zionist occupying authorities were obviously being treated in Israeli hospitals, and, in that connection, he drew attention to the fact that the Israeli occupying authorities had recently killed two Palestinian students. The occupying authorities had claimed that their troops had fired into the air, but an American eyewitness had indicated, in the The New York Times, that they had fired directly at the demonstrators, as the facts had subsequently confirmed.

27. On 21 November, the Zionist representative had, as usual, departed from the item under consideration and, because of the weakness of his logic, had referred to the statement made by the observer of the League of Arab States as a "pack of lies". However, he had failed to refute a single fact contained in that or other statements made during the current discussion.

28. The Zionist representative had also tried to implicate his country in the assassination of Mrs. Indira Gandhi, a tactic which reflected the expanded campaign that had been directed against the Libyan Arab Jamahiriya for several years because of its persistent position on the question of Palestine and the Middle East. He rejected the possibility of any link between his country and the assassination. The Libyan Arab Jamahiriya was bound to India by ties of strong friendship, which had been enhanced by Mrs. Gandhi's recent visit to his country and which had suffered a grave loss through her death.

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(Mr. Fartas, Libyan Arab Jamahiriya)

29. The campaign against his country was aimed at limiting its role in combating faits accomplis and at diverting attention from the item under discussion. However, that did not relieve the Zionist entity of responsibility for its violations of international law, which were clearly described in the report of the Special Committee (A/39/591). Israeli intransigence in denying the inalienable rights of the Palestinian people was obvious to all and could not be concealed.

30. Mr. PHEDONOS-VADET (Cyprus), speaking in exercise of the right of reply in connection with the comments made by the representative of Turkey, pointed out that the representative of Cyprus who had spoken previously had not discussed the problem of Cyprus under agenda item 71 but had drawn a parallel between the situation in occupied Cyprus and that in the Israeli occupied territories. There were, however, three main differences between the two. First of all, Cyprus could not be viewed as a threat to the security of Turkey, which was a pillar of NATO. Israel could invoke that argument, but Turkey could not. Secondly, nearly all the non-Turkish Cypriots had been forcibly expelled from the occupied territories, whereas, in the Israeli occupied territories, a large percentage of the local population still remained. Thirdly, there was a much higher percentage of settlers in occupied Cyprus than in the Israeli occupied territories.

31. Mr. AL-HASSANI (Kuwait) seconded the request made by the representative of Lebanon at the Committee's 38th meeting for a full transcription of the comments made by the representative of the Syrian Arab Republic at that meeting.

32. The CHAIRMAN recalled that the General Assembly had approved the recommendation of the General Committee that during the current session the Special Political Committee should again be authorized to receive, on specific request, transcriptions of the debates of some of its meetings, or portions thereof. Those transcriptions did not entail any additional budgetary expenses as they were prepared by verbatim reporters and typists from the tapes when the staff concerned were not otherwise occupied in servicing meetings normally provided with verbatim records. Consequently, they might appear at a later stage than the summary records which, as the official records, were complete records of the Committee's proceedings. If he heard no objection, he would take it that the Committee acceded to the request.

33. It was so decided.

34. Mr. BAKROMI (Israel), speaking on a point of order, observed that, at the Committee's 38th meeting, the Chairman had given the representative of the Syrian Arab Republic an additional minute to complete his right of reply but had just cut him (Mr. Barromi) off mid-sentence. Accordingly, he requested 30 more seconds in order to complete his sentence.

35. Mr. ABOUCHAER (Syrian Arab Republic) pointed out that he had been given an additional minute to speak in explanation of vote, not in exercise of his right of reply, and could therefore have spoken much longer. Accordingly, he viewed the Israeli representative's request as a sign of further intransigence and defiance of the Chair.

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36. Mr. BARROMI (Israel) expressed his confusion at the fact that the representative of the Syrian Arab Republic had said that he had spoken in explanation of vote, when there had been no vote.

37. The CHAIRMAN observed that that was a question of interpretation and that the case of the Syrian statement involved a technical matter. As a compromise, he offered the representative of Israel 30 more seconds.

38. Mr. BAKROMI (Israel) said that all those who were striving to block a realistic and constructive approach to Arab-Israeli peace would not succeed, and history would not forgive them.

The meeting rose at 12.05 p.m.